

15C Rezoning General – Urban and Rural
Location - Okaihau

My submission relates to the request for the partial re-zoning of **LOT 2 DP 336924**, Identifier 151100, North Auckland Land Registration District. Area 9.5910 ha. **Referred to** in this submission as '**the subject property**'.

The subject property has split-zoning in the PDP that has been carried over from the operative FNDC District Plan.

The part of the subject property that is included in the PDP Okaihau Settlement Zone is zoned Residential in the Operative District Plan. I have submitted in support of this zoning remaining. (S397.002, 397.003, S397.004).

It is my submission that the balance of the subject property, apart from the exclusion of a buffer area in the north west corner, should also be zoned Settlement Zone. **Referred to** in this submission as the '**proposal**'.

Back drop.

Okaihau is a largely self contained “village” with very limited opportunities for more housing within the existing Okaihau Residential Zone.

Okaihau's main street is called Settlers Way. The Settlers Way junction with SH1 is at the top of Okaihau Hill. Settlers Way is, for approximately first kilometre and a half, the village's main street before the road becomes 'Horeke Road' along which land use transitions into a mix of lifestyle blocks and generally small farms.

Okaihau commercial area contains a New Zealand Fire Service fire station, two dairy/superettes, one of which is a NZPO agency; two cafes; a health clinic; a multi-store; a veterinary practice and a butchery. The village has a bright well-maintained ambience and is a feature stop on the Coast to Coast cycleway between Kaikohe and Horeke. Community facilities include public toilets, an impressive town hall, bowling, tennis and rugby clubs. Okaihau is particularly well blessed with extensive quality sporting fields and reserves.

Okaihau has primary, secondary and kohanga reo schools and two churches.

St Catherines, which dates back to the late 19th century, is the last building in the village precinct and is bounded by my property (LOT 2 DP336924) on three sides. Settlers Way is a sealed road, with concrete footpaths that extend to St Catherines on the north-side of Settlers Way. The Coast to Coast walking/cycle track that extends to Horeke is on the opposite side of the road.

OKAIHAU SETTLEMENT ZONE. Okaihau is a cohesive community that is fairly representative of the western Far North District. Okaihau house prices are well less than half that of similar Kerikeri houses. Consequently Okaihau provides an important opportunity for people to purchase relatively affordable homes.

Okaihau is about 10 minutes drive from Kaikohe and under 20 minutes drive from Kerikeri, places where employment is often obtained by residents.

Okaihau's comprehensive services and facilities include the regular week-day NRC Mid North 'LINK' public transport bus service. These facilities are all within easy walking distance on existing footpaths from the subject property.

These important features resonate well with the FNDC strategy Far North 2100.

The FNDC Okaihau public water supply reticulation extends to the subject property's boundary.

There is no reticulated sewerage system in Okaihau and I am unaware of any issues of failure of the septic tank soakage field systems because of ground conditions. Okaihau is on a volcanic plateau.

GIVING EFFECT TO HIGHER ORDER DOCUMENTS

NPS on URBAN DEVELOPMENT.

This proposal is to re-zone as Okaihau Settlement Zone that part of the subject property that is not currently zoned Residential in the FNDC Operative District Plan (or Okaihau Settlement Zone in the PDP) with the exception of a rural reverse sensitivity buffer block that has been identified in the AGFIRST report.

The proposal is, I believe, entirely consistent with the NPS UD directions.

The NPS UD 2020 recognises the national significance of:

- having well-functioning urban environments that enable all people and communities to provide for their social, economic and cultural wellbeing, and for their health and safety now and into the future
- providing sufficient development capacity to meet the different needs of people and communities

I do not believe that there are any other properties adjacent to or within the PDP Okaihau Settlement Zone that are as suitable as this proposal to meet the current or future Okaihau house section demands.

Government Statement on Urban Development

The Ministry for the Environment advice in the Statement on Urban Development states “This is about ensuring New Zealand’s towns and cities are well-functioning urban environments that meet the changing needs of our diverse communities. It removes overly restrictive barriers to development to allow growth ‘up’ and ‘out’ in locations that have good access to existing services, public transport networks and infrastructure.”

I contend that Okaihau as a Tier 3 Urban Environment has more than sufficient existing services and infrastructure capacity if the Okaihau Settlement Zone is expanded to include the subject property proposal as it is outlined in this submission.

The effect of allowing Okaihau to grow out in this manner would be to increase the area of the PDP Okaihau Settlement Zone by approximately 7 ha. Note, of this area approximately 1ha is the remnant ngahere by St Catherines Church.

In round figures the subject property is:

9.6 ha in total area

1.6 ha is currently zoned Okaihau Settlement Zone

1.0 ha recommended by AGFIRST as reverse sensitivity buffer

7.0 ha balance (including the SNA of approximately 1ha) that I am requesting a zone change for from the Operative DP Rural Production Zone to the PDP Okaihau Settlement Zone or the equivalent of the Operative DP Okaihau Residential Zone.

NPS Indigenous Biodiversity. A valuable remnant of ngahere (climax forest) exists on the Settlers Way road frontage of the subject property between a small area of ngahere on St Catherines Church section and that on an FNDC Public Reserve. These are shown on the FNDC Resource Map 97. These well preserved bush areas are a single isolated unit.

NPS Freshwater Management. The lowest surface drainage point of the property at the northwest corner has been fenced off. It contains a pine and native tree bush. This is the reverse sensitivity 'buffer area' recommended by AGFIRST in their report. Confirmation that the land is suitable for on site effluent disposal and areas required for soakage fields (TP 58) can be appropriately administered at Subdivision Consenting Stage.

HAIL. The subject property has only ever been used for low input pastoral farming, never been used for horticulture, i.e. has not had sheds or buildings on it. Therefore the subject property does not need consent per the National Environmental Standard for Assessing and Managing Contaminants to Soil and to Protect Human Health.

NPS for Highly Productive Land. The nzlri-luc database records <28% of the applicant property as Class 2s1. However, as that does not bear resemblance to my knowledge of the land as a farmer I have retained the services of a Soils Expert to assess the property. Although 28% of this property has been identified as highly productive land, when the area of approximately 1 ha of ngahere by St Catherine's Church and the area of the old public road formation is removed the net usable HPL land is 1.1 ha, which is too small for commercial use. It is too close to existing neighbouring dwellings and has other limitations identified in the AGFIRST Soil and Land Use Report.

The Soil and Land Use report from AGFIRST is attachment 1.

NORTHLAND REGIONAL POLICY STATEMENT (RPS)

The RPS has not been reviewed since the NPS – UD

RPS 5.1.1 Policy – Planned and coordinated development preceded the NPS – UD but does give the following support and guidance to this proposal for a zone change:

Subdivision, use and development should be located, designed and built in a planned co-ordinated manner which:

(b) Is guided by the 'Regional Urban Design Guidelines' in Appendix 2 when it is urban in nature;

(d) Is integrated with the development, funding, implementation and operation of transport, energy, water, waste and other infrastructure;

(d) Response: Okaihau commercial area contains a New Zealand Fire Service fire station, two dairy/superettes, one of which is a NZPO agency; two cafes; a health clinic; a multi-store and a veterinary practice and a butchery. The village has a bright well-maintained ambience and is a feature stop on the Coast to Coast cycleway between Kaikohe and Horeke. Community facilities include public toilets, an impressive town hall, bowling, tennis and rugby clubs. Okaihau is particularly well blessed with extensive quality sporting fields and reserves.

Okaihau has primary, secondary and kohanga reo schools and two churches.

St Catherine's, which dates back to the late 19th century, is the last building in the village precinct and is bounded by my property (LOT 2 DP336924) on three sides. Settlers Way is a sealed road, with concrete footpaths that extend to St Catherine's on the north-side of Settlers Way. The Coast to

Coast walking/cycle track that extends to Horeke is on the opposite side of the road. Okaihau's comprehensive services and facilities include the regular week-day NRC Mid North 'LINK' public transport bus service. These facilities are all within easy walking distance on existing footpaths from the subject property.

These important features resonate well with the FNDC strategy Far North 2100.

The FNDC Okaihau public water supply reticulation extends to the subject property's boundary.

There is no reticulated sewerage system in Okaihau and I am unaware of any issues of failure of the septic tank soakage field systems because of ground conditions. Okaihau is on a volcanic plateau.

(e) Should not result in incompatible land use in close proximity and avoids the potential for reverse sensitivity;

(e) Response: Paragraph 5.iii of the AGFIRST REPORT explains how the proposal for zone change from Rural Production (with its present reverse sensitivity issues) to Okaihau Settlement Zone (incorporating a natural buffer between the interface of urban and rural zones).

(f) Ensures that plan changes and subdivision to / in a primary production zone, do not materially reduce the potential for soil-based primary production on land with highly versatile soils, or if they do, the net public benefit exceeds the reduced potential for soil-based primary production activities; and

(f) Response: The AGFIRST REPORT addresses these matters comprehensively affirming these requirements are met.

(g) Maintains and enhances the sense of place and character of the surrounding environment except where changes are anticipated by approved regional or district growth strategies and / or district regional plan provisions.

(g) Response: The property is in close context with Okaihau Village, has high visual amenity from viewing the very picturesque Okaihau Valley with the Puketi Forest Range in the back drop.

That part of this predominately gentle north facing land is currently zoned residential in the FNDC Operative District Plan affirms that previous land use policy makers considered that the land was an appropriate place for the village's natural expansion.

(h) Is or will be serviced by necessary infrastructure.

(h) Response. A high capacity 3 phase power supply runs along the Settlers Way / Horeke Road boundary, but I observe that many of the dwellings on the recent subdivision on the properties eastern boundary have installed off grid power supplies, as we do on our property to the west. Two cell phone towers are in full view, and the FNDC Okaihau treated water is reticulated past the property's Settlers Way entrance.

Appendix 2 – Regional development and design guidelines (RDDG)

Part A As required, the FNDC PDP has been crafted to meet these requirements and this application, without exception can meet the guidelines in an exemplary manner, particularly because the property is stable country that does not flood.

DOWNLOAD AND PRINT FROM RPS

RDDG(1. Heritage) Whilst there are not any outstanding landscape or natural character or heritage overlays on the subject property, St Catherines Church - which the subject property adjoins on three of the Church's boundaries - is shown on PDP Map 97 as a Heritage Item. I suggest that appropriate consideration should be given at the subdivision consenting stage to how to manage heritage considerations. There are a number of appropriate ways including section shape, internal road positioning, natural hedging, building setbacks and building design style for that part of the subject property that is close to St Catherines Church and seen from Horeke Road.

PART B Regional urban design guidelines

As required, the FNDC PDP has been crafted to meet these guidelines and I consider that this proposed zone change from rural to Okaihau Settlement Zone can, without exception meet the guidelines.

Appendix 2 - Regional development and design guidelines a to u all require consideration for new subdivisions.

Urban Guideline - Character (b) requires the Protection and management of our heritage, including buildings, places and landscapes

Response. I suggest that St Catherines Church remains in the rural zone to ensure that the prevailing FNDC DP Rural environment 10 metre building line setback requirement remains applicable to the parts of the subject property that adjoin the Church.

FNDC PDP Subdivision Objectives and Policy

Achievement of particular aspects of the use, development, or protection of [natural and physical resources](#) that have been elevated to matters of national importance by the Resource Management Act and those matters of national and regional significance by National and Regional Policy Statements. These matters have been considered.

The subject property is on stable country and the property will, at time of subdivision, need to have a stability assessment report (RMA S106 (a &b)) that confirms that the land is stable and any subsequent use of the land is not likely to accelerate, worsen or result in material damage to that land, other land, or structure by erosion, falling debris, subsidence, slippage or inundation from any source. It would be logical to complete TP58 Reports at the same time.

- 1.A prosperous economy through enabling a wide range of rural and [urban](#) business activities in the right locations; and
 - 2.The management of [urban](#) growth integrating existing and future [infrastructure](#), providing sufficient [land](#), or opportunity to meet growth demands for housing and business.
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FNDC PDP OBJECTIVES SUBDIVISION

SUB-O1 Subdivision results in the efficient use of land, which:

- a. achieves the objectives of each relevant zone, overlays and district wide provisions;
- b. contributes to the local character and sense of place;
- c. avoids reverse sensitivity issues that would prevent or adversely affect activities already established on land from continuing to operate;
- d. avoids land use patterns which would prevent land from achieving the objectives and policies of the zone in which it is located;
- e. does not increase risk from natural hazards or risks are mitigated and existing risks reduced; and
- f. manages adverse effects on the environment.

Response. As outlined above with relation to the requirements of the RPS I consider that this proposal is supported by SUB-O1.

SUB-O2 Subdivision provides for the:

- a. Protection of highly productive land;

Response. The subject property has an area of highly productive land. However the net area available for use after deduction of the old Settlers Way road formation and the area of remnant trees means that there is little more than 1 ha of highly productive land, and that area lays between two neighbouring houses and St Catherines Church.

Apart from lack of industrial water supply and the fatal limitation in the area available for use such as intensive market gardening, Reverse Sensitivity such as crop spraying and noise would manifest. The two neighbours were indignant when a baling contractor attempted to work after dark.

The AGFIRST Soil and Land Use Report Summary 7 (6) specifically outlines 'why the use of this land for housing or small lifestyle blocks would not result in a significant area or proportion of similar land within the Far North District or the Northland Region being lost for primary production.

'That is, the report responds to each of the tests the Council must apply when considering an application for exemption under Clause 3.10 of the National Policy Statement for Highly Productive Land.'

b. Protection, restoration or enhancement of Outstanding Natural Features, Outstanding Natural Landscapes, Natural Character of the Coastal Environment, Areas of High Natural Character, Outstanding Natural Character, wetland, lake and river margins, Significant Natural Areas, Sites and Areas of Significance to Māori, and Historic Heritage.

Response. There are none of the above District or Regional council plan overlays on the subject property except the SNA by the Church, will be formally protected at the subdivision consent stage.

SUB-O3 Infrastructure is planned to service the proposed subdivision and development where:

a. there is existing infrastructure connection, infrastructure should be provided in an integrated, efficient, coordinated and future-proofed manner at the time of subdivision;

Response. There is publicly reticulated water to the boundary. Electricity reticulation runs along the Settlers Way / Horeke Road boundary.

b. where no existing connection is available infrastructure should be planned and consideration be given to connections with the wider infrastructure network.

SUB-O4

Subdivision is accessible, connected, and integrated with the surrounding environment and provides for:

a. public open spaces;

b. esplanade where land adjoins the coastal marine area; and

c. esplanade where land adjoins other qualifying waterbodies.

Response. Agree, and can be attended to at subdivision consent stage

Subdivision Policies

SUB-P1 Enable boundary adjustments that: a. do not alter: i.

the degree of non compliance with District Plan rules and standards; ii.

the number and location of any access; and iii. the number of certificates of title; and b.

are in accordance with the minimum lot sizes of the zone and comply with access, infrastructure and esplanade provisions.

Response. The reverse sensitivity bufferblock identified by AGFIRST may be added to my adjacent Rural Production Zoned title by way of a boundary change at the proposal's subdivision consenting stage.

SUB-P2 Enable subdivision for the purpose of public works, infrastructure, reserves or access.

SUB-P3 Provide for subdivision where it results in allotments that:

a. are consistent with the purpose, characteristics and qualities of the zone;

- b. comply with the minimum allotment sizes for each zone; c.
- have an adequate size and appropriate shape to contain a building platform; and
- d. have legal and physical access.

Response. *All matters that are achievable by the proposal.*

SUB-P4 Manage subdivision of land as detailed in the district wide, natural environment values, historical and cultural values and hazard and risks sections of the plan

Response. *All matters that are achievable by the proposal and have been covered by this submission.*

SUB-P5 Manage subdivision design and layout in the General Residential, Mixed Use and Settlement zone to provide for safe, connected and accessible environments by:

- a. minimising vehicle crossings that could affect the safety and efficiency of the current and future transport network;
- b. avoid cul-de-sac development unless the site or the topography prevents future public access and connections;
- c. providing for development that encourages social interaction, neighbourhood cohesion, a sense of place and is well connected to public spaces;
- d. contributing to a well connected transport network that safeguards future roading connections; and
- e. maximising accessibility, connectivity by creating walkways, cycleways and an interconnected transport network.

Response. *Can and will be met in the subdivision consent stage.*

SUB-P6 Require infrastructure to be provided in an integrated and comprehensive manner by:

- a. demonstrating that the subdivision will be appropriately serviced and integrated with existing and planned infrastructure if available; and
- b. ensuring that the infrastructure is provided is in accordance the purpose, characteristics and qualities of the zone.

Response. *Can and will be addressed in the Subdivision consent stage.*

SUB-P7 Require the vesting of esplanade reserves when subdividing land adjoining the coast or other qualifying waterbodies.

Response. *N.A.*

SUB-P8 Avoid rural lifestyle subdivision in the Rural Production zone unless the subdivision:

- a. will protect a qualifying SNA in perpetuity and result in the SNA being added to the District Plan SNA schedule; and
- b. will not result in the loss of versatile soils for primary production activities.

Response. *These issues have been comprehensively addressed above, and I will covenant the SNA by the Church at subdivision consent stage.*

SUB-P9 Avoid subdivision rural lifestyle subdivision in the Rural Production zone and Rural residential subdivision in the Rural Lifestyle zone unless the development achieves the environmental outcomes required in the management plan subdivision rule.

SUB-P10 To protect amenity and character by avoiding the subdivision of minor residential units from principal residential units where resultant allotments do not comply with minimum allotment size and residential density.

SUB-P11

Manage subdivision to address the effects of the activity requiring resource consent including (but not limited to) consideration of the following matters where relevant to the application:

- a. consistency with the scale, density, design and character of the environment and purpose of the zone;
- b. the location, scale and design of buildings and structures;

- c. the adequacy and capacity of available or programmed development infrastructure to accommodate the proposed activity; or the capacity of the site to cater for onsite infrastructure associated with the proposed activity;
- d. managing natural hazards;
- e. Any adverse effects on areas with historic heritage and cultural values, natural features and landscapes, natural character or indigenous biodiversity values; and
- f. any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.

Response. *All matters that can and will be addressed at subdivision consent stage.*

SUMMARY

I submit that this proposal accepted provides for the much needed opportunity for additional housing within the Okaihau Settlement Zone. This must be preferable in terms of efficient useage of land and existing infrastructure than other options out side of the Okaihau residential area for housing. As discussed above proposal this meets the directives of the NPS – UD and the Strategic Directions and planning objectives of the Far North District Council while providing for social prosperity.

A comprehensive AEE will be required at subdivision consent stage. The subject property's aspect, contours and volcanic geology means that earthworks for access and building platform construction would be, comparative to much of the Far North District, relatively easy. The expectation is that the benefits to the community would be significant and the potential adverse effects would be no more than minor.

I consider that I have provided sufficient information to confirm that this proposal will achieve the particular aspects of the use, development, or protection of natural and physical resources that have been elevated to matters of national importance by the Resource Management Act and those matters of national and regional significance by National and Regional Policy Statements.

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ATTACHMENTS

AGFIRST PROPERTY REPORT

Alignment with zone outcomes

Reverse Sensitivity. The main use of the subject property is for pastoral farming. I have encountered complaints from the two non-farming neighbours when baleage contractors have worked after dark (as anticipated in the Operative DP Rural Production Zone). Spray control of weeds and lime and fertilizer spreading have become very difficult, verging on impossible.

I am confident that with the proposed change of activity from farming to housing on the subject property together with the reverse sensitivity buffer recommended by AGFIRST between the proposed new Okaihau Settlement Zone and the farming activity beyond it that there will no longer be any reverse sensitivity issues.

Other subdivision development near Ohaihu

About 1 km to the northeast of Okaihau and SH1 on Wiroa Road there is a recently consented rural lifestyle block development taking place on Okaihau Pastoral Ltd land. This land appears to have similar soil types to the subject property. I consider that this re-zoning proposal for the subject property compares very favourably.

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