

Submission on PDP

			<p>is considered to be overly restrictive, particularly when considering the minimum allotment sizes outlined in SUB-S1 of the PDP.</p> <p>Subdivision does not always require physical works and does not necessarily propose or introduce built form. Regardless, the PDP already contains provisions for the management of built form, land disturbance and vegetation clearance (i.e., Rules CE-R1 and CE-R3, and standards CE-S1 and CE-S3).</p> <p>It is considered that the natural character of the coastal environment is already managed by elsewhere in the PDP and there is no need to duplicate the assessment here.</p>	
16 S386.017	SUB-R20 Subdivision of a site within Outstanding Natural Character Areas in the Coastal Environment	Oppose	Ballantyne & Agnew oppose this for the same reasons outlined in submission point 15.	Delete rule, and review the provisions, incorporating either a targeted policy or assessment criteria in the rule SUB-R13.
17 S386.018	SUB-S1 Minimum allotment sizes	Support Amendments with	While Ballantyne & Agnew recognise the importance and purpose of the RPROZ, particularly the need to protect highly versatile soils, manage the fragmentation of land for productive purposes, and avoid reverse sensitivity	That FNDC review and amend minimum lot sizes, in particular the provision of a 20ha minimum lot size in the RPROZ as a controlled activity, to ensure regional consistency

			<p>effects arising, it is considered that all of these matters can be achieved at lot sizes smaller than 40ha. At a minimum, FNDC should consider alignment neighbouring Council's (i.e. the Whangārei District Plan RPROZ provisions) to achieve region wide consistency under the RPS. Finally, with respect to the RLZ, it is unclear why the proposed minimum lot size for controlled activity subdivision has been selected. 4ha controlled activity subdivision is inconsistent with the residential density control provided in the RLZ Chapter. It is common practice to align these controls to provide consistent outcomes across land use and subdivision controls.</p>	<p>That FNDC amend the minimum lot size of the RLZ to align with the residential intensity control of the RLZ Chapter.</p>
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Part 3 – Area-Specific Matters-Rural Production Zone

Policies

18	PROZ-P6	Seek amendment	<p>Ballantyne & Agnew consider this policy to be too narrow, focussing too heavily on farming activities, rather than the productive capability of the zone. It is considered that this policy should be broadened to encompass all primary production activities.</p>	<p>Amend as follows:</p> <p><i>“Avoid subdivision that:</i></p> <ul style="list-style-type: none"> <i>a. results in the loss of highly productive land for use primary production by farming activities;</i> <i>b. fragments land into parcel sizes that are no longer able to</i>
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S386.019

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				<p>support farming activities <u>productive capacity of the rural environment</u>, taking into account:</p> <ol style="list-style-type: none"> 1. the <u>productive capability of soils</u> type of farming proposed; and 2. whether smaller land parcels can support more <u>productive activities</u> forms of farming due to the presence of highly productive land. <p>c. provides for rural lifestyle living unless there is an environmental benefit.”</p>
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Rules and Standards

<p>19</p> <p>S386.020</p>	<p>RPROZ-R3 Activity</p>	<p>Residential</p>	<p>Seek amendment</p>	<p>The RPROZ limits residential development to one unit per 40ha of site area, up to a maximum of 6 per site and requires a discretionary activity resource consent for non-compliance with either of these standards. This is considered to be an overly restrictive rule framework. The section 32 has some brief commentary regarding the 40ha size limit at it relates to subdivision</p>	<p>Amend RPROZ-R3-PER-1 to allow for at a minimum, one residential unit per 20ha.</p>
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				and considers this to be a response to manage fragmentation effects. Ballantyne & Agnew note that this density control has been proposed to align with the controlled activity subdivision threshold (which is discussed separately), however, aside from this there is little evaluation within the section 32 of the appropriateness of threshold. Further, it is noted that the Whangārei District Plan and Kaipara’s Exposure Draft Plan each have rule frameworks that would provide for two residential units per 40ha. It is considered that these provisions should be amended to align with adjacent Councils to provide a more consistent region wide approach to the management of RPROZ land.	
20 S386.021	RPROZ-R4 Accommodation	Visitor	Support	Ballantyne & Agnew support the enablement of visitor accommodation in the PRZ.	Retain as notified.
21 S386.022	RPROZ-R9 Activity	Recreational	Amend	As outlined above, the rule title is inconsistent with the defined term ‘Recreation Activity’ in the Definitions Chapter. It is considered that this should	Amend to be consistent with definition.

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			be revised to improve consistency and legibility.		
S386.023	22	RPROZ-R15 Plantation forestry and and plantation forestry activity	Amend	There is an error in the rule title	Amend to delete the repeated 'and'.
S386.024	23	RPROZ-R19 Minor Residential Unit	Support with amendment	Ballantyne & Agnew support the inclusion of a minor residential unit rule, however, considers this can be appropriately managed as a permitted activity with the same clauses applied. Further, it is noted that this rule does not contain any matters of control making it unclear which matters/effects require assessment and what the parameters of control are.	Amend activity status to make a permitted activity.
S386.025	24	RPROZ-R22 Rural Tourism Activity	Support	Ballantyne & Agnew support this, as it provides for tourism activities within the rural environment which have a functional need to be located here.	Retain as notified.

Part 3 – Area-Specific Matters

Rural Lifestyle Zone

Rules and Standards

S386.026	25	RLZ-R4	Support	Ballantyne & Agnew are supportive of the provision of small-scale visitor accommodation in this zone.	Retain as notified.
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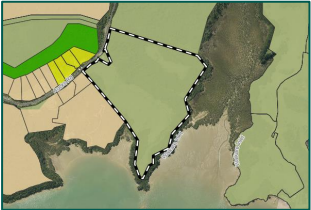
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S386.027

26	RLZ-R11	Support, amendments seek	Ballantyne & Agnew are supportive of the intention of this rule, particularly recognising the need and providing for minor residential units as a permitted activity. However, Ballantyne & Agnew considers that either a controlled or restricted discretionary activity control should be considered where compliance cannot be achieved with clauses PER-1 to 4. Particularly, PER-4 where there may be a functional purpose or physical constraints that requires a larger separation distance. Further, the justification for requiring a minimum of 1ha to make use of this provision is unclear. In Ballantyne & Agnew's view, this clause should be removed.	Amend RLZ-R11 as follows: <ul style="list-style-type: none"> Remove PER-2, alternatively, provide justification as to why this density control is necessary; Introduce a controlled or restricted discretionary activity with targeted matters/limits to manage the effects of clauses PER-1-3. Delete PER-4.
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Zoning

S386.028

27	RPROZ zoning of 249 Aucks Road, Okiato 	Oppose	As detailed in section 2.2.7 of the submission, Ballantyne & Agnew oppose the RPROZ of their site at 249 Aucks Road for the following reasons: <ul style="list-style-type: none"> Sites on the western and northern boundary are not zoned for the 	Rezone the site Rural Lifestyle Zone.
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<p>Figure 7: 249 Aucks Road, RPROZ zoning</p>		<p>RPROZ and are more suitably zoned RSZ or RLZ;</p> <ul style="list-style-type: none">• The site contains soils classified LUC 6e 9, and fall outside of the definition of highly versatile;• The section 32 evaluation does not provide analysis or direction on how mapping decisions have been made;• RLZ has been applied to sites across the road, extending beyond the site by more than 300m. This creates a mismatch in development expectations within the area, and it is considered that including the site in the RLZ will assist in making a defensible boundary for the settlement of Okiato.	
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