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To: District Plan Team – Attention: Greg Wilson
Strategic Planning & Policy
5 Memorial Avenue
Private Bag 752
Kaikohe 0440.
Email: greg.wilson@fnhc.govt.nz

RE: Submission on the Proposed Far North District Plan 2022

1. **Details of persons making submission**

IDF Developments Limited ('The Submitter')
C/- Bay of Islands Planning (2022) Limited
Attention: Steven Sanson
PO Box 318
PAIHIA 0247

2. **General Statement**

The Submitter are directly affected by the Proposed Far North District Plan. They generally support the provisions within the PDP subject to amendments detailed in this Submission.

The Submitter cannot gain an advantage in trade competition through this submission. They are directly impacted by the Proposed District Plan. The effects are not related to trade competition.

3. **Background & Context**

Background

The Submitter is private company who undertake development within the Far North. The company owns property in the district, the development of which will contribute to the economic and social wellbeing of the Far North. This being realised through developing the land and then subsequent use of the land.

To maintain the contribution the company makes to the district a substantial investment program is required both in the short and long term. This commitment can be reinforced through the District Plan incorporating the appropriate management strategy as outlined within this submission.

The PDP involves a pattern of zoning and overlays to manage social and economic wellbeing and intrinsic values within the district, which as applicable is supported, however there are nonetheless provisions within the PDP which require deletion or amendment.

Site Descriptions

TTFL owns land comprised within the following properties described and depicted on the following plans :

The following Record of Titles:

- ROT 948625 (Lot 2 DP 550435);
- ROT NA30C/2 (Lot 11 DP 72578);
- ROT NA28C/843(Lot 12 DP 72578);
- ROT NA31A/1347 (Section 7 Block V Kerikeri SD)

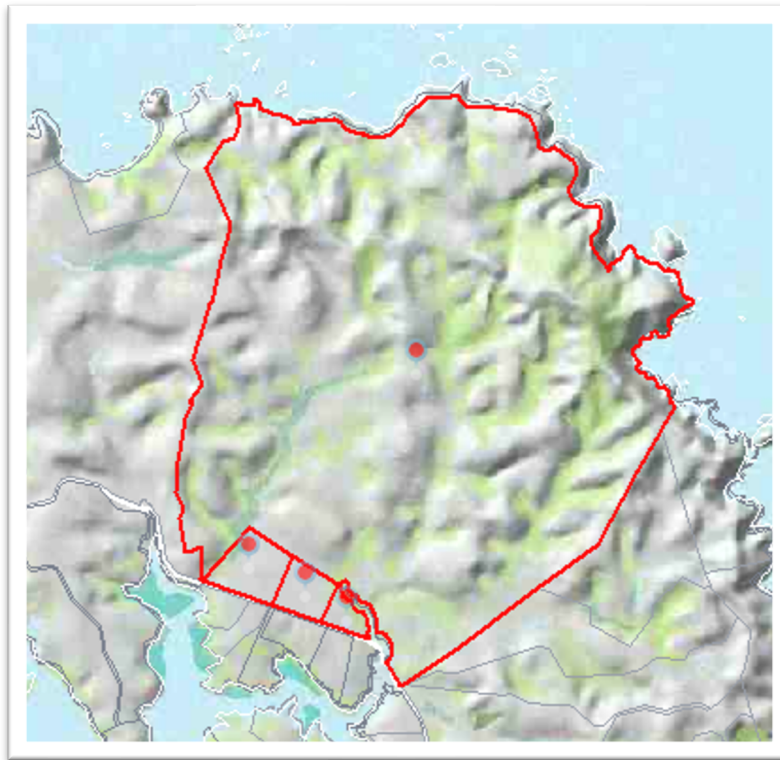
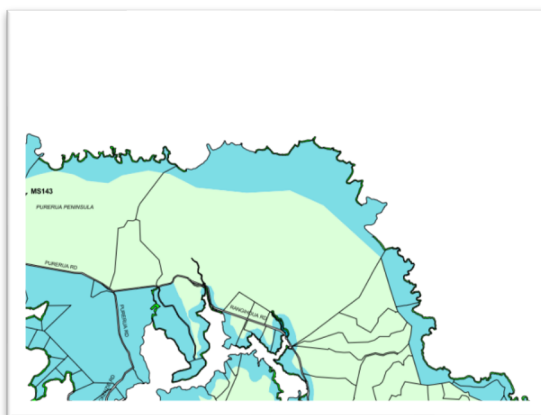


Figure 1 - Site

Operative and Proposed District Plan Zoning

The Operative District Plan reveals the land is zoned **Rural Production** and **General Coastal**, and has the Resource Feature – **Outstanding Landscape** –



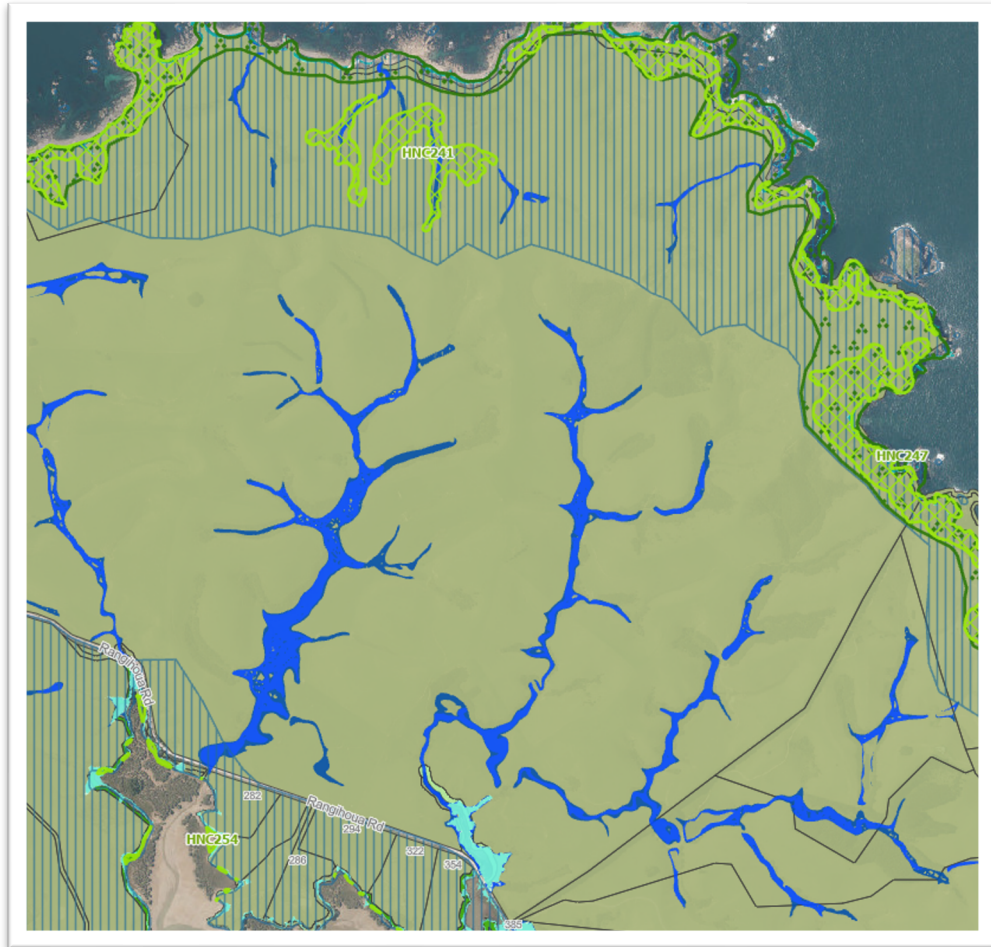
ODP Zone and Resource Maps

The PDP seeks to apply the following Zones and Overlays –

Rural Production and **Coastal Environment ; Outstanding Natural Landscape ; High Natural Character ;** and **Hazard and Risks – Flooding**



PDP ZONE MAP



PDP OVERLAY MAPS

The PDP Zone and Overlay Map – Coastal Environment effectively replicates the existing zone regime as that within the ODP.

4. **The specific provisions of the Proposed Far North District Plan that this submission relates to are:**

PDP E Maps

- Proposed Planning / Zone Maps and Overlay Maps which relate to the landholdings referred to in Section 3 [*Figure 1*] of this submission; and

- The following provisions outlined in Section 5 below.

5. **IDF seek the following amendments/relief:**

This submission relates to the Proposed Far North District Plan:

PDP E Maps

- Supports the **Rural Production Zone** [RPZ] over the **S253.001** landholdings as provided for on the PDP E-Maps ;

The reasons for making the submission on the Proposed District Plan are as follows:

The RPZ is effectively the default zone in the PDP where other proposed zones are not applicable or appropriate. The land is being currently used for productive purposes and the productive intent enabled within the Rural Production Zone is generally supported.

General Provisions – Definitions : Earthworks;

- Amend the definition to exclude earthworks associated with **S253.002** building foundations. If the definition cannot be amended include an exemption rule within the Earthworks chapter.

The reasons for making the submission on the Proposed District Plan are as follows:

The proposed definition would capture the land disturbance in creating building foundations and drilling holes for concrete piles.

This would then become an additional burden on applicants as well as Council having to process and monitor building work.

These activities are of such a minor and miniscule nature that capturing such within the definitions should be removed.

Rural Production Zone – RPROZ-S5 Building or Structure Coverage

Amend the standard to 15% (as is currently provided in the operative Rural Production Zone.

S253.003

The reasons for making the submission on the Proposed District Plan are as follows:

There is no clear rationale within Council’s analysis that supports a 12.5% building / structure coverage for the Rural Production Zone. It is not clear what the difference in effect is from 2.5% between the Operative and PDP provisions. The operative provisions should be retained and this approach would also align with the RPROZ-R2 Impermeable surface coverage.

Rural Production Zone – RPROZ-S4 Setback from MHWS

Amend the standard to include an exemption where there is a S253.004 landholding (i.e crown grant, road, or reserve that separates a site from MHWS).

The reasons for making the submission on the Proposed District Plan are as follows:

The relief sought in relation to the above, draws off an existing exemption from the setback rules in the Operative District Plan where the setback provision does not apply to a legally formed and maintained road between the property and the coastal marine area, lake or river (refer 12.7.6.1.1(vii)).

This approach should be extended also to areas promoted (or already existing) as esplanade reserves, crown grants, or similar landholdings as they effectively serve as a buffer in many instances.

Coastal Environment

- **Rule CE-R4 Farming**

Oppose the restriction on not allowing farming within high or S253.005 outstanding natural character areas.

The reasons for making the submission on the Proposed District Plan are as follows:

Large areas of the district's coastal line is farmed and this maintains the invasion of pest and weed species in proximity to the coastline. Stewardship of the land via farming practices

should be encouraged within the district plan. The proposed rule is effectively taking land away from production activities.

- **Rule CE-S1 – Maximum height**

Oppose the maximum height of 5.0m and the reference to ... **S253.006**
the nearest ridgeline, headland or peninsula.

The reasons for making the submission on the Proposed District Plan are as follows:

The 5.0m height limit will restrict building design and layout options. This should be increased to 6.0m.

The reference to the nearest ridgeline, headland or peninsula is void for certainty and should be removed. There is too much ambiguity with this wording and should be removed.

- **Rule CE-S3 – Earthworks**

Oppose the 400m² limitation on earthworks and indigenous vegetation clearance in the Coastal Environment and the 1m cut or fill depth limitation **S253.007**

The reasons for making the submission on the Proposed District Plan are as follows:

The proposed provisions work against the enabling intent of the Rural Productive Zone. Earthworks and vegetation clearance go hand in hand with a productive farming environment.

The provisions are too restrictive, and it is unclear how Council will actively monitor the earthworks component of the provision, particularly in relation to a 10 year threshold and a 1m cut for standard rural activities. In that sense, the provisions are unlikely to achieve any value or link to the objectives proposed.

Subdivision

- **Rule SUB-S1 :**

Oppose the proposed minimum allotment size of 40ha as a Controlled Activity in the RPZ. S253.008 &
S253.012

Support the Discretionary Activity allotment size of 8ha in the RPZ.

The reasons for making the submission on the Proposed District Plan are as follows:

The 40ha allotment size as a controlled activity is not considered as the most appropriate provision to meet Part 2 of the RMA considering the Rural Production Zone makes up ~65% of all land in the District.

A more appropriate density should be enabled, or other techniques proposed (outside of a management plan approach / environmental benefit approach) that benefits larger landholdings to still enable housing development whilst retaining large balance farm allotments.

The 8ha allotment size enables better management of the land resources and is supported.

- **Rule SUB-R6 ; Environmental benefit subdivision**

Support the proposed rule subject to the following amendments ; S253.009

Amend **Table 1** and **Table 2** to allow for the area of vegetation or habitat and wetlands to be held in one Record of Title and the environmental lots distributed against the ROT which hold common ownership in the covenanted area.

Amend **RDIS-6** from 40ha to a 20ha balance area;

The reasons for making the submission on the Proposed District Plan are as follows:

The general tenor of Rule SUB-R6 draws upon provisions found within the ODP. Some of those provisions have worked well and should be enhanced within the PDP.

Table 1 and Table 2 should allow for the creation of covenant areas held in the ownership of various lots, with the environmental benefit lots distributed between those lots. Indeed, it may well be better management of a sites resource to have all the benefit lots on one lot rather than distributing these across a number of sites.

These amendments give effect to attaining the purposes of the Act.

- **Rule SUB-R7 ; Management plan subdivision**

Support the proposed rule.

S253.010

The reasons for making the submission on the Proposed District Plan are as follows:

The general tenor of Rule SUB-R7 draws upon provisions found within the ODP. Those provisions have worked well and should be enhanced within the PDP as this gives effect to the purposes of the Act.

Earthworks

- **EW-S1 Maximum earthworks thresholds**

Support the 5000m³ and 2500m² thresholds for the Rural Production Zone.

S253.011

The reasons for making the submission on the Proposed District Plan are as follows:

These thresholds adequately manage the potential effect arising from the earthworks, however the definition of earthworks needs to exclude work involving building foundations.

6. **Overall IDFs wish that the Far North District Council to address the above issues by:**

1. Supports the retention of the **Rural Production Zone** as depicted on the PDP E-Maps ;
2. Seeks changes to the provisions outlined in Section 5 of this submission; and
3. Any other relief to achieve the outcomes sought by this submission.

7. Our clients wish to be **heard** in relation this submission.

Yours sincerely,



Steven Sanson

Director | Consultant Planner



Reviewed by

Jeff Kemp

Principal Planning Consultant

On behalf of IDF Limited.

Dated 20th Day of October 2022