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## Submission on Proposed Far North District Plan

### Form 5 Submission on publically notified proposal for policy statement or plan, change or variation

*Clause 6 of Schedule 1, Resource Management Act 1991*

To: Far North District Council - District Planning

Date received: 21/10/2022

This is a submission on the following proposed plan (the **proposal**): Proposed Far North District Plan

**Address for service:**

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I wish to be heard: No

I am willing to present a joint case: No

Could you gain an advantage in trade competition in making this submission?

- No

Are you directly affected by an effect of the subject matter of the submission that

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition

- No

## Submission points

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Point 95.1 **S310.002**

Section: Rural production

Sub-section: Rules

Provision:

<b>RPROZ-R3</b>	<b>Residential activity</b>	
Rural Production zone	Activity status: Permitted	Activity status where compliance not achieved with PER-1 or PER-2:
	Where:	Discretionary

**PER-1**

The site area per residential unit is at least 40ha.

**PER-2**

The number of residential units on a site does not exceed six.

**PER-1 does not apply to:** a single residential unit located on a site less than 40ha.

**Where:****DIS-1**

The site area per residential unit is at least 8ha.

**DIS-2**

The number of residential units on a site does not exceed two.

**Activity status where compliance not achieved with DIS 1 or DIS 2:**

**Non-complying**

**Sentiment:** Oppose

**Submission:**

I oppose this change from:

Residential development shall be limited to one unit per 12ha of land

To:

The site area per residential unit is at least 40ha.

There is a housing crisis and whanau are coming home to live on the land. 12hc is a huge area to be able to have one dwelling and all that will happen will be the Far North becomes full of unpermitted unsafe dwellings as this rule change will not stop family living on their land

There should be no limit to the number. This should be based on land size so owners of larger blocks are not disadvantaged by only being allowed a maximum of 6 regardless of their land size

**Relief sought**

Retain the current rule of Residential development shall be limited to one unit per 12ha of land with no maximum number per site

**Point 95.2** **S310.001**

**Section:** Heritage area overlays

**Sub-section:** Policy for Te Waimate Heritage area overlay

**Provision:**

**HA-P16** To maintain the integrity of the Te Waimate Heritage area overlay and protect the heritage values by:

- a. recognising that the area is part of an early attempt to create an English-style landscape in New Zealand and spread European agricultural methods;
- b. avoiding adverse effects on the heritage values of the Te Waimate Mission house, which is the second oldest standing building in New Zealand, having been built in 1832; and
- c. recognising that the area is part of an extensive historic landscape, which includes buried archaeological deposits, Okuratope Pā, other standing structures and natural features and the oldest road in the country, identified as the Te Waimate North Road, from Kerikeri.

**Sentiment:** Oppose

## Submission:

The heritage area does not follow the boundary line and crosses into 211 Waikuku Road. An objection was made at the time of receiving the first letter as did other neighbours who subsequently no longer have the heritage area on their property. The area has changed and is more on the property than previously. I request this Heritage area be removed completely from 211 Waikuku Road



## Relief sought

Remove heritage area completely from 211 Waikuku Road

**Point 95.3** **S310.003**

**Section:** Rural production

**Sub-section:** Rules

**Provision:**

RPROZ-R19	Minor residential unit	
Rural Production zone	<b>Activity status:</b> Controlled	<b>Activity status where compliance not achieved with CON-3:</b>
	<b>Where:</b>	<b>Discretionary</b>
	<b>CON-1</b>	<b>Activity status where compliance not achieved with CON-1, CON-2, CON-4 or CON-5:</b>
	The number of minor residential units on a site does not exceed one.	<b>Non complying</b>
	<b>CON-2</b>	
	The site area per minor residential unit is at least one hectare.	

**CON-3**

The minor residential unit shares vehicle access with the principal residential unit.

**CON-4**

The separation distance between the minor residential unit and the principal residential unit does not exceed 15m.

**CON-5**

The minor residential unit:

1. does not exceed a GFA of 65m<sup>2</sup>;
2. with an optional attached garage or carport that does not exceed GFA of 18m<sup>2</sup>, where the garage or carport is used for vehicle storage, general storage and laundry facilities.

**Sentiment:** Oppose

**Submission:**

I oppose this change from: the separation distance of the minor residential unit is no greater than 30m from the principal dwelling.

To: The separation distance between the minor residential unit and the principal residential unit does not exceed 15m.

There needs to be a distance of at least 30m to ensure quiet enjoyment of the minor residential unit. As is seen at multiple properties close together disputes arise where there is not a healthy amount of space between dwellings - noise etc. The issue of sharing a driveway and then a distance between of no more than 15 metres raises safety concerns - how many children are run over in their/shared driveways each year in NZ.

**Relief sought**

Retain at least the existing rule - the separation distance of the minor residential unit is no greater than 30m from the principal dwelling.

The same should apply but seems to be missing:

- In considering an application under this provision, the Council will restrict the exercise of its control to the following matters:
- (i) the extent of the separation between the principal dwelling and the minor residential unit;
  - (ii) the degree to which design is compatible with the principal dwelling;
  - (iii) the extent that services can be shared;
  - (iv) the ability to mitigate any adverse effects by way of provision of landscaping and screening;
  - (v) the location of the unit.

**Point 95.4**      **S310.004**

**Section:** Subdivision

**Sub-section:** Standards

**Provision:**

<b>SUB-S1</b>	<b>Minimum allotment sizes</b>
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<b>Zone</b>	<b>Controlled Activity</b>	<b>Discretionary</b>
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		Activity
Rural Production	40ha	8ha
Rural Residential	4,000m <sup>2</sup>	2,000m <sup>2</sup>
Rural Lifestyle	4ha	2ha
General Residential	600m <sup>2</sup>	300m <sup>2</sup>
Mixed Use	2,000m <sup>2</sup> onsite wastewater disposal 250m <sup>2</sup> reticulated wastewater disposal	no minimum lot size
Light Industrial	2,000m <sup>2</sup> onsite wastewater disposal 500m <sup>2</sup> reticulated wastewater disposal	no minimum lot size
Heavy Industrial	2ha	5,000m <sup>2</sup>
Horticulture Processing Facility	2ha	5,000m <sup>2</sup>
Horticulture	10ha	4ha
Settlement	3,000m <sup>2</sup>	1,500m <sup>2</sup>
Kororāreka Russell Township	1,000m <sup>2</sup>	800m <sup>2</sup>
All other zones	N/A	N/A
All allotments created for public works, network utilities, reserves or access	No minimum lot size	no minimum lot size

**Sentiment:** Oppose

**Submission:**

Rural production The increased lot size appears to be double the previous size. I believe this is an unreasonable size increase.

This no longer allows owners to retire in their existing homes with a smaller area of land and reduces the ability for rural landowners to provide small blocks for family members to build on and enter the property market

**Relief sought**

Retain the previous rule for the rural production zone

**TABLE 13.7.2.1: MINIMUM LOT SIZES**

**(i) RURAL PRODUCTION ZONE**

Controlled Activity Status (Refer also to 13.7.3)	Restricted Discretionary Activity Status (Refer also to 13.8)	Discretionary Activity Status (Refer also to 13.9)
<p>The minimum lot size is 20ha.</p> <p><b>Note 1:</b> Reference should also be made to the minimum lot size applying to land within an Outstanding Landscape, Outstanding Landscape Feature or Outstanding Natural Feature (see below in this Table and <b>Rule 13.7.2.5</b>).</p> <p><b>Note 2:</b> Subdivision in the Pouerua Heritage Precinct (refer <b>Maps 35, 41</b> and <b>HP1</b>), is a discretionary subdivision activity.</p> <p><b>Note 3:</b> Subdivision within 100m of the boundary of the Minerals Zone is a restricted discretionary activity.</p>	<ol style="list-style-type: none"> <li>1. Subdivision that complies with the controlled activity standard, but is within 100m of the boundary of the Minerals Zone;</li> <li>2. The minimum lot size is 12ha; or</li> <li>3. A maximum of 3 lots in any subdivision, provided that the minimum lot size is 4,000m<sup>2</sup> and there is at least 1 lot in the subdivision with a minimum lot size of 4ha, and provided further that the subdivision is of sites which existed at or prior to 28 April 2000, or which are amalgamated from titles existing at or prior to 28 April 2000; or</li> <li>4. A maximum of 5 lots in a subdivision (including the parent lot) where the minimum size of the lots is 2ha, and where the subdivision is created from a site that existed at or prior to 28 April 2000;</li> </ol>	<ol style="list-style-type: none"> <li>1. The minimum lot size is 4ha; or</li> <li>2. A maximum of 3 lots in any subdivision, provided that the minimum lot size is 2,000m<sup>2</sup> and there is at least 1 lot in the subdivision with a minimum size of 4ha, and provided further that the subdivision is of sites which existed at or prior to 28 April 2000, or which are amalgamated from titles existing at or prior to 28 April 2000; or</li> <li>3. A subdivision in terms of a management plan as per <b>Rule 13.9.2</b> may be approved.</li> <li>4. Subdivision in the Pouerua Heritage Precinct (refer <b>Maps 35, 41</b> and <b>HP1</b>), is a discretionary subdivision activity.</li> </ol> <p><b>Note 1:</b> There is no restriction on the number of 4ha lots in a subdivision (clause 1).</p> <p><b>Note 2:</b> The effect of the rule under</p>

<p>5. Rules under clauses 3 and 4 provide two alternative options for the creation of a specified number of small lots from sites existing at 28 April 2000. Where an application under one of these clauses takes up only part of the total allowance, a subsequent application to take up the remainder of that particular allowance may be considered by Council, notwithstanding that the subsequent application involves a lot which no longer meets the existing at 28 April 2000 criterion.</p> <p><b>Note 1:</b> Reference should also be made to the minimum lot size applying to land within an Outstanding Landscape, Outstanding Landscape Feature or Outstanding Natural Feature (see below in this Table and <b>Rule 13.7.2.5</b>).</p> <p><b>Note 2:</b> Subdivision in the Puerua Heritage Precinct (refer <b>Maps 35, 41</b> and <b>HP1</b>), is a discretionary subdivision activity.</p>	<p>clause 2 is that there is a once-off opportunity to subdivide a maximum of two small lots from a site existing at 28 April 2000. Subdivision of small lots which does not meet this rule is a non-complying activity unless the lots are part of a Management Plan application.</p>
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**Point 95.5 S310.005, S310.006 & S310.007**

**Section:** Ecosystems and indigenous biodiversity

**Sub-section:** Policies

**Provision:**

**IB-P1** Identify Significant Natural Areas by:

- a. using the ecological significance criteria in Appendix 5 of the RPS or in any more recent National Policy Statement on indigenous biodiversity;
- b. including areas that meet the ecological significance criteria as Significant Natural Areas in Schedule 4 of the District Plan and on the planning maps where this is agreed with the landowner and verified by physical inspection where practicable;
- c. encouraging landowners to include identified Significant Natural Areas in Schedule 4 of the District Plan at the time of subdivision and development;
- d. providing assistance to landowners to add Significant Natural Areas to Schedule 4 of the District Plan; and
- e. requiring an assessment of the ecological significance for indigenous vegetation clearance to establish permitted activity thresholds in Rule IB R2-R4.

**Sentiment:** Oppose

**Submission:**

Policies IB-P1 and all other places mentioning SNA/s

Following protests by tangata whenua, farmers and other landowners who said the proposal to identify land as SNAs undermined their sovereignty and property rights, this opposition culminated in a large hiko to the Council’s Kaikohe headquarters where tangata whenua delivered a petition against the process.

1. *encouraging landowners to include identified Significant Natural Areas in Schedule 4 of the District Plan at the time of subdivision and development;* implies this is voluntary when it clearly isn't

<p>follows:</p> <p><b>Table 1.</b></p>
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Total area of significant indigenous vegetation or significant indigenous habitat to be legally protected on an individual Record of Title	Maximum Number of additional lots that can be created on an individual Record of Title
Greater than 4ha - less than 10ha	1
Greater than 10ha - less than 20ha	2
Greater than 20ha	3

**Table 2.**

Total area of natural wetland to be legally protected on an individual Record of Title	Maximum Number of additional lots that can be created on an individual Record of Title
Greater than 0.5ha (5,000m <sup>2</sup> ) - less than 1ha	1
Greater than 1ha - less than 2ha	2
Greater than 2ha	3

**RDIS-2**

Each separate area of significant indigenous vegetation, significant indigenous habitat or natural wetland included in the proposal must be assessed by a suitably qualified and experienced ecologist as satisfying at least one criteria in Appendix 5 of the Northland RPS (Criteria for determining significance of indigenous biodiversity).

**RDIS-3**

The significant indigenous vegetation, significant indigenous habitat or natural wetland must be added to the list of scheduled Significant Natural Areas in the District Plan, which will be incorporated into the District Plan as part of the next plan update plan change.

**RDIS-4**

The subdivision proposes to protect all areas of indigenous vegetation, indigenous habitat or natural wetland by way of a conservation covenant pursuant to the

**Relief sought**

Remove SNAs/wetlands from the DP and retain 13.4.6

That any subdivision proposal provides for the protection, restoration and enhancement of heritage resources, areas of significant indigenous vegetation and significant habitats of indigenous fauna, threatened species, the natural character of the coastal environment and riparian margins, and outstanding landscapes and natural features where appropriate.

**Point 95.6 S310.008**

**Section:** Ecosystems and indigenous biodiversity

**Sub-section:** Policies

**Provision:**

**IB-P9** Require landowners to manage pets and pest species, including dogs, cats, possums, rats and mustelids, to avoid risks to threatened indigenous species, including avoiding the introduction of pets and pest species into kiwi present or high-density kiwi areas.

**Sentiment:** Oppose

**Submission:**

I oppose responsible pet owners being penalised unfairly regarding dogs and cats on their property. A landuse consent can have a kiwi condition added yet a property recently subdivided and for sale in the same area can say "animal friendly" presumably with no kiwi condition. Irresponsible pet owners are going to be noncompliant whatever condition is applied and encouragement rather than a ban will be more effective ie) reduction in registration fee for dogs who have a current kiwi aversion certificate

The Northern Advocate published an article 13/10/22 stating "Northland's kiwi population now in good health, NRC says" The North Island brown kiwi population in Northland is now in good health thanks to the conservation efforts of landowners and communities over many years.

**Relief sought**

Stop the blanket banning of pets in the Far North. Every week people are trying to rehome their animals as they cannot get rentals with them.