

## Appendix 2 – Officer's Recommended Decisions on Submissions (Rezoning General Requests – Open Space Zones)

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
<b>S368.001</b>	Far North District Council	Kauri Cliffs Zone	Oppose	The 'Natural Heritage Environment' subzone has been incorrectly applied within the Kauri Cliffs zone. The 'Natural Heritage Environment' subzone needs to be removed and replaced with the 'Natural Open Space' zone in accordance with the section 32 for the Kauri Cliffs zone.	Amend to rezone the 'Natural Heritage Environment' subzone within the Kauri Cliffs zone with the 'Natural Open Space' zone.		Accept	Section 3.2.3 Open Space Rezoning errors and corrections
<b>FS534.060</b>	Waiaua Bay Farm Limited		Support in part	Agree with the proposed amendment, subject to the amendments associated with the 'Natural Heritage Environment' sub-zone and 'Natural Open Space' zone recommended in WBFL's submission. Those amendments relate to how SUB-R1 (point S463.046), LIGHT-S1 (point S463.081) and NOISE-S1 (point S463.084) would be interpreted in the context of this particular area of proposed NOSZ, given its location in the middle of a larger landholding.	Allow	allow in part the original submission	Accept	Section 3.2.3 Open Space Rezoning errors and corrections
<b>S451.026</b>	Pacific Eco-Logic	Natural Open Space Zone	Support in part	Some zoning does not provide adequate environmental protection and incentives for reserves or permanently covenanted land (e.g., some ecological restoration projects are inappropriately zoned (e.g., rural living or production)	Amend the zoning for ecological restoration projects in areas such as: <ul style="list-style-type: none"> <li>Pipiroa wetland on the Russell Peninsula,</li> <li>Wairoa Park QE11 covenant on the Russell Peninsula,</li> <li>Tangatapu wetlands and hillside FNDC covenant at the start of the walkway to Whangamumu from 717 Rawhiti Road</li> </ul>		Reject	Section 3.2.2 Open Space Rezoning Requests

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					zoning the areas as natural open space to provide for better protection and reduced rates			
FS93.7	Leonie M Exel		Oppose	<ul style="list-style-type: none"> <li>These dog bans via covenant/subdivision have been happening on the Russell Peninsula in particular, and again we have recommendations here which would strengthen the illogical, ineffective, unenforceable, extensive, dog bans on this peninsula.</li> <li>If FNDC wants to ban dogs from a particular area, this needs to be done WITH the local community, AFTER consultations. Not quietly, via sub-divisions or covenants, where rules have not been voted on by elected council members, and local people do not discover that their township has largely become banned to dogs without their knowledge, over 20+ years.</li> <li>This lack of consultation has driven conservationists and dog lovers apart, which need not have been the case.</li> <li>I am unsure of these specific zoning rules, but am concerned that individuals choosing to ban pets via covenant are receiving funding and rates relief, paid for in part by the 40% of Northland households that have dogs. I do not wish my rates to support this.</li> </ul>	Disallow in part		Accept in part	Section 3.2.2 Open Space Rezoning Requests
FS88.52	Stephanie Lane		Oppose	I don't have time to look through this extensively, however the Russell peninsula has been subject to dog bans through stealth (covenant/subdivision) and I'm worried. Such significant banning should be done in the open, via public consultation. This sneaky method will	Disallow		Accept	Section 3.2.2 Open Space Rezoning Requests

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				mean the bans happen without the people's knowledge and suddenly the locals will find they can no longer live in their own area. I absolutely do not want my rates to go towards banning companion animals through rates relief, especially when it happens via quiet, underhanded methods. I do not support dog/cat banning.				
<b>FS332.213</b>	Russell Protection Society		Support	The original submission aligns with our values. The Russell Protection Society has a purpose of promoting wise and sustainable development that compliments the historic and special character of Russell and its surrounds.	Allow	Allow the original submission.	Reject	Section 3.2.2 Open Space Rezoning Requests
<b>FS570.1531</b>	Vision Kerikeri 3		Support	Support to the extent the submission is consistent with our original submissions.	Allow	Allow to the extent that the submission is consistent with our original submission	Reject	Section 3.2.2 Open Space Rezoning Requests
<b>FS566.1545</b>	Kapiro Conservation Trust 2		Support	Support to the extent that the submission is consistent with our original submission	Allow	Allow to the extent that the submission is consistent with our original submission	Reject	Section 3.2.2 Open Space Rezoning Requests
<b>FS569.1567</b>	Vision Kerikeri 2		Support	Support to the extent that the submission is consistent with our original submission	Allow	Allow to the extent that the submission is consistent with our original submission	Reject	Section 3.2.2 Open Space Rezoning Requests
<b>S303.001</b>	Living Waters - Bay of Islands	Natural Open Space Zone	Support in part	Some of the zoning applications in the online mapping are inadequately protective of the natural values present or, in some cases, zoning is completely missing. Part of the problem appears to be a protocol that only one zone can be applied to each property or allotment, even though part of that property may be subject to a permanent conservation covenant (eg. QE11 Open Space Covenant or Reserves Act covenant). Another aspect is that unformed legal roads	Amend zoning to apply the more appropriately protective Natural Open Space zoning to lands permanently protected by QE11 Open Space Covenants (eg Wairoro Park Covenant at Aucks Road is currently zoned Rural Lifestyle), Reserves Act Covenants (eg. Tangatapu wetland covenant is currently zoned Rural Production) and FNDC Covenant encumbrances (eg. Omata Estate Covenants are currently zoned Rural Production). Apply the more appropriately protective Natural Open Space zoning to Unformed		Accept in part	Section 3.2.2 Open Space Rezoning Requests

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				(reserved from sale as part of the Queen's Chain of water margin access and protection) are not zoned at all, even when they are subject to an FNDC Management Agreement requiring their ecological restoration (eg. by Living Waters-BOI). The rationale appears to be that they do not have a surveyed allotment number. However, each of them does actually have an FNDC Parcel number as a unique identifier, and these are specified in, for example, the Management Agreement between Living Waters-BOI and FNDC (eg. ULR #5230964 on the boundary of northwestern Waikare Inlet; FNDC Reserves Act covenant #5152163 at Tangatapu, adjoining the Whangamumu Walkway). Another anomaly noticed while scanning water margin mapping was that there has been some misunderstanding of the boundaries between the Coastal Marine Area (Regional Council) and the adjoining terrestrial land in Opuā. For example #7 Beechey Street (adjoining the FNDC toilet block beside the Opuā ferry ramp) is zoned Rural Production, despite it being rental residential units largely on poles above open water.	Legal Roads with indigenous vegetation adjoining the Coastal Marine Area and rivers and lakes to give better effect to natural character protection and restoration imperatives in RMA s.6(a) and NZCPS Policies 11, 13 & 14. Apply more appropriate zonings to properties adjoining (or within) the Coastal Marine Area at Opuā.			
<b>FS332.214</b>	Russell Protection Society		Support	The original submission aligns with our values. The Russell Protection Society has a purpose of promoting wise and sustainable development that compliments the historic and special character of Russell and its surrounds.	Allow	Allow the original submission.	Accept in part	Section 3.2.2 Open Space Rezoning Requests
<b>FS566.016</b>	Kapiro Conservation Trust 2		Support		Allow	allow the original submission	Accept in part	Section 3.2.2 Open Space Rezoning Requests

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<b>FS569.047</b>	Vision Kerikeri 2		Support		Allow	allow the original submission	Accept in part	Section 3.2.2 Open Space Rezoning Requests
<b>FS570.0010</b>	Vision Kerikeri 3		Support	Support to the extent the submission is consistent with our original submissions.	Allow	allow the original submission	Accept in part	Section 3.2.2 Open Space Rezoning Requests
<b>S442.170</b>	Kapiro Conservation Trust	Natural Open Space Zone	Support in part	Some zoning does not provide adequate environmental protection and incentives for reserves or permanently covenanted land (e.g., some ecological restoration projects are inappropriately zoned (e.g., rural living or production)).	Amend the zoning for ecological restoration projects in areas such as: <ul style="list-style-type: none"> <li>• Pipiroa wetland on the Russell Peninsula,</li> <li>• Wairoa Park QE11 covenant on the Russell Peninsula,</li> <li>• Tangatapu wetlands and hillside FNDC covenant at the start of the walkway to Whangamumu from 717 Rawhiti Road</li> </ul> zoning the areas as natural open space to provide for better protection and reduced rates.		Reject	Section 3.2.2 Open Space Rezoning Requests
<b>FS346.781</b>	Royal Forest and Bird Protection Society of New Zealand Inc.		Support	The amendments sought give effect to the NPS FM, the RPS and Part 2 of the RMA and the NPS IB. Forest & Bird supports the full submission other than where the relief sought would conflict with that sought in Forest & Birds submission.	Allow	Allow the original submission	Reject	Section 3.2.2 Open Space Rezoning Requests
<b>S588.012</b>	WALTER (Wally) HICKS	Natural Open Space Zone	Support	Corrects an Error or Oversight	Retain corrections to Natural Open Space Zone errors as notified in Plan Variation 1		Accept	Section 3.2.3 Open Space Rezoning errors and corrections
<b>S368.099</b>	Far North District Council	Rural Production Zone	Oppose	Error in mapping whereby operative Conservation zoning has not carried through into the PDP as Natural Open Space zone for parcel 4861315. This is one site Council is aware of, there are potentially others.	Amend the zoning of parcel 4861315 (Mataka Station) from Rural Production to Natural Open Space. Make any further changes to the PDP where and if the same issue arises.		Accept	Section 3.2.3 Open Space Rezoning errors and corrections

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FS143.73	Mataka Residents' Association Inc		Support in part	The submission is supported to the extent that the re-zoning to Natural Open Space is confined to the reserve land in Parcel ID 4861315 which is Zoned Conservation in the Operative District Plan. Its application to other un-identified locations as implied in the submission is not supported on the grounds that this relief lacks the specificity required of a submission.	Allow in part		Accept in part	Section 3.2.3 Open Space Rezoning errors and corrections
S368.100	Far North District Council	General / Miscellaneous	Oppose	Error in mapping whereby operative Conservation zoning has not carried through into the PDP as Natural Open Space zone for parcel 4861315. This is one site Council is aware of, there are potentially others.	Amend to make any further changes to the PDP where and if the same issue arises.		Accept	Section 3.2.3 Open Space Rezoning errors and corrections