







Confirm your position:  Support  Support In-part  Oppose  
(please tick relevant box)

The position of the submitter on the specific provisions of the Plan that this submission relates to are as set out in **Attachment 1**.

**My submission is:**  
(Include details and reasons for your position)

The submission points and reasons are as set out in **Attachment 1**.

**I seek the following decision from the Council:**  
(Give precise details. If seeking amendments, how would you like to see the provision amended?)

The decision from Council sought in respect of each of the submission points is as set out in in **Attachment 1** and includes in each case any consequential amendments or alternative relief to address the matters raised in this submission.

I **wish** to be heard in support of my submission  
 I **do not wish** to be heard in support of my submission  
(Please tick relevant box)

If others make a similar submission, I will consider presenting a joint case with them at a hearing  
 Yes  No

Do you wish to present your submission via Microsoft Teams?  
 Yes  No

**Signature of submitter:**  
(or person authorised to sign on behalf of submitter)

Date: 20/10/22



**Important information:**

1. The Council must receive this submission before the closing date and time for submissions (5pm 21 October 2022)
2. Please note that submissions, including your name and contact details are treated as public documents and will be made available on council's website. Your submission will only be used for the purpose of the District Plan Review.
3. Submitters who indicate they wish to speak at the hearing will be emailed a copy of the planning officers report (please ensure you include an email address on this submission form).

**Send your submission to:**

**Post to:** Proposed District Plan  
Strategic Planning and Policy, Far North District Council  
Far North District Council,  
Private Bag 752  
KAIKOHE 0400

**Email to:** [pdp@fndc.govt.nz](mailto:pdp@fndc.govt.nz)

**Or you can also deliver this submission form to any Far North District Council service centre or library, from 8am – 5pm Monday to Friday.**

**Submissions close 5pm, 21 October 2022**

**Please refer to [pdp.fndc.govt.nz](http://pdp.fndc.govt.nz) for further information and updates.**

***Please note that original documents will not be returned. Please retain copies for your file.***

**Note to person making submission**

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- It is frivolous or vexatious
- It discloses no reasonable or relevant case
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further
- It contains offensive language
- It is supported only by material that purports to be independent expert evidence but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

**SUBMISSION NUMBER**

**Attachment 1**

Proposed Plan Provision	Support/Oppose	Reason for Submission	Decision Requested (additions shown <u>underlined</u> , deletions shown in <del>strike through</del> )
<p><b>PART 1 – INTRODUCTION AND GENERAL PROVISIONS</b>  <b>HOW THE PLAN WORKS</b>  <b>General approach</b></p>			
<p>General Approach</p> <p>Section titled  “Applications Subject to Multiple Provisions”</p>	<p>Support subject to amendments</p>	<p>As described in the National Planning Standard 2019, an overlay spatially identifies distinctive values, risks or other factors which require management in a different manner from underlying zone provisions.</p> <p>It follows that the provisions relating to the overlay only apply to that part of a site so mapped.</p> <p>While this may be the intent of the overlays, in some instances in the Proposed Plan for overlay provisions, reference is made to ‘the site’; the potential implication being that the overlay provisions apply to the site as a whole.</p> <p>In many instances, overlays apply to part of but not the whole of the site. Applying the provisions to the site as a whole in these situations would not serve the resource management purpose of the overlay.</p> <p>In addition to the above, the following part of the explanation is necessary to specify that overlay chapters do not contain all the provisions relating to an activity. For example, residential activity may not be provided for in the overlay, but is provided for in the underlying zoning:</p> <p><i>“Some of the Overlay chapters only include rules for certain types of activities (e.g. natural character, natural features and landscapes or coastal</i></p>	<p><b>Add</b> a new clause specifying that if an overlay is shown on the Planning Maps, the overlay provisions only apply to the portion of the property covered by the overlay.</p>

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		<i>environment). If your proposed activity is within one of these overlays, but there are no overlay rules that are applicable to your activity, then your activity can be treated as a permitted activity under the Overlay Chapter unless stated otherwise. Resource consent may still be required under other Part 2: District-wide Matters chapters and/or Part 3: Area-Specific chapters (including the underlying zone)".</i>	
<b>PART 1 – INTRODUCTION AND GENERAL PROVISIONS</b>			
<b>INTERPRETATION</b>			
<b>Definitions</b>			
Definitions New Definition: "Helicopter landing areas".	Oppose	See submission point in this submission on rule NOISE-S4 Helicopter landing areas	<b>Add</b> the following new definition:  <u>"Helicopter landing areas means an identified landing area for helicopter landing, loading and take-off but does not include refuelling, servicing, a hangar, or a freight handling facility".</u>
<b>PART 2 – DISTRICT-WIDE MATTERS</b>			
<b>STRATEGIC DIRECTION</b>			
<b>Economic and social wellbeing</b>			
Strategic direction: Economic and social wellbeing  Objectives SD-SP-O1 - SD-EP-O5	Support	These strategic objectives are supported, in particular the encouragement of opportunities for fulfilment of the community's cultural, social, environmental, and economic wellbeing.	<b>Retain</b> Strategic Objectives SD-SP-O1 - SD-EP-O5
Strategic direction Rural environment	Support subject to amendments	The Far North is predominantly a rural environment. This environment incorporates a diverse range of	<b>Add</b> the following new Strategic Objective.

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		<p>activities, supported by a range of zones, including rural lifestyle, rural residential and settlement. Significant areas of the rural environment are not defined by rural production activities, nor are they suitable for this purpose (including lifestyle areas, unsuitable soils, some coastal land and bush blocks). Without detracting from the strategic importance expressed in Strategic objectives SD-RE-O1 and SD-RE-O2, it is appropriate that the strategic objectives also recognise and enable the broader range of activities which occur in rural zones. This strategic objective is necessary to provide a strategic policy basis for the various rural environment zone objectives and policies which follow in the Plan</p>	<p><u>SD-RE-O2 The importance of non-primary production activities in the rural environment to the social, economic and cultural well-being of the district is recognised and provided for.</u></p>
Strategic direction Environmental prosperity Objective SD-EP-O5	Support subject to amendments	<p>The long term protection of the values set out in this strategic objective may not necessary mean their restoration. The natural character of the coastal environment is in most cases degraded, and opportunities for its restoration or rehabilitation should be promoted as required by policy 14 of the NZCPS 2010.</p>	<p><b>Amend</b> Strategic Objective SD-EP-O5 as follows:</p> <p><i>The natural character of the coastal environment and outstanding natural features and landscapes are managed to ensure their long-term protection for future generations, <u>including their restoration.</u></i></p>
Strategic direction Environmental prosperity Objective SD-EP-O6	Support subject to amendments	<p>The objective follows the section 6(c) matter of national importance, though is realised in limited terms in the Proposed Plan as notified, with some methods included to implement it. Nevertheless, there are methods included in for example the Ecosystems and indigenous biodiversity section of the Plan. Subject to the deletion of Significant Natural Areas as sought in this submission (for the reasons set out below), the objective is supported with the typo amendment as noted.</p>	<p><b>Amend</b> Strategic Objective SD-EP-O6 as follows:</p> <p><i>Areas of significant indigenous vegetation and significant habitats of indigenous fauna <del>and</del> <u>are</u> protected for current and future generations.</i></p>

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<b>PART 2 – DISTRICT-WIDE MATTERS</b>			
<b>HAZARDS AND RISKS</b>			
<b>Natural hazards</b>			
Natural Hazards Wildfire Policy NH-P9	Oppose	The policy on wildfire protection should be targeted towards vulnerable activities only, consistent with the methods that implement the policy (ie rules NH-R5 and NH-R6).	<b>Amend</b> Policy NH-P9 as follows:  <i>Manage land use and subdivision that may be susceptible to wildfire risk by requiring <u>the following for vulnerable activities</u>:</i> <ul style="list-style-type: none"> <li>a. setbacks from any contiguous scrub or shrubland, woodlot or forestry;</li> <li>b. access for emergency vehicles; and</li> <li>c. sufficient accessible water supply for firefighting purposes</li> </ul>
Natural Hazards Rules Notes	Oppose	Note 2 to the rule applies the requirement for a report prepared by a suitably qualified and experienced engineer/instability assessment to activities and subdivision on the site as a whole, rather than just that part impacted by the identified natural hazard, imposing unnecessary cost. The amendments sought target the requirements just to the mapped hazard area.	<b>Amend</b> note 2 as follows 2. Any application for a land use resource consent in relation to a <del>site</del> <u>location</u> that is potentially affected by natural hazards must be accompanied by a report prepared by a suitably qualified and experienced engineer that addresses the matters identified in the relevant objectives, policies, performance standards and matters of control/discretion. Any application for a subdivision consent must additionally include an assessment of whether <del>the site</del> <u>any new site to be created</u> includes an area of land susceptible to instability.
Natural Hazards Rules NH-R5: Wild fire - Buildings used for a vulnerable activity (excluding accessory buildings)	Oppose	Non-conformity with the rule should be a restricted discretionary activity, rather than full discretionary, as the matters managed by the rule are confined to the single issue of fire risk.  There are circumstances where the rule can not be met, and indeed such an outcome would be a compromise compared to wider landscape and biodiversity outcomes. For example, new dwellings where landscape mitigation close to the house is	<b>Amend</b> the activity status in Rule NH-R5 where compliance is not achieved with PER-1 or PER-1 from Discretionary to <u>Restricted Discretionary Activity</u> .  <b>Add</b> the following matters of discretion: <ul style="list-style-type: none"> <li>a. <u>The availability of water for fire-fighting;</u></li> <li>b. <u>The scale of the extension or alteration;</u></li> <li>c. <u>Alternative options for the location of the extension or alteration;</u></li> <li>d. <u>The use of building materials to reduce fire</u></li> </ul>



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		<p>desirable or required as an existing condition of subdivision consent. In these circumstances, the matters of discretion sought to be added by this submission will appropriately direct decision making. These include the ability to consider the suitability of low flammability plant species as fire risk mitigation adjoining the house as described in the following reference:</p> <p><a href="https://fireandemergency.nz/home-and-community-fire-safety/flammability-of-plant-species/">https://fireandemergency.nz/home-and-community-fire-safety/flammability-of-plant-species/</a></p>	<p><i>risk;</i>  <u>e. The extent and type of vegetation present and</u>  <u>f. The nature and density of any planting to reduce fire risk, including use of low flammability species.</u></p>
<p>Natural Hazards Rules                      NH-R6: Wild fire - extensions and alterations to buildings used for a vulnerable activity (excluding accessory buildings) that increase the GFA</p>	<p>Support subject to amendments</p>	<p>Reasons as above.</p>	<p><b>Add</b> the following matter of discretion to rule NH-R6:  <u>f. The nature and density of any planting to reduce fire risk, including use of low flammability species.</u></p>
<p>Natural Hazards Standards                      NH-S1 All Natural Hazards</p>	<p>Oppose</p>	<p>The information requirement applies the need for a report prepared by a suitably qualified and experienced engineer/instability to activities and subdivision on the site as a whole, rather than just that part impacted by the identified natural hazard, imposing unnecessary cost. The amendments sought target the requirements just to the mapped hazard area location.</p>	<p>Amend Information Requirement NH-S1 as follows:  <i>Any application for a resource consent in relation to a <u>site location</u> that is potentially affected by natural hazards must be accompanied by a report prepared by a suitably qualified and experienced engineer that addresses the matters identified in the relevant objectives, policies, performance standards and matters of control/discretion.</i></p>

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<b>PART 2 – DISTRICT-WIDE MATTERS</b>			
<b>NATURAL ENVIRONMENT VALUES</b>			
<b>Ecosystems and indigenous biodiversity</b>			
Ecosystems and indigenous biodiversity  Overview	Oppose	<p>Amendments to the overview section, and the objectives, policies and rules are sought to:</p> <ol style="list-style-type: none"> <li>1. Recognise that the Council has not identified Significant Natural Areas in the Proposed Plan; and</li> <li>2. Clarify that the role of identifying SNAs cannot be passed onto landowners; however areas of significant indigenous vegetation and significant habitats of indigenous fauna may be desirably protected through the consent process.</li> </ol> <p>Without the SNA areas being mapped, the section 32 analysis cannot properly conclude that the associated objectives, policies and rules are most appropriate or efficient or effective methods to protect such areas.</p> <p>Without mapping the SNAs, the associated rules lack precision, and in relying on case-by-case assessment by landowners as proposed, risk not being consistently applied.</p>	<p>Amend the Overview as follows:</p> <p><i>Council has responsibilities under the RMA, the NZCPS and the RPS to identify and protect areas of significant indigenous biodiversity (<del>Significant Natural Areas</del>) and maintain indigenous biodiversity. Where <del>Significant Natural Areas</del> <u>areas of significant indigenous vegetation and significant habitats of indigenous fauna</u> are identified <del>in the District Plan or</del> through ecological assessments in accordance with the significance criteria in Appendix 5 of the RPS or any more recent National Policy Statement on indigenous biodiversity there <del>will be greater control over land use and subdivision</del> <u>conditions may be placed on consents</u> to ensure that the ecological significance of these areas are protected. There may be tension between the public and ecological benefits in protecting, maintaining or enhancing indigenous biodiversity and the associated costs or restrictions to private and public (including Māori) landowners</i></p>
Ecosystems and indigenous biodiversity  Objectives IB-O1	Oppose	As above.	<p>Amend Objective IB-O1 as follows:</p> <p><i>Areas of significant indigenous vegetation and significant habitats of indigenous fauna (<del>Significant Natural Areas</del>) are identified and protected for current and future generations</i></p>
Ecosystems and indigenous biodiversity	Oppose	Policy IB-P1 seeks to "encouraging landowners to include identified Significant Natural Areas in Schedule	<b>Delete</b> Policy IB-P1

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Policies IB-P1		<i>4 of the District Plan at the time of subdivision and development;...”</i>  This policy cannot be achieved unless by way of 4 <sup>th</sup> schedule process private plan change which is an unreasonable burden to place on landowners.	
Ecosystems and indigenous biodiversity  Policies IB-P2	Oppose	Because areas of Significant Natural Area are not mapped, avoidance can only be achieved in relation to areas of significant indigenous vegetation and significant habitats of indigenous fauna. The change proposed by this submission gives effect to the requirements of the NZCPS 2010.	<b>Amend</b> Policy IB-P2 as follows:  Within the coastal environment: <i>a. avoid adverse effects of land use and subdivision on <del>Significant Natural Areas</del> <u>areas of significant indigenous vegetation and significant habitats of indigenous fauna</u> ; and</i> <i>b. avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of land use and subdivision on areas of important and vulnerable indigenous vegetation, habitats and ecosystems.</i>
Ecosystems and indigenous biodiversity  Policies IB-P3	Oppose	As above.	<b>Amend</b> Policy IB-P3 as follows:  <i>Outside the coastal environment:</i> <i>a. avoid, remedy or mitigate adverse effects of land use and subdivision on <del>Significant Natural Areas</del> <u>areas of significant indigenous vegetation and significant habitats of indigenous fauna</u> to ensure adverse effects are no more than minor; and</i> <i>b. avoid, remedy or mitigate adverse effects of land use and subdivision on areas of important and vulnerable indigenous vegetation, habitats and ecosystems to ensure there are no significant adverse effects.</i>
Ecosystems and indigenous biodiversity  Policies IB-P5	Oppose	As above in the reasons for the changes to the Overview section.	<b>Amend</b> Policy IB-P5 as follows:  <i>Ensure that the management of land use and subdivision to protect <del>Significant Natural Areas</del> <u>areas of significant indigenous vegetation and significant habitats of</u></i>

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			<p><u>indigenous fauna and maintain indigenous biodiversity is done in a way that:</u></p> <p>a. <u>does not impose unreasonable restrictions on existing primary production activities, particularly on highly versatile soils;</u></p> <p>b. <u>recognises the operational need and functional need of some activities, including regionally significant infrastructure, to be located within <del>Significant Natural Areas</del> <u>areas of significant indigenous vegetation and significant habitats of indigenous fauna</u> in some circumstances;</u></p> <p>c. <u>allows for maintenance, use and operation of existing structures, including infrastructure; and</u></p> <p>d. <u>enables Māori land to be used and developed to support the social, economic and cultural well-being of tangata whenua, including the provision of papakāinga, marae and associated residential units and infrastructure.</u></p>
<p>Ecosystems and indigenous biodiversity</p> <p>Policies IB-P6</p>	<p>Support subject to amendments</p>	<p>As above in the reasons for the changes to the Overview section.</p> <p>In addition, an amendment is sought to provide a policy basis for rule SUB-R6 Environmental benefit subdivision and SUB-R7 Management plan subdivision.</p> <p>This outcome gives effect to objective 3.4 and policy 4.4.2 of the Regional Policy Statement for Northland.</p> <p>The RPS recognises at 4.4.3 that “<i>ecologically beneficial use and development and voluntary efforts can be actively encouraged by including appropriate rules and incentives in regional and district plans</i>”.</p> <p>Subdivision is one such incentive – providing the necessary capital injection to enact the land use</p>	<p><b>Amend</b> Policy IB-P6 as follows:</p> <p><i>Encourage the protection, maintenance and restoration of indigenous biodiversity, <del>with priority given to Significant Natural Areas</del>, through <u>both regulatory and non-regulatory methods including consideration of:</u></i></p> <p><del>a. assisting landowners with physical assessments by suitably qualified ecologists to determine whether an area is a Significant Natural Area;</del></p> <p><u>a. Enabling subdivision and land use where that results in the restoration or enhancement of indigenous biodiversity, including under-represented ecosystems, and where biodiversity is increased and legally protected.</u></p> <p>b. <i>reducing or waiving resource consent application fees;</i></p> <p>c. <i>providing, or assisting in obtaining funding from other agencies and trusts;</i></p>

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		change required and establishing a community of care, and on-going obligations in respect to biodiversity.	<p><i>d. sharing and helping to improve information on indigenous biodiversity; and</i></p> <p><i>e. working directly with iwi and hapū, landowners and community groups on ecological protection and enhancement projects.</i></p>
<p>Ecosystems and indigenous biodiversity</p> <p>Policies</p> <p>IB-P10</p>	Support subject to amendments	As above in the reasons for the changes to the Overview section.	<p><b>Amend</b> Policy IB-P10 as follows:</p> <p><i>Manage land use and subdivision to address the effects of the activity requiring resource consent for indigenous vegetation clearance and associated land disturbance, including (but not limited to) consideration of the following matters where relevant to the application:</i></p> <p>...</p> <p><del>h. where the area has been mapped or assessed as a Significant Natural Areas:</del></p> <p><i>i. the extent to which the proposal will adversely affect the ecological significance, values and function of that area;</i></p> <p><i>ii. whether it is appropriate or practicable to use biodiversity offsets or environmental biodiversity compensation to address more than minor residual adverse effects;</i></p> <p>...."</p>
<p>Ecosystems and indigenous biodiversity</p> <p>Rules</p> <p>IB-R1</p>	Support subject to amendments	<p>As above in the reasons for the changes to the Overview section.</p> <p>In addition, the use of building platform (ie single residential unit) should not matter in assessing its effects relative to Indigenous vegetation. The provision for the use should be conferred from the</p>	<p><b>Amend</b> rule IB-R1 as follows:</p> <p><i>Indigenous vegetation pruning, trimming and clearance and any associated land disturbance for specified activities <del>within and outside a Significant Natural Area</del></i></p> <p>...</p>

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Indigenous vegetation pruning, trimming and clearance and any associated land disturbance for specified activities within and outside a Significant Natural Area		<p>underlying zoning. A more effective and efficient way to achieve the objective is to simply refer to 'building platforms'.</p> <p>Furthermore, the rule confuses density rules applying to residential units which are specified elsewhere in the Plan.</p> <p>It is appropriate to add further exclusions for 'existing domestic gardens' in recognition that many existing gardens include indigenous vegetation. In addition, ecosystem protection, rehabilitation or restoration works should be excluded in recognition that Indigenous vegetation may need to be modified for such purposes, including for access tracks for planting and pest control and to release new plants.</p>	<p><del>7. To allow for the construction of a single residential unit on a title building platform and essential associated onsite infrastructure and access and it does not exceed 1,000m ;</del></p> <p><u>14. For existing domestic gardens</u></p> <p><u>15. It is for ecosystem protection, rehabilitation or restoration works</u></p>
<p>Ecosystems and indigenous biodiversity</p> <p>Rules IB-R2 Indigenous vegetation clearance and any associated land disturbance within a Significant Natural Area for papakāinga</p>	Oppose	As above in the reasons for the changes to the Overview section.	<b>Delete</b> Rule IB-R2
<p>Ecosystems and indigenous biodiversity</p> <p>Rules IB-R3</p>	Oppose	As above in the reasons for the changes to the Overview section.	<b>Delete</b> Rule IB-R3

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Indigenous vegetation clearance and any associated land disturbance within a Significant Natural Area			
Ecosystems and indigenous biodiversity  Rules IB-R4 Indigenous vegetation clearance and any associated land disturbance outside a Significant Natural Area	Oppose	As above in the reasons for the changes to the Overview section.  In addition, the rule includes the requirement that “ <i>a report has been obtained from a suitably qualified and experienced ecologist confirming that the indigenous vegetation does not meet the criteria for a Significant Natural Area and it is submitted to Council 14 days in advance of the clearance being undertaken</i> ”. This requirement lacks precision necessary for a permitted activity, and imposes an unfair cost and burden on landowners to identify SNA areas. The rule is unfairly structured such that the areas are assumed SNA unless proven otherwise by landowners and, as such, does not satisfy the requirements of section 32 of the RMA 1991.	<b>Delete</b> Rule IB-R4
IB-R5 Plantation forestry and plantation forestry activities within a Significant Natural Area	Oppose	As above in the reasons for the changes to the Overview section.	<b>Delete</b> Rule IB-R5
<b>PART 2 – DISTRICT-WIDE MATTERS</b>			
<b>NATURAL ENVIRONMENT VALUES</b>			
<b>Natural features and landscapes</b>			
Natural Features and Landscapes  Overview	Oppose	Outstanding natural landscapes (ONL) account for approximately 22% of the Far North District's land area. Of this, a significant portion has been highly modified in the past.	<b>Amend</b> the Overview as follows:  <i>The Far North District has an extensive coastline with many harbours, large tracts of indigenous vegetation and a wide variety of natural processes that operate at varying scales.</i>

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		<p>The Overview incorrectly identifies that modification of ONLs has been minimal. Large tracts of ONLs are highly modified from their natural state by land uses including historical settlement, burn-offs, logging, forestry and farming practices. In many instances the characteristics of the ONL are in fact defined by these previous or current land uses. The Overview as written sets up an incorrect expectation that ONLs as mapped are in a natural state.</p> <p>The objective is also internally Inconsistent with policy NFL-P4 which correctly recognises that farming is part of ONLs.</p>	<p><i>This has created a District rich in unique landscapes and features. In many instances, they are celebrated by cultural associations and stories. <del>Modification of these places has been minimal largely due to their remote locations, historic heritage and in some cases challenging topography and geomorphology.</del></i></p>
<p>Natural Features and Landscapes</p> <p>Objectives NFL-O2</p>	Oppose	<p>By its nature, land use and subdivision cannot be ‘consistent with’ the characteristics and qualities of an ONL or ONF: those being defined by a current state. It can however not compromise their characteristics and values as have been identified by the higher order planning documents.</p> <p>The NRC Landscape Assessment Work Sheets refer to “values” not qualities. In order for this objective to be the most appropriate way to achieve the requirements of the RMA and give effect to the NPS (ie allow a measurable assessment), it should use the same language as the Landscape Assessment methodology.</p> <p>“Identified” characteristics has been correctly used in policy NFL-P5, allowing a more measurable test of compliance with the policy. This should be consistently used thoroughly this objectives ad policy set.</p>	<p><b>Amend</b> Objective NFL-O2 as follows:</p> <p><i>Land use and subdivision in ONL and ONF <del>is consistent with and does not compromise the</del> <u>identified characteristics and qualities values</u> of that landscape or feature.</i></p> <p><b>Or</b> alternatively</p> <p><i><u>The identified characteristics and values of ONLs and ONFs are protected from inappropriate subdivision, use and development.</u></i></p>
<p>Natural Features and Landscapes</p>	Oppose	As per submission point on NFL-O2	<b>Amend</b> Policy NFL-P2 as follows:



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Policies NFL-P2			<i>Avoid adverse effects of land use and subdivision on the <u>identified characteristics and <del>qualities</del> values</u> of ONL and ONF within the coastal environment.</i>
Natural Features and Landscapes  Policies NFL-P3	Oppose	As per submission point on NFL-O2	<b>Amend</b> Policy NFL-P3 as follows:  <i>Avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of land use and subdivision on the <u>identified characteristics and <del>qualities</del> values</u> of ONL and ONF outside the coastal environment.</i>
Natural Features and Landscapes  Policies NFL-P4	Support subject to amendments	The policy provides appropriate recognition that farming should be provided for in ONLs and ONFs and that the use can form part of the characteristics and values that established the landscape or feature.  Changes are sought in line with reasons for submission point on NFL-O2	<b>Amend</b> Policy NFL-P4 as follows:  <i>Provide for farming activities within ONL and on ONF where: a. the use forms part of the <u>identified characteristics and <del>qualities</del> values</u> that established the landscape or feature; and b. the use is consistent with, and does not compromise the characteristics and qualities of the landscape or feature.</i>
Natural Features and Landscapes  Policies NFL-P5	Support subject to amendments	Support the use of 'identified' as has been used in this policy, but should be used elsewhere to allow a measurable method to determine compliance with the policy.	<b>Amend</b> Policy NFL-P5 as follows:  <i>Provide for the use of Māori Purpose zoned land and Treaty Settlement land in ONL and ONF where land use and subdivision is consistent with the ancestral use of that land and does not compromise any <u>identified characteristics and <del>qualities</del> values</u>.</i>
Natural Features and Landscapes  Policies NFL-P6	Support subject to amendments	The restoration and enhancement of ONLs and ONF should always be encouraged and to do otherwise may hold such areas in a degraded state.	<b>Amend</b> Policy NFL-P6 as follows:  <i>Encourage the restoration and enhancement of ONL and ONF <del>areas where it is consistent with the characteristics and qualities</del>.</i>
Natural Features and Landscapes  Policies	Oppose	Prohibit land use that would result in any loss of and/or destruction of the characteristics and qualities of ONL and ONF.	<b>Delete</b> Policy NFL-P7

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Proposed Plan Provision	Support/Oppose	Reason for Submission	Decision Requested (additions shown <u>underlined</u> , deletions shown in <del>strikethrough</del> )
NFL-P7		Some loss of 'characteristics and qualities' should be able to be sustained before those values are gone. The classification system used by the NRC uses a ranking within which the value should be able to move along before it is lost. In this context prohibiting 'any loss' is an unreasonable test.	
Natural Features and Landscapes  Policies NFL-P8	Oppose	Policy NFL-P6 seeks to manage land use and subdivision to Protect ONL and ONF and address the effects of the activity requiring resource consent, including (but not limited to) consideration of a range of matters where relevant to the application:  This is not a policy but a method of assessment, and therefore more appropriately an assessment criterion.  Non complying and discretionary activity applications should be assessed against objectives and policies which should be a clear expression of a desired outcome – not a way to achieve an unspecified outcome as is this policy.	<b>Delete</b> Policy NFL-P6
Natural Features and Landscapes  Policies New Policy	Oppose	As drafted, the Proposed Plan does not provide appropriate recognition of existing and/or authorised subdivision, use and development in ONLs and ONFs. Many values and characteristics of ONLs have been enhanced through development and subdivision through for example native planting regeneration and its ongoing protection. Such activities have been deemed to be appropriate in the past and in the more recent past, typically subject to legally binding ongoing obligations to protect and enhance the values which comprise the ONL or ONF. A new policy is required to recognise the positive benefits that can accrue from such activities and enable their continuation.	<b>Add</b> a new policy as follows:  <u>Recognise that identified ONLs and ONFs may contain existing and/or authorised subdivision, use and development and provide for these activities.</u>

Proposed Plan Provision	Support/Oppose	Reason for Submission	Decision Requested (additions shown <u>underlined</u> , deletions shown in <del>strikethrough</del> )
<p>Natural Features and Landscapes</p> <p>Rules NFL-R1 New buildings or structures, and extensions or alterations to existing buildings or structures</p>	<p>Oppose</p>	<p>The building per -se, rather than the use of the building, is the matter that should be controlled in this instance, having regard to the purpose of the rule. As such the requirement for the building to be ancillary to farming should be deleted. Reliance is still able to be placed on the other controls and standards referred to in the rule to manage effects on natural features and landscapes.</p> <p>Residential Units should be provided for in the overlay, in accordance with the underlying zone. They otherwise default to non-complying in the coastal environment as this rule is drafted in the Proposed Plan. This fails to recognise the existence of residential units in ONLs and the benefits that subdivision, use and development associated with residential units can bring to ONFs and ONLs.</p> <p>Should the concern be the proliferation of residential dwellings in the coastal environment, then this can be managed by the inclusion of a rule limiting as a per the drafting proposed at PER-5.</p> <p>As drafted, the rule ignores that there are titles, including titles with approved building platforms, which have occurred through a subdivision process which has confirmed the suitability of a residential unit, but are as yet unbuilt on. That should be recognised as a matter of discretion, or in the preferred alternative added as a controlled activity as also sought by this submission.</p> <p>50m2, rather than 25m2, better provides for small farm sheds that are typical in rural environments.</p>	<p><b>Amend Rule NFL-R1 as follows:</b></p> <p><i>Activity status: Permitted</i></p> <p><i>Where:</i></p> <p><i>PER-1</i> <i>If a new building or structure is located outside the coastal environment it is:</i> <del>1. ancillary to farming (excluding a residential unit);</del> <u>1. 2. no greater than 25 50m2 .</u></p> <p><i>PER-2</i> <i>If a new building or structure is located within the coastal environment it is:</i> <del>1. ancillary to farming (excluding a residential unit);</del> <u>1. 2. no greater than 25 50m2.</u></p> <p><i>PER-3</i> <i>Any extension to a lawfully established building or structure is no greater than 20% of the GFA of the existing lawfully established building or structure.</i></p> <p><i>PER-4</i> <i>The building or structure, or extension or alteration to an existing building or structure, complies with standards:</i> <i>NFL-S1 Maximum height</i> <i>NFL-S2 Colours and materials</i></p> <p><b>Add</b> the following rule: <u><i>PER-5</i></u> <u><i>Where the new building is for a residential unit, there is only one residential unit within the ONL and ONF area on the lot.</i></u></p> <p><b>Amend</b> the activity status where compliance is not</p>

Proposed Plan Provision	Support/Oppose	Reason for Submission	Decision Requested (additions shown <u>underlined</u> , deletions shown in <del>strikethrough</del> )
		<p>Non-conformity with the rule is more effectively and efficiently dealt with as a restricted discretionary activity. This is because the matters of discretion are capable of being confined to effects on the identified characteristics and values of the feature.</p> <p>Except for more than one dwelling per lot, notification should not be a consideration, as the restricted discretionary matters are limited in their scope and need not involve third party input. .</p>	<p>achieved with rules PER-1, PER-2, PER-3 and PER-4 from discretionary /non complying to <u>restricted discretionary</u> in the case of each rule.</p> <p><b>Add</b> a new activity status where compliance is not achieved with rule PER-5 as a <u>non-complying activity</u>.</p> <p><b>Add</b> a matter of discretion as follows:</p> <ol style="list-style-type: none"> <li>1. <u>The effects on the identified characteristics and values that established the landscape or feature, having regard to:</u> <ol style="list-style-type: none"> <li>a. <u>the temporary or permanent nature of any adverse effects;</u></li> <li>b. <u>the location, scale and design of any proposed development;</u></li> <li>c. <u>any means of Integrating the building, structure or activity;</u></li> <li>d. <u>the ability of the environment to absorb change;</u></li> <li>e. <u>the need for and location of earthworks or vegetation clearance;</u></li> <li>f. <u>the operational or functional need of any regionally significant infrastructure to be sited in the particular location;</u></li> <li>g. <u>Except as provided for under m and n below, any viable alternative locations for the activity or development outside the landscape or feature;</u></li> <li>h. <u>the characteristics and qualities of the landscape or feature;</u></li> <li>i. <u>the physical and visual integrity of the landscape or feature;</u></li> </ol> </li> </ol>

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Proposed Plan Provision	Support/Oppose	Reason for Submission	Decision Requested (additions shown <u>underlined</u> , deletions shown in <del>strikethrough</del> )
			<p>j. <u>the natural landform and processes of the location; and</u></p> <p>k. <u>any positive contribution the development has on the characteristics and qualities.</u></p> <p>l. <u>Whether locating the activity within the ONF or ONL area is required to enable reasonable residential or farming use of the lot.</u></p> <p>m. <u>Whether the location is on a previously approved building platform.</u></p> <p><b>Add</b> new clause as follows:</p> <p><u>Building/s which do not comply with PER1, PER2, PER3 or PER4 shall be assessed without public or limited notification under sections 95A and 95B of the Resource Management Act unless special circumstances exist or notification is required under section 95B(2) and (3).</u></p>
<p>Natural Features and Landscapes</p> <p>Rules</p> <p>New Rule</p>	<p>Oppose</p>	<p>There are subdivisions in the district, including in coastal environments, where resource consents have been granted and/or titles issued specifying controls on the location and size of building platforms, and controlling these through legally binding instruments. Such forms of subdivision were encouraged under the Management Plan rule of the Operative Plan.</p> <p>This form of rule is proposed to be carried over into the Proposed Plan, and so may result in more such forms of subdivision.</p> <p>As drafted in rule NFL-R1, where these occur in the coastal areas, the activity status of dwellings defaults to non-complying, regardless of prior entitlements provided by subdivision.</p>	<p><b>Add new rule as follows:</b></p> <p><u>“New buildings or structures, and extensions or alterations to existing buildings or structures within an approved building platform or buildable area on a site for which a subdivision consent was granted after 1 January 2000”</u></p> <p><b>Specify</b> the activity status as <u>controlled activity</u></p> <p><b>Include</b> the following matter of control:</p> <p>1. <u>Compliance with location, height, design and mitigation conditions which apply to the site or building platform by way of resource consent condition or consent notice.</u></p> <p><b>Include</b> the following clause:</p>

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		<p>In many cases, the subdivisions have been carefully designed and have detailed controls imposed by way of consent condition and consent notices on the titles to manage the effects of buildings. Owners have purchased lots on the understanding that their entitlement to build on them is protected.</p> <p>The default to non-complying activity would require a wholesale reassessment of the appropriateness to build on an approved building platform. It imposes considerable unnecessary cost and risk to current owners.</p> <p>Controlled activity is an appropriate activity class because the Council will have already assessed appropriations in such circumstance and all that may be required will be an evaluation against the conditions of the subdivision consent/consent notices.</p> <p>Typically, such subdivisions have occurred in more recent times and so a cut-off date as proposed in the relief may also be appropriate.</p> <p>Non-notification is also appropriate as the substantive consideration as to whether a building is acceptable on the approved building platform will have occurred already at subdivision stage.</p> <p>A similar provision is in the Operative Whangarei District Plan 2022</p>	<p><u>Building/s which are a controlled activity under this rule shall be assessed without public or limited notification under sections 95A and 95B of the Resource Management Act unless special circumstances exist or notification is required under section 95B(2) and (3).</u></p>
Natural Features and Landscapes	Oppose	There is no need not be a rule for an activity class of repair and maintenance.	<b>Delete</b> Rule NFL-R2

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<p>Rules NFL-R2 Repair or maintenance</p>		<p>Repairs and maintenance should be otherwise be permitted under the respective rules relating to the buildings, earthworks and indigenous vegetation clearance activity classes within the overlay. Those rules (as sought to be amended by this submission) most effectively and efficiently manage the effects of relevant activities on the resources managed by the overlay.</p> <p>Unforeseen consequences will result with the rule as drafted where classes of repairs and maintenance not listed will fall to discretionary activity, triggering costly and unnecessary consent processes. An example is existing houses in the ONF and ONL, whereby their repair and maintenance (including any normal domestic maintenance) would trigger a full discretionary activity resource consent because they are not specified in the repair or maintenance rule.</p>	
<p>Natural Features and Landscapes</p> <p>Rules NFL-R3 Earthworks or indigenous vegetation clearance</p>	<p>Oppose</p>	<p>Given the nature of the PER-1 repair and maintenance activities (ie lawfully established and like for like works), there should be no limit in the volume of earthworks associated with these.</p> <p>For the reasons set out above in this submission, the repair and maintenance activities are better placed as a permitted activity clause within this rule itself, rather than a separate activity class.</p> <p>More exceptions for normal farming and rural practices should be provided for. In this regard, farming activities are often a feature of the overlay area and not providing for such activities would impose significant consent cost and risks on land owners. Where ONLs and ONFs are not farmed, then</p>	<p><b>Amend Rule NFL-R3 as follows:</b></p> <p><i>Activity status: Permitted</i></p> <p><i>Where:</i></p> <p><i>PER-1</i></p> <p><i>The earthworks or indigenous vegetation clearance is:</i></p> <p><del><i>1. required for the repair or maintenance permitted under NFL-R2 Repair or maintenance.</i></del></p> <p><u><i>1. Required for the repair or maintenance of the following activities where they have been lawfully established and where the size, scale and materials used are like for like:</i></u></p> <p><u><i>1. roads.</i></u></p> <p><u><i>2. fences</i></u></p> <p><u><i>3. network utilities</i></u></p> <p><u><i>4. driveways and access</i></u></p> <p><u><i>5. walking tracks</i></u></p>

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		<p>the vegetation controls provide protection. In particular, exceptions are required for:</p> <ul style="list-style-type: none"> <li>• Maintenance of fire breaks (for ecosystem protection and providing for the health and safety of people)</li> <li>• Cultivation and domestic gardens (continuation of domestic and rural activities).</li> <li>• Ecosystem protection and enhancement (where vegetation may need to be thinned to release new plantings)</li> <li>• Maintenance of driveways and roads.</li> </ul> <p>The need for such exemptions is heightened by the very broad definition of “earthworks” under the National Planning Standard 2019 that has been adopted in the plan. Almost all ground disturbance is captured by this definition.</p> <p>In each instance non conformity should be a restricted discretionary activity. The scope of assessment is limited and the potential effects well-understood and able to be categorised as assessment matters. The policy NFL-P8, provides the necessary matters of assessment and are sought to be repeated in the rule, with the addition of new matters:</p> <ul style="list-style-type: none"> <li>• Whether locating the activity within the ONF or ONL area is required to enable reasonable residential or farming use of the lot.</li> <li>• Whether the location is on a previously approved building platform.</li> </ul>	<p><u>6. cycling tracks</u>  <u>7. farming tracks.</u></p> <p>2. <u>required to provide for safe and reasonable clearance for existing overhead power lines.</u>  3. <u>necessary to address a risk to public health and safety.</u>  4. <u>for biosecurity reasons.</u>  5. <u>for the sustainable non-commercial harvest of plant material for rongoā Māori.</u>  <u>6. for vegetation clearance required to establish or maintain a firebreak within 20m of a dwelling.</u>  <u>7. for cultivation (for earthworks only) or domestic gardens.</u>  <u>8. for ecosystem protection, rehabilitation or restoration works.</u>  <u>9. required to maintain an operational farm (including the maintenance or reinstatement of pasture where the vegetation to be cleared is less than 15 years old and less than 6m in height) or operate a plantation forestry activity.</u>  <u>10. required for vegetation clearance to maintain an existing driveway to a dwelling, within 5m of that driveway.</u>  <u>11. required for vegetation clearance as a strip of no more than 3.5m wide to construct new fences for the purpose of stock control or boundary delineation.</u>  <u>12. required for vegetation clearance within the legal width of an existing formed road.</u></p> <p>PER-2  <u>Except as permitted under PER-1, <del>the earthworks or indigenous vegetation clearance outside the coastal environment is not provided for</del></u></p>



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		<p>The importance of providing for development on previously approved building platforms is discussed earlier in this submission.</p> <p>As essentially a technical assessment against a defined set of matters, a non-notification rule is appropriate as it will avoid unnecessary consent cost and risk burden on landowners.</p>	<p><del>within NFL-R3-PER-1 but it complies with standard NFL-S3 Earthworks or indigenous vegetation clearance PER-3</del></p> <p><u>Except as permitted under PER-1</u> <del>the earthworks or indigenous vegetation clearance</del></p> <p><del>inside the coastal environment is not provided for within NFL-R3-PER-1 but it complies with standard NFL-S3 Earthworks or indigenous vegetation clearance</del></p> <p><b>Amend</b> the activity status where compliance is not achieved with rules PER-1, PER-2 and PER-3 from discretionary /non complying to <u>restricted discretionary</u> in the case of each rule.</p> <p><b>Add</b> a matter of discretion as follows:</p> <ol style="list-style-type: none"> <li>1. <u>The effects on the identified characteristics and qualities values that established the landscape or feature, having regard to:</u> <ol style="list-style-type: none"> <li>a. <u>the temporary or permanent nature of any adverse effects;</u></li> <li>b. <u>the ability of the environment to absorb change;</u></li> <li>c. <u>the need for and location of earthworks or vegetation clearance;</u></li> <li>d. <u>the operational or functional need of any regionally significant infrastructure to be sited in the particular location;</u></li> <li>e. <u>Except as provided for under k and l below, any viable alternative locations for the activity or development outside the landscape or feature;</u></li> </ol> </li> </ol>

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			<p>f. <u>any historical, spiritual or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6;</u></p> <p>g. <u>the characteristics and qualities of the landscape or feature;</u></p> <p>h. <u>the physical and visual integrity of the landscape or feature;</u></p> <p>i. <u>the natural landform and processes of the location; and</u></p> <p>j. <u>any positive contribution the development has on the characteristics and qualities.</u></p> <p>k. <u>Whether locating the activity within the ONF or ONL area is required to enable reasonable residential or farming use of the lot.</u></p> <p>l. <u>Whether the location is on a previously approved building platform.</u></p> <p><b>Add</b> new clause as follows:</p> <p><u>Earthworks or indigenous vegetation clearance which do not comply with PER1, PER2 or PER3 shall be assessed without public or limited notification under sections 95A and 95B of the Resource Management Act unless special circumstances exist or notification is required under section 95B(2) and (3).</u></p>
<p>Natural Features and Landscapes</p> <p>Rules</p> <p>NFL-R3</p> <p>Farming</p>	<p>Oppose</p>	<p>Under this rule, farming becomes a non-complying activity in the coastal environment and discretionary elsewhere. .</p> <p>This does not implement policy NFL-P4 of the Proposed Plan which recognises that that farming should be provided for in ONLs and ONFs and that the use can form part of the characteristics and values that established the landscape or feature;</p>	<p><b>Delete</b> rule NFL-R3 (assuming reliance can then be placed on the activity status for farming in the underlying zoning as per “Applications Subject to Multiple Provisions” section of the Proposed Plan)</p> <p><u>Or</u>, in the alternative,</p> <p><b>Amend</b> rule NFL-R3 so that Farming is a permitted activity in the overlay.</p>

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		<p>While existing farms may be protected by existing use rights, new farming methods or practices may not be, and may trigger the need for a resource consent with the rule as proposed. This ignores that in large sections of the district, ONF and ONLs apply over working farms. Furthermore, the values sought to be protected in these overlays often refer to pastoral and open characteristics of landscapes.</p> <p>The rule will impose significant compliance costs on existing farms where resource consents may be required for every new aspect of their operation.</p> <p>The rule as proposed is not effective nor efficient as the effects on the values and characterises of the overlays are better managed through controls on earthworks, vegetation clearance and buildings, rather than the activity of farming.</p> <p>As per the overview explanation of overlays in the Proposed Plan, where there is no specific rule relevant to the activity, then it reverts to its underlying zoning (for example, if Rural Production then farming is a permitted activity). If this is the case, the then the rule can and should be deleted for the reasons above.</p> <p>If that is not the case, then an alternative relief is sought that farming is a permitted activity in the overlay.</p>	
Natural Features and Landscapes	Oppose	The maximum height specified of 5m may or may not be appropriate in the circumstances, and is best	<b>Delete</b> Standard NFL-S1

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Standards NFL-S1 Maximum Height		<p>assessed and determined at resource consent stage for the building under NFL-R1.</p> <p>The height limit of the zone would otherwise apply to smaller (less than 50m structures).</p> <p>The requirement to not exceed the height of the nearest ridgeline, headland or peninsula as a height limit lacks precision and measurability, with these factors better taken into account at resource consent stage.</p>	
Natural Features and Landscapes  Standards NFL-S2 Colours and materials	Support subject to amendments	The rule should allow for natural materials also.	<p><b>Amend</b> Standard NFL-S2 as follows:</p> <p><i>The exterior surfaces of buildings or structures shall:</i></p> <ol style="list-style-type: none"> <li><i>1. be constructed of materials and/or finished to achieve a reflectance value no greater than 30%.</i></li> <li><i>2. have an exterior finish within Groups A, B or C as defined within the BS5252 standard colour palette <u>or are a natural finish stone or timber.</u></i></li> </ol>
Natural Features and Landscapes  Standards NFL-S3 Earthworks or indigenous vegetation clearance	Support subject to amendments	<p>Amendments are sought to the rule so that earthworks or indigenous vegetation clearance associated with access and/or a building platform are not subject to the preceding subclause 1-3s. Otherwise, such works would trigger the need for consent in almost every instance (building platforms generally being greater than 50m2).</p> <p>Also, as drafted, it could be interpreted that only earthworks and vegetation clearance for the purpose of access and/or a building platform are permitted (eg not farming earthworks and vegetation clearance).</p> <p>These changes are appropriate because earthworks or indigenous vegetation clearance associated with the</p>	<p><b>Amend</b> rule NFL-S2 as follows:</p> <p><i>Any earthworks or indigenous vegetation clearance must (where relevant):</i></p> <ol style="list-style-type: none"> <li><i>1. not exceed a total area of 50m2 <del>over the life of the District Plan</del> <u>per calendar year</u>; and</i></li> <li><i>2. not exceed a cut height or fill depth of <del>1m</del> <u>1.5m</u>; and</i></li> <li><i>3. screen any exposed faces <u>visible from a public place</u>; or</i></li> <li><i>4. be for the purpose of access and/or a building platform.</i></li> </ol> <p><i>Note: The NESF requires a 10m setback from any natural wetland in respect of earthworks or vegetation clearance and may require consent from the Regional Council.</i></p>

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		<p>building is assessed as a restricted discretionary activity matter with the building resource consent application.</p> <p>Life of District Plan as a compliance measure is unnecessarily limited and does not recognise the ability for the land to heal each season (ie calendar year) after earthworks.</p> <p>Screening should only be from public places (which includes the CMA) for the rule to efficiently apply.</p>	
<b>PART 2 – DISTRICT-WIDE MATTERS</b> <b>SUBDIVISION</b> <b>Subdivision</b>			
Subdivision Policies SUB-P1	Support subject to amendments	<p>Policy SUB-P1 enables boundary adjustments where they are in accordance with the minimum lot sizes of the zone. Many existing lots do not comply with the minimum lot size standards and subdivisions (and more so, should that be increased to 40ha in the rural production zone). Boundary adjustments in such circumstances should also be enabled where they do not increase the number of lots created. The effect of the non-confirming lot already exists and therefore allowing boundary adjustments will not increase density not give rise to further effects on the environment that already exist (subject to meeting the controlled activity matters).</p>	<p><b>Amend</b> policy SUB-P1 as follows:</p> <p><i>Enable boundary adjustments that:</i></p> <p><i>a. do not alter:</i></p> <p><i>i. the degree of non compliance with District Plan rules and standards;</i></p> <p><i>ii. the number and location of any access; and</i></p> <p><i>iii. the number of certificates of title; and</i></p> <p><i>b. <del>are in accordance with the minimum lot sizes of the zone</del> and comply with access, infrastructure and esplanade provisions.</i></p>
Subdivision Rules SUB-R1 Boundary adjustments	Support subject to amendments	<p>Many existing lots do not comply with the minimum lot size standards and subdivisions should also be enabled where boundary adjustments to such lots do not increase the number of lots created. The effect of the non-confirming lot already exists and therefore allowing boundary adjustments will not give rise to further effects on the environment.</p>	<p>Amend Rule SUB-R1 as follows:</p> <p><i>CON-1</i></p> <p><i>The boundary adjustment complies with standards: <u>SUB-1 Minimum allotment sizes for controlled activities</u>, <del>except where an existing allotment size is already non-</del></i></p>

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			<del>compliant, the degree of non-compliance shall not be increased;</del> SUB-S2 Requirements for building platforms for each allotment; SUB-S3 Water supply; SUB-S4 Stormwater management; SUB-S5 Wastewater disposal; SUB-S6 Telecommunications and power supply; and SUB-S7 Easements for any purpose;
Subdivision Rules SUB-R17 Subdivision of a site containing a scheduled SNA	Oppose	There are no scheduled SNAs in the Proposed Plan. In any event the existence of an SNA on a site should not alter the activity status to full discretionary / non-complying activity.	<b>Delete</b> Rule SUB-R17
Subdivision Rules SUB-R18 Subdivision of a site within an Outstanding Natural Landscape and Outstanding Natural Feature	Support subject to amendments	On many sites the overlay or margin is a small component of a larger site. Subdivision of the balance of the site not covered by the overlay or margin should be able to occur in accordance with the standard subdivision provisions. Only where the new lot to be created (or boundary) is within the overlay should assessment be required under this rule. That may have been the intent of the drafting; however, as drafted, it may capture sites where only a part of them is within an overlay or margin yet applies the rule and activity status to subdivisions of the site as a whole.  The rule should also only be restricted to the creation of new lots within these overlays/margins and should not apply to the other classes of subdivision provided for (for example, boundary adjustments). The revisions sought in this submission seeks to limit the application of the rule only to the creation of new lots.	<b>Amend</b> Rule SUB-R18 as follows:  <i>SUB-R18 Subdivision of a site within an Outstanding Natural Landscape and Outstanding Natural Feature <u>(where any boundary of a new lot to be created (excluding boundary adjustments) is within that part of the existing site covered by the overlay)</u></i>
Subdivision Rules	Support subject to amendments	As above in this submission.	<b>Amend</b> Rule SUB-R19 as follows:























































