

IN THE ENVIRONMENT COURT OF NEW ZEALAND

AUCKLAND REGISTRY

Env-2026-AKL-

UNDER The Resource Management Act 1991 ("the Act")

IN THE MATTER Of clause 14(1) Schedule 1 of the Act

BETWEEN Fiona Gay King/Elbury Holdings
Appellant

AND

AND **Far North District Council (FNDC)**
Respondent

**Notice of Appeal to the Environment Court Against Decisions on the
Proposed District Plan.**

Date: 12th August 2026

To. The Registrar

 The Environment Court

 Auckland

And to. Far North District Council (FNDC)

Fiona (“FK”) and Elbury Holdings (“EH”) appeals against part of the decisions and mapping of the land drainage map overlays of the Far North District Council (“FNDC”) in respect of the Proposed Far North District Plan (“Proposed Plan”)

BACKGROUND AND DECISION APPEALED

Decisions on the Proposed District Plan (PDP)

1. Elbury Holdings (“EH”) made a submission on the Proposed Plan being submission, being S485, and Fiona King (“FK”) made a further submission being FS155. Fiona is a director of Elbury Holdings, as is her husband, Kevin James King. FK presented in support of her submission and EH’s submission at the hearing.
2. On the 30 June 2026 pursuant to Clauses 10 and 11 of Schedule 1 of the Resource Management Act 1991 (RMA), Far North District Council advised that decisions on submissions to the Proposed District Plan have been released.
3. FK received notice of the Council’s Decision on the Proposed Plan on the 30th June 2026
4. FK is not a trade competitor for a site owned by the purpose of section 308D of the Act.
5. This submission relates to the incorrect/erroneous mapping of the land drainage area of benefit that relates to the infrastructure chapter of the proposed plan, and rules rules “I-R15 Buildings, Structures, and Vegetation Adjacent to Land Drainage Channels” and I-R18 “Activities affecting a mapped Land Drainage Area of Benefit” of the proposed plan of the proposed District Plan.

6. The FNDC land drainage bylaw maps and the FNDC rate demands show the inconsistency between the mapping of the area of benefit maps, which apply to the infrastructure chapter objectives, policies, and rules relating to land drainage.
7. As it is a targeted area of benefit for where the land drainage scheme is located (just as council sewer of area of benefit works) rules "I-R15 Buildings, Structures, and Vegetation Adjacent to Land Drainage Channels" and I-R18 "Activities affecting a mapped Land Drainage Area of Benefit" of the proposed plan relates to the mapped areas of only those paying rates for that service (making them in the area of benefit for the land drainage scheme). The mapping of the area of benefit of the land drainage scheme in the proposed plan are currently incorrect and need to have some alterations to reflect the correct land drainage area of benefit.
8. These drains need to be cleared mapped into the District Plan maps, to match the maintained drains shown on the land drainage maps that have been approved by the drainage committees of each catchment. The corrections required/requested to reflect the errors are shown on appendix 3.
8. The commissioners rejected FK's and EH's submissions as the commissioner's considered that the land drainage bylaw could be utilised as the policy instrument to provide for land drainage infrastructure.
9. The Far North District Council has made decisions on submissions for the Proposed District Plan. The council adopted the Hearing Panel's recommendations and reasoning, except for two amendments. One of these amendments related to land drainage and FK's submission. FNDC resolved at the 11 June 2026 Extraordinary Council meeting to:
 - Amend the Infrastructure Chapter and Planning Maps to recognise and provide for district land drainage infrastructure within the Kaitāia, Waiharara, Kaikino and Motutangi drainage districts (S257.023, Te Hiku Community Board).

SCOPE OF APPEAL

10. I am a Chairperson of the Kaitaia Land Drainage Committee for the past 35 years and committee member of the Waiharara and Kakino Land Drainage areas administered under FNDC. Although I have retired off the farm, I have a passion for drainage and storm water coming from a farming background where drainage is an essential part of farming and growing crops and grass.

12. I also am a member of the Awanui Flood management committee under the NRC for the past 20 years. I was a FNDC Councillor and community board chair for a 10year period and known for my land drainage and stormwater local knowledge including the targeted rating and administration of the schemes.

I was also part of a team that initiated NRC to take control of the Awanui River Flood control Management scheme through their role as a catchment board back in 2005. FNDC transferred the responsibility to NRC. This was a process of splitting the drainage scheme away from the Awanui flood Protection scheme.

This has improved the flood risk within the Kaitaia township and surrounding urban and rural areas.

13. Te Hiku is the only ward in the FNDC to have four land drainage areas administered by FNDC. They are recognised as essential infrastructure that supports productive land use – farming, horticulture, flood management and community resilience.

The issue we have been having is the urban spread moving into rural production zoned land without considering the catchment capacity, water flows and the outlet size ability. These all need to have the ability to take increased water flow or storage especially when the rivers flood gates close in high river flows and water is held back behind the flood gates often flooding properties and houses in and around Kaitaia and Awanui townships.

14. The building, vegetation planting within the drains in the land drainage area has been restricting the ability to access, clean or manage the drains leading to the effects on the wider land drainage scheme. I support the new objectives, policies, and rules for land drainage being included in the proposed plan, however both the new rules related to land drainage need to relate to the area of benefit for land drainage, and the mapping for the land drainage area of benefit need to be correct. The current mapping has errors, which is why I have lodged this appeal.

15. I am seeking that rule “I-R15 Buildings, Structures, and Vegetation rule “I-R15 Buildings, Structures, and Vegetation Adjacent to Land Drainage Channels be changed to not refer to the “land drainage channel” and instead refer to the “land drainage drains”. The rule should be renamed “Rule “I-R15 Buildings, Structures, and Vegetation rule “I-R15 Buildings, Structures, and Vegetation Adjacent to Land Drainage ~~Channels~~ Drains”.

16. I am seeking this change to rule “I-R15 Buildings, Structures, and Vegetation Adjacent to Land Drainage Channels” as it is not just the

maintained drainage channels that require protection from buildings and structures and vegetation being established within 10m of the drains. This is to address the building of structures or vegetation being planted or being overgrown, too close to land drainage drains, thus restricting access to drain clearing by machinery. The 10 metres is to allow a digger to clean, swing, and deposit spill away from the drain edge, while leaving the drain access clear.

17. It is all of the drains within the catchment of the area of benefit within the land drainage scheme require protection under the rule under the proposed plan. The reason for this, is if a drain is blocked in the catchment, it has a flow on effect for upstream and downstream properties in the catchment, no matter if is a maintained drainage channel in the area benefit, or a non-maintained drain within the area of benefit (both require protection under rule I-R15).
18. I am seeking rule I-R18 "Activities affecting a mapped Land Drainage Area of Benefit" of the proposed plan to be changed to remove the word clearance from this rule. The intent of the rule is to allow vegetation clearance adjacent to the drains within the catchment area of benefit.

FNDC have a 108 kms of FNDC managed main channels identified in the maps and 1000,s kms of drains within the land drainage area that carry water to these main channels. These drains are established on private land with landowners having to take some responsibilities to the centre of the stream.

19. I am seeking the mapping of the area of benefit of the land drainage scheme in the proposed plan to have some alterations to reflect the correct land drainage area of benefit.

These drains need to be cleared mapped into the District Plan maps, to match the area of benefit maps shown on the land drainage maps that have been approved by the drainage committees of each catchment, and to match the rating area of benefit for the land drainage schemes. The corrections required/requested to reflect the errors are shown on appendix 3.

20. The land drainage area of benefit boundaries need to be changed to align with the catchments, that connect to the main drainage channels administered by FNDC, under the Kaitaia land drainage area, and also needs to align with the rating of the drainage district by FNDC which rates on a per hectare basis.

The Land Drainage is managed by FNDC staff with input from Voluntary community Members and the Te Hiku Community Board. I have been an elected member at FNDC and now act in voluntary

position on the Drainage committees for the Far North District Council, as the Chair of the Land Drainage Committee.

21. There is a Land drainage bylaw 2019 for land drainage that has been left lying on the Council table since October 2025. This was still awaiting these corrected maps to be presented, which is probably why the mapping done for the proposed plan were also incorrectly mapped. This is why I am making this appeal – to ensure all the mapping is corrected, to enable the plan to be implemented for the coming years, without further issues arising due to incorrect mapping.

SPECIFIC REASONS FOR APPEAL AND RELIEF SOUGHT

Planning and Zoning E-Maps Decision – context

22. Rules in the Plan:

I seek that the rules below require amendment, to ensure all drains within the Land Drainage area of benefit area protected and allow for flow within the catchment, of both FNDC maintained and also non-FNDC maintained drains.

I-R15 Buildings, Structures and Vegetation Adjacent to Land Drainage Channels-Drains

All zones Activity status: Permitted

Where:

PER-1

Buildings, structures and vegetation are located at least 10 metres from any ~~mapped land drainage channel~~ drain in the mapped land drainage area of benefit.

Machine cleaning of vegetation in and adjacent to existing drains is a permitted activity

Activity status where compliance not achieved with PER-1: Restricted discretionary.

Matters of discretion are restricted to:

- a. Effects on the operation, maintenance, repair, upgrading and renewal of land drainage infrastructure.
- b. Effects on access for maintenance machinery and equipment.
- c. Effects on drainage capacity and flood management.
- d. Effects on adjoining properties and the wider catchment.
- e. Measures to avoid, remedy or mitigate adverse effects.

I-R18 Activities affecting a mapped Land Drainage Area of Benefit
All zones Activity status: Restricted discretionary

Where:

RDIS-1

NEW Buildings, structures, ~~planted~~ vegetation clearance, or activities within a mapped Land Drainage Area of Benefit that may obstruct, divert or attenuate catchment flows or adversely affect the operation of a land drainage scheme.

Matters of discretion are restricted to:

- a. Effects on the operation and maintenance of land drainage infrastructure.
- b. Effects on catchment flows and drainage capacity.
- c. Effects on flood risk and the conveyance function of the land drainage scheme.
- d. Effects on adjoining properties and the wider catchment.
- e. Measures to avoid, remedy or mitigate adverse effects.
- f. The adequacy of proposed measures to maintain drainage function.
- g. The extent to which the proposal supports the efficient and effective operation of the wider land drainage scheme.

NOTE:

Other rules within the Earthworks and Subdivision chapters may also apply where activities are proposed within a mapped Land Drainage Area of Benefit.

Activity status where compliance not achieved: Not applicable

I-

23. I am seeking the mapping of the area of benefit of the land drainage scheme in the proposed plan to have some alterations to reflect the correct land drainage area of benefit.

These drains need to be cleared mapped into the District Plan maps, to match the area of benefit maps shown on the land drainage maps that have been approved by the drainage committees of each catchment, and to match the rating area of benefit for the land drainage schemes. The corrections required/requested to reflect the errors are shown on appendix 3.

General reasons for appeal

24. The Decision incorrectly mapped and worded the land drainage rules of the proposed plan and as a result:
- (a) fails to appropriately promote the purpose of the Act; being the sustainable use of resources;
 - (b) is contrary to Part 2 and other provisions of the Act;
 - (c) is inconsistent with the relevant strategic provisions of the Proposed Plan
 - (d) will have unacceptable environmental, economic, social costs including opportunity costs; and
 - (e) will not meet the reasonably foreseeable needs of future generations;
25. For the reasons set out above the current infrastructure chapter and mapping relating to land drainage is inconsistent with the Proposed Plan's strategic direction provisions including, without limitation, the following:
- (a) Social Prosperity Objective SD-SP-O4: Promotion of communities and places which are adaptive to climate change that will meet the needs for not only the present population but future generations.
 - (b) Economic Prosperity Objective SD-EP-O5: A district economy that is responsive, resilient and adaptive to the financial costs of a changing climate.

Relief Sought

26. FK and EH seek:
- (a) That the maps be corrected to reflect the correct Land Drainage areas of benefit
 - (b) That the wording of Rule IR that rule "I-R15 Buildings, Structures, and Vegetation rule "I-R15 Buildings, Structures, and Vegetation Adjacent to Land Drainage Channels be changed to not refer to the "land drainage channel" and instead refer to the "land drainage drains". The rule should be renamed "Rule "I-R15 Buildings, Structures, and

Vegetation rule “I-R15 Buildings, Structures, and Vegetation Adjacent to Land Drainage Channels Drains”.

ATTACHMENTS:

The following documents are attached to this notice of appeals:

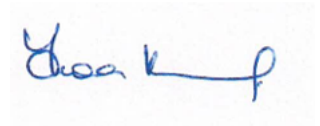
(Appendix 1) A copy of the relevant parts of the decision (Infrastructure chapter of the Proposed Plan)

(Appendix 2) A copy of Elbury Holding’s original submission (Fiona King is a Director of Elbury Holdings)

(Appendix 3) A copy of the mapping errors to be corrected

(Appendix 4) A list of relevant names and addresses of person’s who made a submission who are to be served with a copy of this notice

SWORN by **Fiona Gay King**)
at this day of)
12 August 2026:)



Date 12th August 2026

To: The Registrar of the Environment Court

Address for Service:

C/- Fiona King

189 State Highway 10,

Awanui, 0482

Telephone: 0274988133

Email: elbury@xtra.co.nz

Advice to recipients of copy of notice of appeal

How to become party to proceedings

You may be a party to the appeal if you made a submission or a further submission on the matter of this appeal.

To become a party to the appeal, you must, —

- within 15 working days after the period for lodging a notice of appeal ends, lodge a notice of your wish to be a party to the proceedings (in form 33) with the Environment Court and serve copies of your notice on the relevant local authority and the appellant; and
- within 20 working days after the period for lodging a notice of appeal ends, serve copies of your notice on all other parties.

Your right to be a party to the proceedings in the court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Act.

You may apply to the Environment Court under section 281 of the Act for a waiver of the above timing or service requirements (see form 38).

***How to obtain copies of documents relating to appeal**

The copy of this notice served on you does not have attached a copy of the appellant's submission and (or or) the decision (or part of the decision) appealed. These documents may be obtained, on request, from the appellant.

Advice If you have any questions about this notice, contact the Environment Court in Auckland, Wellington, or Christchurch.

APPENDIX 1- RELEVANT PARTS OF THE DECISION

APPENDIX 2 – ELBURY HOLDINGS SUBMISSION

APPENDIX 3 – MAPPING ERRORS IN THE PLAN THAT REQUIRE CORRECTING

APPENDIX 3 – LIST OF RELEVANT SUBMITTERS FOR SERVICE

- (a) **Submitter Number** S257.023
 Submitter Name Te Hiku Community Board
- (b) **Submitter Number** S358.024
 Submitter Name Leah and Sean Frieling
- (c) **Submitter Number** S547.030
 Submitter Name LJ King Limited
- (d) **Submitter Number** S472.025
 Submitter Name Michael Foy

Infrastructure

Overview

The district relies on the safe and efficient delivery of infrastructure as it is integral to community, economic and social wellbeing. However, development, operation, maintenance and upgrading of infrastructure can give rise to adverse environmental effects and can have adverse effects on other land uses and activities. In enabling infrastructure and managing adverse environmental effects, it is important to recognise the locational, operational and functional need and constraints of infrastructure. It is also important to recognise the public benefits associated with infrastructure, in particular the benefits of regionally significant infrastructure, to enhance economic, cultural, environmental and social wellbeing in the district.

Infrastructure, sometimes referred to as network utilities, is defined in the RMA and includes:

1. pipelines;
2. telecommunications;
3. radio communications;
4. facilities for the generation of electricity, including lines and support structures;
5. water supply, irrigation, drainage or sewerage systems;
6. structures for transport on land by cycleways, rail, roads, walkways, or any other means;
7. facilities for the loading or unloading of cargo or passengers;
8. airports; and
9. navigation.

Regionally significant infrastructure is also defined in the Northland Regional Policy Statement (RPS) and includes important energy, water, communication, transport infrastructure and significant social and community facilities in the region.

This chapter manages key infrastructure and general network utilities. Renewable electricity and transport are managed through the Renewable Electricity Generation and Transport chapters. In addition to the provisions in this Chapter, there are provisions in other Part 2: District Wide Matters that may be relevant for infrastructure, including the Historic Heritage, Heritage Area Overlays, Sites and Areas of Significance to Māori, Ecosystems and Indigenous Biodiversity, Natural Character, Natural Features and Landscapes, and Coastal Environment chapters.

There are responsibilities under the RMA, the National Policy Statement on Electricity Transmission 2008 and the RPS in relation to infrastructure. These responsibilities require Council to provide for the National Grid and regionally significant infrastructure and protect it from inappropriate land use and subdivision that could result in reverse sensitivity effects and undermine its effective operation, security or future expansion.

Objectives	
I-01	The district has safe, efficient and resilient infrastructure that services the current and future needs of people and communities in the district.
I-02	The benefits of infrastructure, including regionally significant infrastructure, to enhance economic, cultural, environmental and social wellbeing in the district are recognised and provided for.
I-03	Infrastructure is protected from incompatible land use, subdivision and development that may result in reverse sensitivity effects to ensure its effective operation, maintenance, repair and upgrading.
I-04	The adverse effects of infrastructure are managed in a way that recognises and provides for the operational need or functional need for infrastructure to be in particular environments.
I-05	The provision of infrastructure is integrated with land-use and is coordinated at the time of subdivision and development.
I-06	The location of infrastructure does not unnecessarily constrain the ability of tangata whenua to develop land in the Māori Purpose zone or the Treaty Settlement overlay.
I-07	Land drainage infrastructure is recognised and provided for as essential infrastructure that supports productive land use, flood management and community resilience.
I-08	The operation, maintenance, repair, upgrading and renewal of land drainage infrastructure are enabled.
I-09	Subdivision, use and development are managed to maintain the function, capacity and resilience of land drainage infrastructure and the operation of land drainage schemes.

Policies

I-P1	Provide for the continued operation, maintenance, repair, upgrading and replacement of existing infrastructure.
I-P2	Recognise and provide for the technical requirements, operational need and functional need of infrastructure when considering and managing adverse effects on the environment.
I-P3	Provide for the development of major upgrades to, and new National Grid infrastructure, and any ancillary activities including earthworks and vegetation clearance, while managing the adverse effects of these activities by the following: - having regard to the extent to which adverse effects have been avoided, remedied or mitigated by route, site and construction method selection; - considering the constraints imposed by the operational need or functional need of the National Grid on measures to avoid, remedy or mitigate adverse effects; - avoiding, remedying or mitigating adverse effects where practicable; - seeking to avoid adverse effects on: - the characteristics, qualities and values of outstanding natural character areas in the coastal environment; - the characteristics, qualities and values of outstanding natural landscapes and outstanding natural features; - threatened and At-Risk indigenous species and areas of significant indigenous vegetation and significant habitat of indigenous fauna; - seeking to avoid significant adverse effects on: - the characteristics, qualities and values of natural character and natural features and landscapes in the coastal environment not identified as outstanding; - areas of predominantly indigenous vegetation and indigenous species, habitats and ecosystems that are particularly vulnerable to modification; - the characteristics, qualities and values of natural character of wetland, lakes and river margins; - where it is not practicable to avoid adverse effects on the values of the areas listed in clause d above within the coastal environment because of the functional need or operational need of the National Grid: - recognise that there may be some areas where avoidance of adverse effects is required to protect the characteristics, qualities and values, so that the activity cannot proceed; and - otherwise remedy or mitigate adverse effects on the characteristics, qualities and values. Where there is a conflict with other policies in this District Plan, this policy prevails.
I-P4	Provide for infrastructure where there are benefits such as: - social, economic and cultural benefits associated with regionally significant infrastructure - improved: - quality of life; - standard of living; - public health and safety; - access to latest technology, such as fibre and high-speed wireless internet; - functioning of businesses; and - transportation of freight, goods, people. - growth and development of the district; - a reduction in the operation and maintenance costs of infrastructure; - integration of infrastructure with urban development; and - facilitating local, regional, national or international connectivity.
I-P5	Require the coordination of infrastructure planning and delivery at the time of land use, subdivision and development so that land use and infrastructure is integrated, efficient and aligned.
I-P6	Where practicable and appropriate for the type of infrastructure, minimise the adverse visual effects of infrastructure by: - co-location or multiple use; - removing redundant facilities or structures; - using landscaping and/or recessive colours and finishes; - encouraging innovative design to maintain the character and amenity of the surrounding area by integrating infrastructure within the site and utilising existing built form and landform; and - requiring the undergrounding of services when locating infrastructure in the coastal environment, a resource overlay, heritage area or an area with high amenity value.
I-P7	Protect infrastructure, including regionally significant infrastructure, from the effects of incompatible land use and subdivision, including reverse sensitivity effects, which may compromise the operation and capacity of infrastructure by: - locating and designing noise sensitive activities to avoid potential reverse sensitivity effects on airports, and State Highways and railway designations; - avoiding physical obstructions in take-off, approach, landing and departure paths and runway end protection areas;

	c. managing new noise sensitive activities within a defined air noise contour and the Rail Alert Overlay for railways; d. managing access to the railway corridor, and local, regional and national road network; e. identifying a Critical Electricity Lines Overlay on the planning maps and managing land use and subdivision activities in proximity to Critical Electricity Lines to: i. retain the ability for the network utility operator to access, operate, maintain, repair and upgrade the line; ii. ensure that future buildings and building alterations, earthworks, planting of trees and construction activities do not compromise the effective operation of the electricity distribution network and maintain safe electrical clearance distances under all electricity distribution line operating conditions. f. managing land disturbance and activities sensitive to gas transmission to avoid, or mitigate potential adverse effects on, gas transmission pipelines; and g. managing other activities, through setbacks and design controls where necessary, to achieve appropriate protection of local, regional and nationally significant infrastructure.
I-P8	Protect the safe and efficient operation, maintenance and repair, upgrading, removal and development of the National Grid from adverse effects by: a. avoiding activities within the National Grid Yard, including but not limited to sensitive activities, where these will: i. compromise the operation, maintenance, upgrading and development of the National Grid; or ii. result in reverse sensitivity effects on the National Grid. b. only allowing subdivision activities within the National Grid Subdivision Corridor where the subdivision is designed to ensure that any future land use and development will: i. avoid or minimise as far as practicable the risk to the safety of people and property; ii. avoid reverse sensitivity effects on the National Grid; and iii. not compromise the operation, maintenance, upgrading and development of the National Grid, or access to it. c. only allowing earthworks within the National Grid Yard where it can be demonstrated that the safe and efficient functioning, operation, maintenance and repair, upgrading and development of the National Grid will not be compromised, taking into account: i. the extent to which the earthworks may compromise the safe access to and operation, maintenance and repair, upgrading and development of the National Grid; ii. the stability of land within and adjacent to the National Grid; and iii. risks relating to health or public safety including the risk of property damage.
I-P9	Provide for resilient infrastructure that will meet the district's needs by considering: a. the impact on the network and levels of service if the work is not undertaken; b. the need for the infrastructure in the context of the wider network; and c. whether it is regionally significant infrastructure.
I-P10	Encourage infrastructure to be located within road corridors and, where practicable, adjacent to the carriageway unless this would result in a risk to health and safety.
I-P11	Avoid new infrastructure where it will unnecessarily constrain the ability to develop and use land in the Māori Purpose zone or in the Treaty Settlement overlay.
I-P12	Recognise the benefits of new technology in infrastructure that: a. improve access to, and efficient use of, networks and services; b. increases resilience or reliability of networks and services; c. protects the ongoing safety of the community and the integrity of the network; or d. results in environmental benefits or enhancements.
I-P13	Manage the adverse effects of infrastructure on other land uses and activities by: a. avoiding, remedying or mitigating adverse effects on: i. sensitive activities; ii. the safe and efficient operation of other infrastructure; iii. the health, wellbeing and safety of people and communities; and b. avoiding radio, electric and magnetic emissions that do not meet the international and national recognised standards or guidelines.
I-P14	Requiring the undergrounding of network utilities in Urban zones and the Settlement zone unless: a. it will result in greater adverse effects on the environment compared to placing the network utility above ground; or b. there are operational, functional, technical or significant financial reasons that mean it is not feasible for the network utility to be underground.
I-P15	Consider the following matters where relevant when assessing and managing the effects of infrastructure: a. any locational, technical, and operational requirements; b. bulk, height and design of any accessory buildings or structures; c. the extent of earthworks and/or indigenous vegetation removal associated with the infrastructure or

	access to it; d. the degree to which the environment has already been modified; e. potential for co-location and shared use of services and corridors; f. the nature, duration, timing and frequency of the adverse effects; g. any adverse effects on areas with historical and cultural values, natural values, coastal values, and recreational value; h. the health, wellbeing and safety of people and communities, including nuisance from noise, vibration, dust, odour emissions, temperature and light spill; i. the safe and efficient operation of other infrastructure; j. stormwater and overland flow path implications; k. the ability to safely access the infrastructure; l. the temporary or permanent nature of any adverse effects; m. whether the infrastructure is nationally or regionally significant; n. the impact of not operating, repairing, maintaining, upgrading, removing or developing the infrastructure; o. the benefits derived from the infrastructure at a local, regional and national scale, including the significant environmental, economic, social and cultural benefits of regionally significant infrastructure; p. the extent to which the infrastructure is integrated with, and necessary to support, planned development within Urban zones and the Settlement zone; and q. any historical, spiritual or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.
I-P16	Recognise land drainage infrastructure as important infrastructure that supports productive land use, flood management and community wellbeing.
I-P17	Provide for the operation, maintenance, repair, upgrading and renewal of land drainage infrastructure.
I-P18	Avoid, remedy or mitigate adverse effects of subdivision, use and development on the operation, maintenance, capacity and resilience of land drainage infrastructure.
I-P19	Ensure subdivision, use and development maintains access to land drainage infrastructure and does not compromise its efficient operation or future maintenance.
I-P20	Manage land drainage infrastructure in an integrated manner with catchment processes and associated natural and physical resources to maintain drainage function and conveyance within land drainage schemes.
I-P21	Avoid, remedy or mitigate adverse effects on the flow characteristics and drainage function of land drainage schemes, including effects arising from alterations to connected drains and catchment processes.

Rules

Notes:

1. The rules in this Chapter apply across the District either in all zones or within specified zones as set out in the relevant rule. The zone rules in Part 3 — Area Specific Matters do not apply to infrastructure unless otherwise specified in this Chapter.
2. There may be rules in the following District-Wide Matters chapters that apply to infrastructure and may be more stringent than the rules in this chapter: Historic Heritage, Heritage Area Overlays, Sites and Areas of Significance to Māori, Ecosystems and Indigenous Biodiversity, Natural Character, Natural Features and Landscapes, and Coastal Environment. Refer to the *how the plan works chapter* to determine the activity status of a proposed activity where resource consent is required under multiple rules.
3. The operation, maintenance, upgrading, relocation or removal of an electricity transmission line and ancillary structures that exist prior to the 14 January 2010 and remain part of the National Grid is largely controlled by the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (NES-ETA). No rules in the Plan apply to activities associated with the existing electricity transmission line regulated by the NES-ETA. Where an activity associated with electricity transmission line is not regulated by the NES-ETA the rules and standards in the District Plan apply.
4. The installation and operation of telecommunication facilities (such as cabinets, antennas, poles, small cell-units and telecommunications lines) undertaken by a facility operator are controlled by the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016 (NESTF). No rules in the District Plan apply to activities regulated by the NES-TF, except where these do not comply with the permitted activity standards in the regulations and when the regulated activity is located in an area subject to subpart 5 of the regulations (including areas with historic heritage values, visual amenity landscapes). The District Plan also applies to telecommunication facilities not regulated under the NES-TF (e.g. new poles outside the road reserve and in rural zones).

5. The rules do not replace, supersede, or provide permission under the New Zealand Electrical Code of Practice for Electrical Safe Distances — NZECP 34:2001 or the Electricity (Hazards from Trees) Regulations 2003. Compliance is required under all documents.
6. The rules in this Chapter are primarily specific to network utility operators except as the provisions relate to Amateur radio operators, the provisions managing buildings, structures and vegetation planting within the National Grid Yard and Critical Electricity Lines Overlay (I-R11, I-R12, I-R13) and the provisions managing buildings, structures, vegetation and other activities in relation to mapped land drainage channels and mapped Land Drainage Areas of Benefit.
7. Where electric vehicle charging infrastructure is established in accordance with the NES-ETEVCA, the provisions of that NES prevail over any inconsistent District Plan rule.

I-R1	Operation, maintenance, repair and removal of existing above or underground network utilities	
All zones	Activity status: Permitted Where: PER-1 The activity complies with standards: I-S1 Radio frequency fields; and I-S2 Electric and magnetic fields.	Activity status where compliance not achieved with PER-1: Non-complying
I-R2	New underground network utilities (including customer connections) or upgrading of existing underground network utilities	
All zones	Activity status: Permitted Where: PER-1 A new gas pipeline does not exceed a gauge pressure of 2,000 kilopascals. PER-2 The activity complies with standards: I-S1 Radio frequency fields; and I-S2 Electric and magnetic fields. NOTE: Refer to NT-R5 if the activity will occur near a notable tree.	Activity status where compliance not achieved with PER-1: Discretionary Activity status where compliance not achieved with PER-2: Non-complying
I-R3	Upgrading of existing above ground network utilities	
All zones	Activity status: Permitted Where: PER-1 The realignment, relocation or replacement of a telecommunications line, pipe, pole, tower, conductor, cross arm, switch, transformer or ancillary structure is within 5m of the existing alignment or location. PER-2 The realignment, relocation or replacement of a gas transmission line is within: 1. an existing easement in favour of the pipeline; or 2. 12m of the existing alignment or location. PER-3 A pole is not replaced with a tower. PER-4 A replacement pole, tower or telecommunication pole does not exceed a height, which is the lesser of the following: 1. 25m; or 2. the height of the replaced pole, tower or	Activity status where compliance not achieved with PER-1, PER-2, PER-3, PER-4, PER-5, PER-6, PER-7, PER-8, PER-9, PER-10, PER-11 or PER-12: Restricted discretionary Matters of discretion are restricted to: a. The functional need and operational need of the network utility; b. The benefits of the network utility; c. The purpose and necessity of the upgrading; d. The potential adverse visual effects of the upgrading, including impacts on the amenity values of the locality, and any cumulative adverse effects; and e. Any measures to avoid, remedy or mitigate adverse effects.
		Activity status where compliance not achieved with PER-13: Non-complying

	telecommunications pole by more than 30 percent. PER-5 The diameter or width of a replacement pole or telecommunication pole: 1. does not exceed twice that of the replaced pole at its widest point; or 2. where a single pole is replaced with a pi pole, the width of the pi pole structure must not exceed three times the width of the replaced pole at its widest point. PER-6 There are no additional towers. PER-7 A maximum of two additional poles, where necessary to achieve conductor clearances required by the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001). PER-8 Additional cross arms do not exceed the length of the existing cross arm by more than 4m. PER-9 The diameter of replacement pipes do not exceed the diameter of the replacement pipe by more than 300mm. PER-10 The realignment, relocation or replacement of any other network utility structure or buildings must: 1. be within 5m of the alignment or location of the original structure or building; 2. must not increase the footprint of the structure or building by greater than 30 percent; and 3. must comply with the zones permitted setback standards if it is a building. PER-11 A replacement panel antenna does not increase the face area by more than 20 percent. PER-12 A replacement dish antenna does not increase in diameter by more than 20 percent. PER-13 The activity complies with standards: I-S1 Radio frequency fields; and I-S2 Electric and magnetic fields.	
I-R4	Electricity generators or self-contained power units for the supply of a network utility	
All zones	Activity status: Permitted Where: PER-1 A permanent back-up generator or a self-contained power unit is setback at least 2m from a General Residential, Medium Density Residential or Settlement zone site boundary. PER-2 The activity complies with standards: I-S1 Radio frequency fields; and	Activity status where compliance not achieved with PER-1: Discretionary
		Activity status where compliance not achieved with PER 2: Non-Complying

	I-S2 Electric and magnetic fields.	
I-R5	New above ground customer connections	
All zones	Activity status: Permitted Where: PER-1 The customer connection: - Does not include a new pole if located in the General Residential zone or Settlement zone; or - Does not include a new pole greater than 25m in height above ground level if located in any other zone. PER-2 The activity complies with standards: I-S1 Radio frequency fields; and I-S2 Electric and magnetic fields.	Activity status where compliance not achieved with PER-1: Restricted discretionary Matters of discretion are restricted to: - The functional need and operational need of the network utility; - The benefits of the network utility; - The purpose and necessity of the customer connection; - The potential adverse visual effects of the customer connection, including impacts on the amenity values of the locality, and any cumulative adverse effects; and - Any measures to avoid, remedy or mitigate adverse effects.
		Activity status where compliance not achieved with PER-2: Non-complying
I-R6	New network utilities in existing buildings	
All zones	Activity status: Permitted Where: PER-1 The activity complies with standards: I-S1 Radio frequency fields; and I-S2 Electric and magnetic fields.	Activity status where compliance not achieved with PER-1: Non-complying
I-R7	New overhead lines and associated poles, telecommunication poles and attached antennas, or towers	
All zones	Activity status: Permitted Where: PER-1 Poles or telecommunications poles and attached antenna (excluding lighting rods) do not exceed a height above ground level of: 25m in the Rural Production zone, Rural Lifestyle zone, Māori Purpose zones, Light Industrial zone, Heavy Industrial zone, Airport zone, Hospital zone, Horticulture Processing Facilities zone; 20m in the Mixed-Use zone, Open Space zone, Sport and Active Recreation zone, Ngawha Innovation and Enterprise Park zone, Orongo Bay zone, Rural Residential zone; 15m in the General Residential zone, Settlement zone, and all other special purpose zones; or - the permitted height of the adjacent zone in clause 1 to 3 above if located in the road reserve. PER-2 Towers do not exceed a height of 15m. PER-3 Where two or more telecommunication facility operators are located on the same pole in the zones referred to PER-1. 1, the pole and attached antenna (excluding lighting rods) do not exceed a height of 30m above ground level.	Activity status where compliance not achieved with PER-1, PER-2, PER-3, PER-4 or PER-5: Restricted discretionary Matters of discretion are restricted to: - the functional need and operational need of, and benefits from, the network utility; - the potential impact on the levels of service or health and safety if the work is not undertaken; - the bulk, height, location and design of the network utility, including any associated building(s) or structures; - the impact on the character and qualities of the surrounding area; and - any adverse effects on public health and/or safety.
		Activity status where compliance not achieved with PER-6: Non-complying

	PER-4 Where located within or adjacent to a residential zone (except within the road reserve), the telecommunication facility complies with the relevant height in relation to boundary standard for that zone. PER-5 Where located in the road reserve, the diameter of the antenna and any headframe do not exceed 1m. PER-6 The activity complies with standards: I-S1 Radio frequency fields; and I-S2 Electric and magnetic fields.	
I-R8	New telecommunications kiosk	
All zones	Activity status: Permitted Where: PER-1 It does not exceed: 1. a height of 3.5m; and 2. an area of 1.5m². PER-2 The activity complies with standards: I-S2 Radio frequency fields; and I-S2 Electric and magnetic fields.	Activity status where compliance not achieved with PER-1: Discretionary Activity status where compliance not achieved with PER-2: Non-complying
I-R9	Navigational aids, sensing or environmental monitoring equipment	
All zones	Activity status: Permitted Where: PER-1 The activity complies with standards: I-S1 Radio frequency fields; and I-S2 Electric and magnetic fields.	Activity status where compliance not achieved with PER-1: Non-complying
I-R10	Substations	
All zones	Activity status: Permitted Where: PER-1 The substation is not located in General Residential zone, Medium Density Residential zone, Settlement zone, Rural Residential zone, or any special purpose zone. PER-2 1. The substation must be landscaped by a strip of vegetation which will screen any buildings or structures; and 2. The landscaped plants must achieve the continuous screening within five years and have a depth of 1.5m.	Activity status where compliance not achieved with PER-1 or PER-2: Discretionary
I-R11	New building or structures and relocated buildings and extensions to existing buildings or structures, in the National Grid Yard	
All zones	Activity status: Permitted Where:	Activity status where compliance not achieved with PER-1 or PER-2: Non-complying

	PER-1 The building or structure and relocated building is one or more of the following: 1. Alterations and additions to an existing building or structure for a sensitive activity that does not involve an increase in the building height or footprint; 2. Accessory buildings for sensitive activities located more than 12m from a National Grid support structure, that are no more than 2.5m in height and no more than 10m² in area; 3. Network utilities as defined in section 166 of the RMA and electricity generation that connects to the National Grid; 4. Fences located at least 5m from a National Grid support structure and no more than 2.5m in height; 5. Ancillary stockyards and platforms, including those associated with milking sheds located more than 12m from a National Grid support structure; and 6. Uninhabited farm and horticultural buildings and structures located more than 12m from a National Grid support structure and alterations to these buildings and structures. PER-2 The buildings and structures and relocated buildings listed in PER-1 comply with the safe distance requirements in the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001). NOTE: Vegetation planted near the National Grid Yard should be selected and/or managed to ensure that it complies with the Electricity (Hazards from Trees) Regulations 2003.	
I-R12	New buildings or structures and relocated buildings and extensions to existing buildings or structures, and earthworks within 10m of a Critical Electricity Lines Overlay	
All zones	Activity status: Permitted Where: PER-1 1. The extension of the building or structure and relocated building does not exceed the envelope or footprint of the existing building or structure. PER-2: New buildings and structures and relocated buildings and extensions of existing buildings and structures that do not comply with PER-1, provided that: 1. prior to works notification is provided to Council that the building or structure complies with the safe distance requirements in the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001); or 2. the activity is being carried out by a network utility operator or territorial authority in accordance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001).	Activity status when compliance not achieved with PER-1 or PER-2: Restricted discretionary Matters of discretion restricted to: a. the safe and efficient operation and maintenance of the electricity supply network, including: i. the use, design and location of buildings or structures; ii. compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001); iii. effects on public health and safety; and iv. effects on access to Critical Electricity Lines, designated substations and associated infrastructure for maintenance purposes.
I-R13	Tree planting within 20m of a Critical Electricity Lines Overlay	
All zones	Activity status: Permitted Where:	Activity status when compliance not achieved with PER-1 or PER-2: Restricted discretionary

	PER-1 The planting of trees is not for the purpose of providing a shelterbelt, commercial forestry or commercial horticultural operations. PER-2: Activities that do not comply with PER-1 provided that: 1. The trees will be planted and managed to comply with the Electricity (Hazards from Trees) Regulations 2003.	Matters of discretion are restricted to: a. the safe and efficient operation and maintenance of the electricity supply network, including: i. the mature size, growth rate, location, and fall zone of any associated tree planting; ii. including landscape planting and shelterbelts; iii. compliance with Electricity (Hazards from Trees) Regulations 2003; iv. effects on public health and safety; and v. effects on access to Critical Electricity Lines, designated substations and associated infrastructure for maintenance purposes.
I-R14	Amateur radio infrastructure	
All zones	Activity status: Permitted Where: PER-1 It must be owned and operated by a licensed amateur radio operator. PER-2 All amateur radio configurations must be designed and operated in compliance with New Zealand Standard NZS 2772.1:1999. PER-3 There are no more than two antennas and aerials per site. PER-4 The relevant zone setback standards are complied with. PER-5 Within the General Residential zone, no support structures, aerials and antennas are located between the road and the closest part of any building on the site, or within 1.5m from any other boundary. PER-6 1. Where antennas are attached to a building or other structure (including a mast), the radio and telecommunications antenna do not exceed: a. for an antenna dish; 2m in diameter; b. for panel antenna: 4m² in area. 2. provided there is no more than one pedestal mounted antenna per site, which: a. is pivoted less than 4m above the ground with a maximum diameter of 5m and a maximum height for network utility structures of 6.5m; b. if guy wires are used, where these do not exceed 12mm in diameter. PER-7 1. Provided any element making up an aerial does not exceed 80mm in diameter; 2. for horizontal HF yagi aerials, provided the maximum element length does not exceed 14.9m,	Activity status when compliance not achieved with PER-1, PER-2, PER-3, PER-4, PER-5, PER-6, PER-7 or PER-8: Restricted discretionary Matters of discretion are restricted to: a. visual amenity effects, including effect ;on landscape; b. any positive effects of the activity; c. cumulative amenity effects associated with multiple devices and structures; d. the bulk, height, location and design of any structure; and e. any loss of sunlight on adjoining sites.

	and maximum boom length does not exceed 13m; 3. for whip aerals, provided the maximum length does not exceed 3.5m in height for network utility structures above the maximum height for network utility structures ;for the support structure. PER-8 1. Provided there is only one primary mast per site, which does not exceed a maximum height for network utility structures of 20m. This mast may be a pole or lattice mast, and may be guyed or self-supporting. Lattice masts shall be no more than: a. 1000mm in outside diameter up to 9m in height for network utility structures; b. 420mm in outside diameter above 9m in height for network utility structures. 2. provided there is only one secondary mast per site with a maximum height for network utility structures of 12m. This mast may be fitted with a rotator for VHF and/or UHF aerals; 3. provided all masts (except for as provided for in PER 6(a) above) shall be less than 115mm in outside diameter; and 4. in addition to the primary mast and the secondary mast, provided there are no more than two other masts per site, which do not exceed the maximum height for network utility structures for buildings within the zone in which it is located by more than 30% (except that one mast may be used as a vertical aerial up to 13.5m in height for network utility structures).	
I-R15	Buildings, Structures and Vegetation Adjacent to Land Drainage Channels	
All zones	Activity status: Permitted Where: PER-1 Buildings, structures and vegetation are located at least 10 metres from a mapped land drainage channel.	Activity status where compliance not achieved with PER-1: Restricted discretionary. Matters of discretion are restricted to: a. Effects on the operation, maintenance, repair, upgrading and renewal of land drainage infrastructure. b. Effects on access for maintenance machinery and equipment. c. Effects on drainage capacity and flood management. d. Effects on adjoining properties and the wider catchment. e. Measures to avoid, remedy or mitigate adverse effects.
I-R16	Telecommunications lines, cabinets, poles and antennas regulated by the NES-TF that do not meet the Permitted Activity standards in Regulations 20,21,22,27,29,31,33,35 or 37 of the NES-TF	
All zones	Activity status: Restricted discretionary Matters of discretion are restricted to: a. the functional and operational need of, and benefits from, the network utility; b. the potential impact on the levels of service or health and safety if the work is not undertaken; c. the bulk, height, location and design of the network utility, including any associated building(s) or structures; d. the impact on the character and qualities of the surrounding area; and	Activity status where compliance not achieved: Not applicable

	e. any adverse effects on public health and/or safety.	
I-R17	Construction and upgrading of above ground water supply, wastewater systems, or stormwater infrastructure	
All zones	Activity status: Restricted discretionary Matters of discretion are restricted to: - the functional and operational need of, and benefits from, the network utility; - the potential impact on the levels of service or health and safety if the work is not undertaken; - the bulk, height, location and design of the network utility, including any associated building(s) or structures; - the impact on the character and qualities of the surrounding area; - odour, noise, dust; and - any adverse effects on public health and/or safety. - In the case of water supply, the PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice.	Activity status where compliance not achieved: Not applicable
I-R18	Activities affecting a mapped Land Drainage Area of Benefit	
All zones	Activity status: Restricted discretionary Where: RDIS-1 Buildings, structures, vegetation clearance, or activities within a mapped Land Drainage Area of Benefit that may obstruct, divert or attenuate catchment flows or adversely affect the operation of a land drainage scheme. Matters of discretion are restricted to: - Effects on the operation and maintenance of land drainage infrastructure. - Effects on catchment flows and drainage capacity. - Effects on flood risk and the conveyance function of the land drainage scheme. - Effects on adjoining properties and the wider catchment. - Measures to avoid, remedy or mitigate adverse effects. - The adequacy of proposed measures to maintain drainage function. - The extent to which the proposal supports the efficient and effective operation of the wider land drainage scheme. NOTE: Other rules within the Earthworks and Subdivision chapters may also apply where activities are proposed within a mapped Land Drainage Area of Benefit.	Activity status where compliance not achieved: Not applicable
I-R19	Infrastructure not otherwise listed in this chapter	
All zones	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable
I-R20	New building or structures and use of existing buildings or structures, in the National Grid Yard	
All zones	Activity status: Non-complying Where: PER-1	Activity status where compliance not achieved: Not applicable

	The building or structure involves one or more of the following: 1. A change of use to a sensitive activity within existing buildings or structures; 2. The establishment of a sensitive activity; 3. A building used for the handling or storage of hazardous substances (Hazardous Substances (Hazard Classification) Notice 2020) with explosive or flammable intrinsic properties (except this does not apply to the accessory use and storage of hazardous substances in domestic-scale quantities); 4. Wintering barns, commercial greenhouses, immovable protective	
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Standards		
I-S1	Radio frequency fields	
All zones	If generating radio frequency fields, an activity must not exceed the maximum exposure level of the general public in New Zealand Standards NZS2772.1: 1999 Radiofrequency fields - Maximum exposure levels - 3KHz to 300 GHz.	Activity status where compliance not achieved: Not applicable
I-S2	Electric and magnetic fields	
All zones	If generating electric and magnetic fields, the activity must not exceed the International Commission on Non-Ionising Radiation Protection Guidelines for limiting exposure to time varying electric and magnetic fields (1Hz - 100kHz) (Health physics, 2010, 99(6); 818-836) and recommendations from the World Health Organisation monograph Environmental Health Criteria (No 238, June 2007).	Activity status where compliance not achieved: Not applicable



Proposed District Plan submission form

Clause 6 of Schedule 1, Resource Management Act 1991

Feel free to add more pages to your submission to provide a fuller response.

Form 5: Submission on Proposed Far North District Plan

TO: Far North District Council

This is a submission on the Proposed District Plan for the Far North District.

1. Submitter details:

Full Name:	Fiona king		
Company / Organisation Name: (if applicable)	Elbury Holdings		
Contact person (if different):			
Full Postal Address:	345 State Highway 1, RD2 Kaitaia		
Phone contact:	Mobile: 0274988133	Home:	Work:
Email (please print):	elbury@xtra.co.nz		
2. (Please select one of the two options below) ☐ I could not gain an advantage in trade competition through this submission <i>If you could gain an advantage in trade competition through this submission, please complete point 3 below</i>			
3. ☐ I am directly affected by an effect of the subject matter of the submission that: (A) Adversely affects the environment; and (B) Does not relate to trade competition or the effect of trade competition ☐ I am not directly affected by an effect of the subject matter of the submission that: (A) Adversely affects the environment; and (B) Does not relate to trade competition or the effect of trade competition			
<i>Note: if you are a person who could gain advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991</i>			
The specific provisions of the Plan that my submission relates to are: SUB-SI Minimum allotment sizes — Rural Production Zone			
Confirm your position: ☐ Support ☐ Support In-part ☐ Oppose <i>(please tick relevant box)</i>			
My submission is: The new subdivision rules, requiring a minimum lot size of 8ha (without a Management Plan) will severely restrict the ability to create small rural lots in the rural production zone. The effects of this restriction include:			



- a reduction in vitality for rural communities,
- no longer allowing farmers to retire in their existing homes with a small area of land,
- the creation of 8ha blocks, which are too large for lifestyle blocks and too small to be productive,
- no longer allowing for the creation of appropriately sized and desirable lifestyle blocks,
- reduce the ability for rural landowners to provide small blocks for young family members to build on and enter the property market (this is contrary to Council policies in relation to affordable housing),
- reduced capacity for farmers to decrease their debt burdens by subdividing off small blocks of land that do not significantly add to the productivity of their farm. Where it is necessary to reduce debt by subdivision, subdividing off 8ha will diminish the productive capacity of the farm more than a smaller block.

The reason given for this rule is to protect the productive potential of the rural area, in particular, highly productive land. However, the majority of land in the Far North District does not come under this category, and the PDP does not distinguish between highly productive land and less productive land when it comes to subdivision.

With Council struggling to provide urban amenities (sewerage, water supply and stormwater) and people wanting to live independent of these services in the rural areas without too much land to care for, it makes sense to allow small rural blocks.

It is correct to protect rural productive potential, but this can be achieved without imposing a total restriction on rural lifestyle properties.

I seek the following decision from the Council:

Previously blocks down to 4000sqm were allowed under the Operative District Plan. Perhaps the new District Plan could reconsider allotment sizes, perhaps with a limited number of allotments of a minimum of 8000sqm or 1ha, then 4ha generally after that. Smaller lot sizes should apply for properties (or parts thereof) that do not consist of highly productive land. This would give effect to Policy SUB-P8.

Perhaps there should be more focus on the size of the balance parcel — subdividing off 4ha to leave a 10ha balance parcel does not protect productivity, while subdividing 1ha off a 200ha block has next to no effect, especially if the smaller block consists of bush.

This would provide vitality in rural areas, opportunities for farmers to develop their land, relief for urban services, continued local jobs, lifestyle blocks for those that want them, and all while still protecting the productive capacity of the land.

This will also affect other related rules, such as:

- RPROZ-R3 Residential activity
- SUB-R7 Management plan subdivision

As a retiring farmer I would like to cut off my home with a small area surrounding it. Not ha's that needs management of weeds, pest, livestock ect. This does not affect in productivity. Stocking rates of 2 per ha (all year round).

Intensive dairy farms operate on 2-3 cows per ha. Make 8ha unviable in rural areas – and they cause many issues in a rural farming environment, ie; weeds, poor drainage, animal health issues (overstocking/calving ect). Should 2 to 4ha block – maintain size.

The specific provisions of the Plan that my submission relates to are:

GRZ-R9 Residential activity (multi-unit development)

Confirm your position: ☐ **Support** ☐ **Support In-part** ☐ **Oppose**



(please tick relevant box)

My submission is:

Rule GRZ-R9 enacts the following policy: "GRZ-P3: Enable multi-unit developments within the General Residential zone, including terraced housing and apartments, where there is adequacy and capacity of available or programmed development infrastructure." The rule allows for up to 3 residential units to be placed on urban sections.

Rule GRZ-R9 does not take into consideration the capacity of existing infrastructure, namely water supply, stormwater and wastewater, as required under Policy GRZ-P3. These systems already appear to be at capacity in some areas, for example, wastewater and water supplies in Paihia and Taipa-Mangonui.

This rule could result in extra loadings on already straining infrastructure, which could result in discharges of untreated sewage to waterways or the sea, reductions in quality or shortages of drinking water, or exacerbated damage during stormwater events. These effects are already being seen in some of our communities, so it seems irresponsible to make them worse.

While the infilling does limit the need to extend infrastructure, this is better achieved through appropriate zoning.

I seek the following decision from the Council:

This rule should only be allowed in areas where all infrastructure has been upgraded and maintained to allow for the maximum development potential under this rule and subdivision rules. These areas could be shown on one of the FNDC GIS Maps.

The specific provisions of the Plan that my submission relates to are:

Objectives IB-01, SUB-02

Policies IB-PI, SUB-P8

IB-R4 Indigenous vegetation clearance and any associated land disturbance outside a SNA.

SUB-R17 Subdivision of a site containing a scheduled SNA

Others associated with these provisions, where appropriate

Confirm your position: ☐ **Support** ☐ Support In-part ☐ **Oppose**

(please tick relevant box)

My submission is:

After consultation with landowners, the FNDC withdrew the SNA maps from the PDP. Despite this clear opposition to the concept, the above provisions have retained the essence of the SNA mapping, but with the added expense to landowner to have to engage an ecologist to prove that the bush on their property is NOT an SNA. Under this method, ALL bush is subject to SNA rules unless the owner (at their own expense) can prove that it is not an SNA. Because the ratepayer-funded SNA mapping is no longer publicly available, these rules will now not only affect landowners who had push previously mapped as SNA in the 1990s, but also owners whose bush was NOT mapped as SNA.

Despite policy IB-P6(a,) which recommends Council's consideration of "assisting landowners with physical assessments by suitably qualified ecologists to determine whether an area is a SNA", any financial assistance will still be at ratepayer's expense, having already footed the bill for the original SNA mapping. In fact, none of the methods in policy IB-P6 have been given effect under the PDP.

Is the Council using these rules to get the ratepayers to submit to the SNA mapping??

According to a quote from John Carter on the FNDC website, there has been "an increase from around 30 per cent when the district was last mapped for a similar purpose in the 1990s". This tells us that over the last 30 years, indigenous bush/forest has increased by some 30% without much control by the Council. This means that, overall, the rural landowners of the Far North have, of their own volition, increased, not decreased these areas. There are many examples of farmers and landowners fencing off and restoring wetlands, waterways and bush areas, and the Council are now creating rules in relation to these areas that create a disincentive for landowners to do this work, not an incentive.

So, by looking at historical performance and by the Council's own admittance, these "stick" methods are unnecessary to achieve the protection, enhancement and enhancement of SNAs. Therefore, why is Council's



involvement necessary? Especially given the two following objectives which are not reflected in the PDP:
 "IB-04 The role of tangata whenua as kaitiaki and landowners as stewards in protecting and restoring significant natural areas and indigenous biodiversity is provided for.

IB-05 Restoration and enhancement of indigenous biodiversity is promoted and enabled. "

Then under SUB-P8 and SUB-R6 we start to see the protection of SNAs "in perpetuity" coming in. While previously covenants were done by consent notice and constituted "bush protection covenants", covenanting under the Reserves Act or QEII constitutes a loss of ownership in the former, and a loss of control in the latter. This is significantly more than a simple bush protection covenant. This is a loss of property or property rights.

SUB-R17 requires that a subdivision does not divide an SNA. This rule does not protect SNAs but just makes it easier for Council to commandeer them, since they only need to deal with one land owner.

I seek the following decision from the Council:

Acknowledge that the ratepayers have managed to enhance the SNA's in the District, and instead of forcing them to do this, facilitate and assist them in what they are already doing. By setting strict and harsh rules that deny landowners the right to remain as stewards to their land, you are in breach of your own policies 1B-04&05.

Given that Council is required to undertake mapping and identification of SNA's under the Draft National Policy Statement for Indigenous Biodiversity, I suggest that the approach be modified. Under the Draft NPS, Section 8.2 (2)(a) Partnership, the Council has failed to do this by coercing landowners into Scheduling their SNAs, and as a result I hold the Council in breach of the Draft NPS.

Provide incentives, not disincentives, for landowners to enhance the natural biodiversity of their land. Provide support and resources for landowners. If you do not do this, you will accentuate the current issue you have with a severe lack of community support and compliance. Human nature means that in being MADE to do something, people will often resist doing something that they would otherwise have happily done.

If owners wish to protect their bush, the option of a simple bush protection covenant by consent notice should be available, not just the Reserves Act and QEII covenants.

Make the SNA mapping available publicly, even if it is not part of the PDP.

Delete SUB-R17 as this does not protect SNAs.

The specific provisions of the Plan that my submission relates to are:

SUB-S8 Esplanades

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

My submission is:

Council already has enough reserves around that they are unable to maintain, so by vesting the land in Council via an esplanade reserve removes it from the care and stewardship of the adjacent landowner.

I seek the following decision from the Council:

Make it not a requirement to take an esplanades reserve

The specific provisions of the Plan that my submission relates to are:

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

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

My submission is:

DOC, who own the majority of Kiwi areas in the Far North, should be the first "landowner" to be "required" to do this under this rule. It is unreasonable to put this responsibility on all ratepayers in these zones, especially those adjacent to DOC lands which are usually (unless managed by community groups) a significant source of these pests.



Given that a lot of people carry out pest control of their own volition, and setting up pest control programmes in DOC areas is a very difficult and convoluted process, there are better ways to achieve the outcome of Kiwi protection than "making" landowners (except DOC, lets face it) carry out pest control.
I seek the following decision from the Council: Remove the word "require" from this rule and replace it with "assist". If you want to leave the "require" word in there, then you will either have to enforce this with DOC or help facilitate community groups to easily set up trapping programmes on DOC land.
The specific provisions of the Plan that my submission relates to are: The whole PDP, in general.
Confirm your position: ☐ Support ☐ Support In-part ☐ Oppose (please tick relevant box)
My submission is: While I know that the Council is required by the government to give effect to higher policy documents, in essence they are also supposed to represent the needs and wants of ratepayers and the community back up to government.
I seek the following decision from the Council: Stop telling your community what the government has said they have to do, and start fighting for your community. Otherwise, you are just puppets of the government, and not our representatives. Get out of the way of your community and let us achieve desirable outcomes the way we do it, not in a way dictated to us by a bunch of bureaucrats in Wellington who have probably never been here, experienced the way our community works, and certainly not walked on our land. Facilitate, don't force. Maybe then your community might actually start to value and respect you.
The specific provisions of the Plan that my submission relates to are: Planning maps, Coastal Hazards Zone Maps, Ahipara, 2,4 and 5 Panorama Lane.
Confirm your position: ☐ Support ☐ Support In-part ☐ Oppose (please tick relevant box)
My submission is: The coastal erosion hazard 2 line maps are not drawn and established relative to the gabion basket heights, and the
I seek the following decision from the Council: Change the maps for the coastal erosion hazard 2 line maps to be reflective of geology, as it is clear that different substrates erode at different rates, and also that the site contains gabion baskets that have lifted the site well above the surrounding properties, and has been established by a geotechnical engineer – PK engineering, in June 2017. It is formally requested to change this line where it runs past this site to reflect this, as per the PK engineering assessment that was also provided to toby Kay at NRC when the coastal hazard mapping was done by NRC (13.6.17). A generic approach has been taken, instead of looking at the geology of the site, and therefore if it will erode or not. The report from PK engineering specifically has considered potential erosion of the sub-strate, and it is clear that blue rock will not erode such as sand or other sedimentary rock may do so. PK engineering will present at the hearing to reflect these facts, and his letter of evidence is shown below:



Our ref: 16-53
Your ref: 275 Foreshore Road – Fiona King

Tuesday 13th June 2017

Felicity Foy
Northland Planning and Development
1421 Church Road
Kaitiaki

Dear Felicity,

RE: SOIL STRATIFICATION AT 275 FORESHORE ROAD

I have been to the above mentioned site and done numerous bore holes and soil tests along the cross section forming the land form at 275 Foreshore Road.

I can confirm that the geomorphology of this whole site is as follows;

- Approximately 1.5m of conglomerate – silty and gravelly soils inter bedded on a clay matrix.
- Well weathered basaltic rock (lava flow) for a depth of at least 10-15m
- On the lower portion of the site there is a thin veneer of loosely compacted sand (approximately 0.5-1m deep) in the only in Nor East corner which was removed from underneath the foundations of the existing gabion rock fill retaining walls.

No sandy layers were discovered on the upper regions of the slope on this site.

Should you require any further information please contact me on 09 407 3255.

Regards,

A handwritten signature in blue ink.

Pradeep Kumar.
B.E hons, NZCE, MIPENZ,
IntPE, CPEng.
(Structural, Geotechnical)
Chartered Professional Engineer.



I support the development bonus provisions for allow for smaller lot sizes in the rural production zone for any subdivision that provides protection of indigenous vegetation.

The specific provisions of the Plan that my submission relates to are:
MUZ-S6, MUZ-S7, MUZ-S8



Confirm your position: ☐ Support ☐ Support In-part ☐ Oppose (please tick relevant box)
My submission is: Retain MUZ-S6 standards for verandahs on sites with pedestrian frontage identified on the planning maps. Retain MUZ-S7 standards for screening of outdoor storage areas from adjoining sites and roads. Retain MUZ-S8 standards for 50% landscaping and screening along road boundaries.
I seek the following decision from the Council: We support a town centre zoning and/or bylaw that requires pedestrian frontages of commercial buildings in the new mix used zones to have presented and upkept to maintain Amenity values in town centres.
The specific provisions of the Plan that my submission relates to are: <i>Planning Maps</i>
Confirm your position: ☐ Support ☐ Support In-part ☐ Oppose (please tick relevant box)
My submission is: We support the new mixed used Zones, and submit that we support a greater area of mixed use zone in Coopers Beach, and Cable Bay/Doubtless Bay, to encourage more activation of this area and to allow a wider range of housing options. Would like to have an added zone for Ahipara and Pukenui and other serviced settlements
I seek the following decision from the Council: Amend the Planning Maps to increase the area of the Mixed Use zones at Coopers Beach, Cable Bay and Doubtless Bay, Ahipara, Pukenui and other serviced settlements.
The specific provisions of the Plan that my submission relates to are: <i>SUB-02, SUB-P8, SUB-P9, SUB-S1</i>
Confirm your position: ☐ Support ☐ Support In-part ☐ Oppose (please tick relevant box)
My submission is: Delete paragraph a) of SUB-02, so that protection of highly productive land is not an objective of subdivision. Amend policy SUB-P8, by adding more circumstances where rural lifestyle blocks can be allowed in the Rural Production Zone, especially around existing houses. Delete policy SUB-P9, which further limits rural lifestyle blocks in the Rural Production Zone. Amend standard SUB-S1 in relation to the Rural Production Zone, to generally allow lots of 4ha, and allow lots less than 4ha around existing houses.
I seek the following decision from the Council: SUB-P9 overlaps with and duplicates the content of SUB-P8. We do not support the large title sizes in the rural zone. We submit that subdivision should allow lots to 4ha or smaller, and that the subdivision of smaller lots around existing houses be provided for.
The specific provisions of the Plan that my submission relates to are: <i>GRZ-P3, GRZ-R9, SUB-S1</i>
Confirm your position: ☐ Support ☐ Support In-part ☐ Oppose (please tick relevant box)
My submission is: We support a higher density of housing in the new multi-unit development rules. We support a higher density of housing in the residential zones



We support a higher density of subdivision as a restricted discretionary activity instead of a discretionary activity in the residential zone, as these areas should be encouraged for more housing and amenity value is of less of a concern to the provision of housing in these areas that do not have landscape or heritage overlays. We feel that it should be restricted discretionary to ensure that the assessment criteria that neighbours can have weighting over as an affected party is limited, to ensure that more housing can be provided with less likelihood of a hearing, as there should be a strong push to enable more housing in urban centres.

*As council is not able to keep with housing development in the district so encouragement should be for rural land to have housing density on soils that are not so productive
Maps of soil types would be beneficial in the PDP*

I seek the following decision from the Council:

Retain policy GRZ-P3, enabling multi-unit development

Retain rule GRZ-R9, enabling multi-unit development up to three residential units per site.

Retain in SUB-S1 the 600m2 minimum lot size in the General Residential zone as a controlled activity.

Amend SUB-S1, to provide for subdivision down to 300m2 lot size in General Residential Zone as a restricted discretionary activity, with matters of discretion derived from the matters of control listed in rule SUB-R3.

The specific provisions of the Plan that my submission relates to are:

NH-R2, NH-R3

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

My submission is:

We do not support the new flood zone landuse rules and instead seek more flexibility in these rules to allow large extensions for modifications to existing buildings. The rule NH-R2 should provide for flood risks to be addressed through alternative building designs, not just by limiting building GFA or footprint. NH-R2 does not implement policy NH-P6, which allows for mitigation of hazards through building design.

We do not support the new flood zone landuse rules and instead seek more flexibility in these rules to allow large decks, for modifications to existing buildings". The rule should provide for flood risks to be addressed through alternative building designs, not just by limiting deck area and height. NH-R3 PER 1 does not fully implement policy NH-P6, which allows for mitigation of hazards through building design.

I seek the following decision from the Council:

Amend NH-R2 PER-1 to allow building extensions and alterations that increase GFA or footprint where the extension or alteration is designed so that it will not impede flood flows.

Amend NH-R3 PER-1 to allow new decks more than 30m2 and more than 1m in height where the deck is designed so that it will not impede flood flows.

The specific provisions of the Plan that my submission relates to are:

Infrastructure, Planning Maps

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

My submission is:

We seek some rules under the District Plan for the existing mapped drainage district drains, as the draft management plan 2017 and current bylaws are not being enforced for the drainage districts.

Mapping of the drainage district drains and overland flow paths in urban areas should be included in the District Plan. And rules within the bylaws should be included under drainage districts ie; 10mtr set back for buildings

I seek the following decision from the Council:



Amend the Infrastructure section, by adding objectives, policies and rules providing for existing mapped Council drainage district drains, to ensure the ability to clean, unblock access and service the drainage channels in the Kaitaia, Waiharara/Kaikino and Motutangi drainage areas, as defined in the Far North District Council Land Drainage Bylaw 2019 and the draft management plan 2017.

And stop buildings being built within 10 mtrs of the drains as per the bylaws

Add to the Planning Maps, maps indicating location of drainage channels in the Kaitaia, Waiharara/Kaikino and Motutangi drainage areas, as defined in the Draft Management Plans and Far North District Council Land Drainage Bylaw 2019 and the draft management plan 2017. and include overland flow paths in urban areas.

The specific provisions of the Plan that my submission relates to are:

Planning Maps, RPROZ

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

My submission is:

The Planning Maps show the Rural Production Zone in some areas e.g. Wireless road Kaitaia/ Awanui,

Wireless road from state highway one to Bell road intersection and part of Bell road itself. There is already development on wireless road including bus depot, playcentre, Kura school, butcher shop, storage yard and engineering business. This is opposite the Juken Nissho Triboard mill and the collard tavern.

State Highway one from Kaitaia boundary to Brott Road has housing and businesses established on road side this area should not be rural production and be changed to another zone. All serviced by town sewerage

Awanui township also from the rugby field to Spains road and around the Awanui school that are serviced by sewerage, footpaths, refuse collection etc. If this zoning continues, it will severely constrain future urban development, and this should be corrected by amending the planning maps to a more appropriate urban zoning. A separate alternative submission is to ask that the Plan redefines the RPROZ so that productive land is defined based on its ability to produce food but can accommodate things other than rural production. ie. Rural production zoning on poor soils is wrong. That is the right place to put smaller areas for housing ie. 2000sq mtrs

The Planning Maps show the Rural Production Zone in some areas e.g. Awanui/wireless road kaitaia that are serviced by sewerage, footpaths, refuse collection etc. If this zoning continues, it will severely constrain future urban development, and this should be corrected by amending RPROZ objectives, policies and rules zones to accommodate things other than rural production.

I seek the following decision from the Council:

Amend the Planning Maps by removing the Rural Production Zone from areas as described above developed with infrastructure for urban development and substitute an appropriate urban zone; OR amend Rural Production Zone objectives, policies and rules as separately submitted and allow smaller blocks of land ie. 2000 sq mtrs

Amend the Rural Production Zone objectives, policies and rules zones so that productive land is defined based on its ability to produce food but can accommodate things other than rural production; OR amend Planning Maps to remove RPROZ from urban areas as separately submitted.

The specific provisions of the Plan that my submission relates to are:

OSZ-R1, OSZ-R2, SARZ-R1, SARZ-R2

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

My submission is:

We would like the parks and reserves in our district with new zoning rules that don't require minimum bulk/height and location rules. If there are to be some rules, these should be limited to activities that are not for public facilities or playgrounds or open space areas.



We would like the parks and reserves in our district with new zoning rules that don't require impermeable surface rules for playgrounds and other parks. If there are to be some rules, these should be limited to activities that are not for public facilities or playgrounds or open space areas.

We would like the parks and reserves in our district with new zoning rules that don't require minimum bulk/height and location rules. If there are to be some rules, these should be limited to activities that are not for public facilities or playgrounds or open space areas.

We would like the parks and reserves in our district with new zoning rules that don't require impermeable surface rules for playgrounds and other parks. If there are to be some rules, these should be limited to activities that are not for public facilities or playgrounds or open space areas.

I seek the following decision from the Council:

Amend rule OSZ-R1 by deleting the reference to OSZ-S1 (maximum height) and OSZ-S5 (building coverage), OR at least amend the rule so that those standards do not apply to public facilities or playgrounds.

Delete rule OSZ-R2 (impermeable surface) OR at least amend the rule so that impermeable surface restrictions do not apply to public facilities or playgrounds.

Amend rule SARZ-R1 by deleting the reference to SARZ-S1 (maximum height) and SARZ-S5 (building coverage), OR at least amend the rule so that those standards do not apply to public facilities or playgrounds.

Delete rule SASZ-R2 (impermeable surface) OR at least amend the rule so that impermeable surface restrictions do not apply to public facilities or playgrounds.

The specific provisions of the Plan that my submission relates to are:

The whole PDP in general

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

My submission is:

The council is required by the government to give effect to higher policy documents, but also in its role under the Local Government Act it is to enable democratic local decision making and action by and on behalf of communities, so in essence it is also required to represent the needs and wants of ratepayers and the community back to the government.

I seek the following decision from the Council:

Stop telling your community what the government has said they have to do and start fighting for your community. Otherwise you are just puppets of the government and not our community's representatives. Enable the community to achieve desirable outcomes the way they see it, not in a way dictated by a bunch of bureaucrats in Wellington who have probably never been here, experience the way our community works and certainly not walked on our land. Facilitate, don't force and don't put bureaucratic deterrents in place.

☐ **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 October 2022



(A signature is not required if you are making your submission by electronic means)

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

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 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.

The specific provisions of the Plan that my submission relates to are:

General Rural Zone (landuse rules)

Confirm your position: ☐ Support ☐ Support In-part ☒ **Oppose**

My submission is:

We do not support the 30m setback from roads and instead submit to having a 20m setback, and only a 5m setback if it is a garage or non-habitable building. This will provide for open space and rural amenity, while still allowing efficient and effective use of the rural site.

We do not support the new permitted residential intensity rule density (multiple dwellings per title), and submit that it be retained at the 1 dwelling per 12ha intensity, as per the existing operative district plan. This is requested as still allows for a relatively low density of housing relative to land area, but still allows for the provision of housing in a rural setting. It is submitted that that the rule is currently effective, and should remain the same, to ensure that housing can still be provided in the general rural zone as a permitted activity as long as the subject site has a minimum of 12 hectares of land, and the minimum area of 3000m² of exclusive use surrounding the dwelling.



I seek the following decision from the Council:

It is submitted that that the rule is currently effective, and should remain the same, to ensure that housing can still be provided in the general rural zone as a permitted activity as long as the subject site has a minimum of 12 hectares of land, and the minimum area of 3000m² of exclusive use surrounding the dwelling.

It is submitted that the setback from the road boundary in this zone should be 20 metres for a dwelling, and 5 metres for a non-habitable dwelling.

SUBMISSION NUMBER



Remember
submissions
close at 5pm,
Friday 21
October 2022

Proposed District Plan submission form

Clause 6 of Schedule 1, Resource Management Act 1991

Feel free to add more pages to your submission to provide a fuller response.

Form 5: Submission on Proposed Far North District Plan

TO: Far North District Council

This is a submission on the Proposed District Plan for the Far North District.

1. Submitter details:

Full Name:	Kevin (Joe) king		
Company / Organisation Name: (if applicable)	Elbury Holdings		
Contact person (if different):			
Full Postal Address:	345 State Highway 1, RD2 Kaitaia		
Phone contact:	Mobile: 0274988123	Home:	Work:
Email (please print):	office@elbury.co.nz		

2. (Please select one of the two options below)

☐ I could not gain an advantage in trade competition through this submission

If you could gain an advantage in trade competition through this submission, please complete point 3 below

3. ☐ I am directly affected by an effect of the subject matter of the submission that:

(A) Adversely affects the environment; and

(B) Does not relate to trade competition or the effect of trade competition

☐ I am not directly affected by an effect of the subject matter of the submission that:

(A) Adversely affects the environment; and

(B) Does not relate to trade competition or the effect of trade competition

Note: if you are a person who could gain advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991

The specific provisions of the Plan that my submission relates to are:

SUB-SI Minimum allotment sizes — Rural Production Zone

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

My submission is:

The new subdivision rules, requiring a minimum lot size of 8ha (without a Management Plan) will severely restrict the ability to create small rural lots in the rural production zone. The effects of this restriction include:



- a reduction in vitality for rural communities,
- no longer allowing farmers to retire in their existing homes with a small area of land,
- the creation of 8ha blocks, which are too large for lifestyle blocks and too small to be productive,
- no longer allowing for the creation of appropriately sized and desirable lifestyle blocks,
- reduce the ability for rural landowners to provide small blocks for young family members to build on and enter the property market (this is contrary to Council policies in relation to affordable housing),
- reduced capacity for farmers to decrease their debt burdens by subdividing off small blocks of land that do not significantly add to the productivity of their farm. Where it is necessary to reduce debt by subdivision, subdividing off 8ha will diminish the productive capacity of the farm more than a smaller block.

The reason given for this rule is to protect the productive potential of the rural area, in particular, highly productive land. However, the majority of land in the Far North District does not come under this category, and the PDP does not distinguish between highly productive land and less productive land when it comes to subdivision.

With Council struggling to provide urban amenities (sewerage, water supply and stormwater) and people wanting to live independent of these services in the rural areas without too much land to care for, it makes sense to allow small rural blocks.

It is correct to protect rural productive potential, but this can be achieved without imposing a total restriction on rural lifestyle properties.

I seek the following decision from the Council:

Previously blocks down to 4000sqm were allowed under the Operative District Plan. Perhaps the new District Plan could reconsider allotment sizes, perhaps with a limited number of allotments of a minimum of 8000sqm or 1ha, then 4ha generally after that. Smaller lot sizes should apply for properties (or parts thereof) that do not consist of highly productive land. This would give effect to Policy SUB-P8.

Perhaps there should be more focus on the size of the balance parcel — subdividing off 4ha to leave a 10ha balance parcel does not protect productivity, while subdividing 1ha off a 200ha block has next to no effect, especially if the smaller block consists of bush.

This would provide vitality in rural areas, opportunities for farmers to develop their land, relief for urban services, continued local jobs, lifestyle blocks for those that want them, and all while still protecting the productive capacity of the land.

This will also affect other related rules, such as:

- RPROZ-R3 Residential activity
- SUB-R7 Management plan subdivision

As a retiring farmer I would like to cut off my home with a small area surrounding it. Not ha's that needs management of weeds, pest, livestock ect. This does not affect in productivity. Stocking rates of 2 per ha (all year round).

Intensive dairy farms operate on 2-3 cows per ha. Make 8ha unviable in rural areas – and they cause many issues in a rural farming environment, ie; weeds, poor drainage, animal health issues (overstocking/calving ect). Should 2 to 4ha block – maintain size.

The specific provisions of the Plan that my submission relates to are:

GRZ-R9 Residential activity (multi-unit development)

Confirm your position: ☐ Support ☐ Support In-part ☐ Oppose

\$485.00



(please tick relevant box)

My submission is:

Rule GRZ-R9 enacts the following policy: "GRZ-P3: Enable multi-unit developments within the General Residential zone, including terraced housing and apartments, where there is adequacy and capacity of available or programmed development infrastructure." The rule allows for up to 3 residential units to be placed on urban sections.

Rule GRZ-R9 does not take into consideration the capacity of existing infrastructure, namely water supply, stormwater and wastewater, as required under Policy GRZ-P3. These systems already appear to be at capacity in some areas, for example, wastewater and water supplies in Paihia and Taipa-Mangonui.

This rule could result in extra loadings on already straining infrastructure, which could result in discharges of untreated sewage to waterways or the sea, reductions in quality or shortages of drinking water, or exacerbated damage during stormwater events. These effects are already being seen in some of our communities, so it seems irresponsible to make them worse.

While the infilling does limit the need to extend infrastructure, this is better achieved through appropriate zoning.

I seek the following decision from the Council:

This rule should only be allowed in areas where all infrastructure has been upgraded and maintained to allow for the maximum development potential under this rule and subdivision rules. These areas could be shown on one of the FNDC GIS Maps.

\$485.00

The specific provisions of the Plan that my submission relates to are:

Objectives IB-01, SUB-02

Policies IB-PI, SUB-P8

IB-R4 Indigenous vegetation clearance and any associated land disturbance outside a SNA.

SUB-R17 Subdivision of a site containing a scheduled SNA

Others associated with these provisions, where appropriate

Confirm your position: ☐ **Support** ☐ Support In-part ☐ Oppose

(please tick relevant box)

My submission is:

After consultation with landowners, the FNDC withdrew the SNA maps from the PDP. Despite this clear opposition to the concept, the above provisions have retained the essence of the SNA mapping, but with the added expense to landowner to have to engage an ecologist to prove that the bush on their property is NOT an SNA. Under this method, ALL bush is subject to SNA rules unless the owner (at their own expense) can prove that it is not an SNA. Because the ratepayer-funded SNA mapping is no longer publicly available, these rules will now not only affect landowners who had push previously mapped as SNA in the 1990s, but also owners whose bush was NOT mapped as SNA.

Despite policy IB-P6(a,) which recommends Council's consideration of "assisting landowners with physical assessments by suitably qualified ecologists to determine whether an area is a SNA", any financial assistance will still be at ratepayer's expense, having already footed the bill for the original SNA mapping. In fact, none of the methods in policy IB-P6 have been given effect under the PDP.

Is the Council using these rules to get the ratepayers to submit to the SNA mapping??

According to a quote from John Carter on the FNDC website, there has been "an increase from around 30 per cent when the district was last mapped for a similar purpose in the 1990s". This tells us that over the last 30 years, indigenous bush/forest has increased by some 30% without much control by the Council. This means that, overall, the rural landowners of the Far North have, of their own volition, increased, not decreased these areas. There are many examples of farmers and landowners fencing off and restoring wetlands, waterways and bush areas, and the Council are now creating rules in relation to these areas that create a disincentive for landowners to do this work, not an incentive.

So, by looking at historical performance and by the Council's own admittance, these "stick" methods are unnecessary to achieve the protection, enhancement and enhancement of SNAs. Therefore, why is Council's



involvement necessary? Especially given the two following objectives which are not reflected in the PDP:
"IB-04 The role of tangata whenua as kaitiaki and landowners as stewards in protecting and restoring significant natural areas and indigenous biodiversity is provided for.

IB-05 Restoration and enhancement of indigenous biodiversity is promoted and enabled. "

Then under SUB-P8 and SUB-R6 we start to see the protection of SNAs "in perpetuity" coming in. While previously covenants were done by consent notice and constituted "bush protection covenants", covenanting under the Reserves Act or QEII constitutes a loss of ownership in the former, and a loss of control in the latter. This is significantly more than a simple bush protection covenant. This is a loss of property or property rights.

SUB-R17 requires that a subdivision does not divide an SNA. This rule does not protect SNAs but just makes it easier for Council to commandeer them, since they only need to deal with one land owner.

I seek the following decision from the Council:

Acknowledge that the ratepayers have managed to enhance the SNA's in the District, and instead of forcing them to do this, facilitate and assist them in what they are already doing. By setting strict and harsh rules that deny landowners the right to remain as stewards to their land, you are in breach of your own policies 1B-04&05.

Given that Council is required to undertake mapping and identification of SNA's under the Draft National Policy Statement for Indigenous Biodiversity, I suggest that the approach be modified. Under the Draft NPS, Section 8.2 (2)(a) Partnership, the Council has failed to do this by coercing landowners into Scheduling their SNAs, and as a result I hold the Council in breach of the Draft NPS.

Provide incentives, not disincentives, for landowners to enhance the natural biodiversity of their land. Provide support and resources for landowners. If you do not do this, you will accentuate the current issue you have with a severe lack of community support and compliance. Human nature means that in being MADE to do something, people will often resist doing something that they would otherwise have happily done.

S485.04
to
S485.04
S485.00

If owners wish to protect their bush, the option of a simple bush protection covenant by consent notice should be available, not just the Reserves Act and QEII covenants.

Make the SNA mapping available publicly, even if it is not part of the PDP.

Delete SUB-R17 as this does not protect SNAs.

The specific provisions of the Plan that my submission relates to are:

SUB-S8 Esplanades

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

My submission is:

Council already has enough reserves around that they are unable to maintain, so by vesting the land in Council via an esplanade reserve removes it from the care and stewardship of the adjacent landowner.

I seek the following decision from the Council:

Make it not a requirement to take an esplanades reserve

The specific provisions of the Plan that my submission relates to are:

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

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

S485.01

My submission is:

DOC, who own the majority of Kiwi areas in the Far North, should be the first "landowner" to be "required" to do this under this rule. It is unreasonable to put this responsibility on all ratepayers in these zones, especially those adjacent to DOC lands which are usually (unless managed by community groups) a significant source of these pests.



Given that a lot of people carry out pest control of their own volition, and setting up pest control programmes in DOC areas is a very difficult and convoluted process, there are better ways to achieve the outcome of Kiwi protection than "making" landowners (except DOC, lets face it) carry out pest control.

I seek the following decision from the Council:

Remove the word "require" from this rule and replace it with "assist". If you want to leave the "require" word in there, then you will either have to enforce this with DOC or help facilitate community groups to easily set up trapping programmes on DOC land.

The specific provisions of the Plan that my submission relates to are:

The whole PDP, in general.

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

My submission is:

While I know that the Council is required by the government to give effect to higher policy documents, in essence they are also supposed to represent the needs and wants of ratepayers and the community back up to government.

I seek the following decision from the Council:

Stop telling your community what the government has said they have to do, and start fighting for your community. Otherwise, you are just puppets of the government, and not our representatives.

Get out of the way of your community and let us achieve desirable outcomes the way we do it, not in a way dictated to us by a bunch of bureaucrats in Wellington who have probably never been here, experienced the way our community works, and certainly not walked on our land.

Facilitate, don't force. Maybe then your community might actually start to value and respect you.

The specific provisions of the Plan that my submission relates to are:

Planning maps, Coastal Hazards Zone Maps, Ahipara, 2,4 and 5 Panorama Lane.

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

My submission is:

The coastal erosion hazard 2 line maps are not drawn and established relative to the gabion basket heights, and the

I seek the following decision from the Council:

Change the maps for the coastal erosion hazard 2 line maps to be reflective of geology, as it is clear that different substrates erode at different rates, and also that the site contains gabion baskets that have lifted the site well above the surrounding properties, and has been established by a geotechnical engineer – PK engineering, in June 2017.

It is formally requested to change this line where it runs past this site to reflect this, as per the PK engineering assessment that was also provided to toby Kay at NRC when the coastal hazard mapping was done by NRC (13.6.17). A generic approach has been taken, instead of looking at the geology of the site, and therefore if it will erode or not. The report from PK engineering specifically has considered potential erosion of the sub-strate, and it is clear that blue rock will not erode such as sand or other sedimentary rock may do so. PK engineering will present at the hearing to reflect these facts, and his letter of evidence is shown below:

S485.01

S485.012

S485.01



Our ref: 16-53
Your ref: 275 Foreshore Road – Fiona King

Tuesday 13th June 2017

Felicity Foy
Northland Planning and Development
1421 Church Road
Kaitiaki

Dear Felicity,

RE: SOIL STRATIFICATION AT 275 FORESHORE ROAD

I have been to the above mentioned site and done numerous bore holes and soil tests along the cross section forming the land form at 275 Foreshore Road.

I can confirm that the geomorphology of this whole site is as follows;

- Approximately 1.5m of conglomerate – silty and gravelly soils inter bedded on a clay matrix.
- Well weathered basaltic rock (lava flow) for a depth of at least 10-15m
- On the lower portion of the site there is a thin veneer of loosely compacted sand (approximately 0.5-1m deep) in the only in Nor East corner which was removed from underneath the foundations of the existing gabion rock fill retaining walls.

No sandy layers were discovered on the upper regions of the slope on this site.

Should you require any further information please contact me on 09 407 3255.

Regards,

Pradeep Kumar.
B.E hons, NZCE, MIPENZ,
IntPE, CPEng.
(Structural, Geotechnical)
Chartered Professional Engineer.



I support the development bonus provisions for allow for smaller lot sizes in the rural production zone for any subdivision that provides protection of indigenous vegetation.

S485.014

The specific provisions of the Plan that my submission relates to are:
MUZ-S6, MUZ-S7, MUZ-S8



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

My submission is:

Retain MUZ-S6 standards for verandahs on sites with pedestrian frontage identified on the planning maps.
Retain MUZ-S7 standards for screening of outdoor storage areas from adjoining sites and roads.
Retain MUZ-S8 standards for 50% landscaping and screening along road boundaries.

S485.019
S485.020
S485.021

I seek the following decision from the Council:

We support a town centre zoning and/or bylaw that requires pedestrian frontages of commercial buildings in the new mix used zones to have presented and upkept to maintain Amenity values in town centres.

The specific provisions of the Plan that my submission relates to are:

Planning Maps

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

My submission is:

We support the new mixed used Zones, and submit that we support a greater area of mixed use zone in Coopers Beach, and Cable Bay/Doubtless Bay, to encourage more activation of this area and to allow a wider range of housing options. Would like to have an added zone for Ahipara and Pukenui and other serviced settlements

I seek the following decision from the Council:

Amend the Planning Maps to increase the area of the Mixed Use zones at Coopers Beach, Cable Bay and Doubtless Bay, Ahipara, Pukenui and other serviced settlements.

S485.019

The specific provisions of the Plan that my submission relates to are:

SUB-02, SUB-P8, SUB-P9, SUB-S1

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

My submission is:

Delete paragraph a) of SUB-02, so that protection of highly productive land is not an objective of subdivision.
Amend policy SUB-P8, by adding more circumstances where rural lifestyle blocks can be allowed in the Rural Production Zone, especially around existing houses.
Delete policy SUB-P9, which further limits rural lifestyle blocks in the Rural Production Zone.
Amend standard SUB-S1 in relation to the Rural Production Zone, to generally allow lots of 4ha, and allow lots less than 4ha around existing houses.

S485.019
S485.020
S485.021
S485.022

I seek the following decision from the Council:

SUB-P9 overlaps with and duplicates the content of SUB-P8. We do not support the large title sizes in the rural zone. We submit that subdivision should allow lots to 4ha or smaller, and that the subdivision of smaller lots around existing houses be provided for.

The specific provisions of the Plan that my submission relates to are:

GRZ-P3, GRZ-R9, SUB-S1

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

My submission is:

We support a higher density of housing in the new multi-unit development rules.
We support a higher density of housing in the residential zones



We support a higher density of subdivision as a restricted discretionary activity instead of a discretionary activity in the residential zone, as these areas should be encouraged for more housing and amenity value is of less of a concern to the provision of housing in these areas that do not have landscape or heritage overlays. We feel that it should be restricted discretionary to ensure that the assessment criteria that neighbours can have weighting over as an affected party is limited, to ensure that more housing can be provided with less likelihood of a hearing, as there should be a strong push to enable more housing in urban centres.

As council is not able to keep with housing development in the district so encouragement should be for rural land to have housing density on soils that are not so productive

Maps of soil types would be beneficial in the PDP

I seek the following decision from the Council:

Retain policy GRZ-P3, enabling multi-unit development

Retain rule GRZ-R9, enabling multi-unit development up to three residential units per site.

Retain in SUB-S1 the 600m2 minimum lot size in the General Residential zone as a controlled activity.

Amend SUB-S1, to provide for subdivision down to 300m2 lot size in General Residential Zone as a restricted discretionary activity, with matters of discretion derived from the matters of control listed in rule SUB-R3.

S485.02

S485.02

S485.02

S485.02

The specific provisions of the Plan that my submission relates to are:

NH-R2, NH-R3

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

My submission is:

We do not support the new flood zone landuse rules and instead seek more flexibility in these rules to allow large extensions for modifications to existing buildings. The rule NH-R2 should provide for flood risks to be addressed through alternative building designs, not just by limiting building GFA or footprint. NH-R2 does not implement policy NH-P6, which allows for mitigation of hazards through building design.

We do not support the new flood zone landuse rules and instead seek more flexibility in these rules to allow large decks, for modifications to existing buildings". The rule should provide for flood risks to be addressed through alternative building designs, not just by limiting deck area and height. NH-R3 PER 1 does not fully implement policy NH-P6, which allows for mitigation of hazards through building design.

I seek the following decision from the Council:

Amend NH-R2 PER-1 to allow building extensions and alterations that increase GFA or footprint where the extension or alteration is designed so that it will not impede flood flows.

Amend NH-R3 PER-1 to allow new decks more than 30m2 and more than 1m in height where the deck is designed so that it will not impede flood flows.

S485.02

S485.02

The specific provisions of the Plan that my submission relates to are:

Infrastructure, Planning Maps

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

My submission is:

We seek some rules under the District Plan for the existing mapped drainage district drains, as the draft management plan 2017 and current bylaws are not being enforced for the drainage districts.

Mapping of the drainage district drains and overland flow paths in urban areas should be included in the District Plan. And rules within the bylaws should be included under drainage districts ie; 10mtr set back for buildings

I seek the following decision from the Council:



Amend the Infrastructure section, by adding objectives, policies and rules providing for existing mapped Council drainage district drains, to ensure the ability to clean, unblock access and service the drainage channels in the Kaitaia, Waiharara/Kaikino and Motutangi drainage areas, as defined in the Far North District Council Land Drainage Bylaw 2019 and the draft management plan 2017.

And stop buildings being built within 10 mtrs of the drains as per the bylaws

Add to the Planning Maps, maps indicating location of drainage channels in the Kaitaia, Waiharara/Kaikino and Motutangi drainage areas, as defined in the Draft Management Plans and Far North District Council Land Drainage Bylaw 2019 and the draft management plan 2017. and include overland flow paths in urban areas.

S485.02

S485.03

S485.03

S485.04

The specific provisions of the Plan that my submission relates to are:

Planning Maps, RPROZ

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

My submission is:

The Planning Maps show the Rural Production Zone in some areas e.g. Wireless road Kaitaia/ Awanui,

Wireless road from state highway one to Bell road intersection and part of Bell road itself. There is already development on wireless road including bus depot, playcentre, Kura school, butcher shop, storage yard and engineering business. This is opposite the Juken Nissho Triboard mill and the collard tavern.

State Highway one from Kaitaia boundary to Brott Road has housing and businesses established on road side this area should not be rural production and be changed to another zone. All serviced by town sewerage

Awanui township also from the rugby field to Spains road and around the Awanui school that are serviced by sewerage, footpaths, refuse collection etc. If this zoning continues, it will severely constrain future urban development, and this should be corrected by amending the planning maps to a more appropriate urban zoning. A separate alternative submission is to ask that the Plan redefines the RPROZ so that productive land is defined based on its ability to produce food but can accommodate things other than rural production. ie. Rural production zoning on poor soils is wrong. That is the right place to put smaller areas for housing ie. 2000sq mtrs

The Planning Maps show the Rural Production Zone in some areas e.g. Awanui/wireless road kaitaia that are serviced by sewerage, footpaths, refuse collection etc. If this zoning continues, it will severely constrain future urban development, and this should be corrected by amending RPROZ objectives, policies and rules zones to accommodate things other than rural production.

I seek the following decision from the Council:

Amend the Planning Maps by removing the Rural Production Zone from areas as described above developed with infrastructure for urban development and substitute an appropriate urban zone; OR amend Rural Production Zone objectives, policies and rules as separately submitted and allow smaller blocks of land ie. 2000 sq mtrs

Amend the Rural Production Zone objectives, policies and rules zones so that productive land is defined based on its ability to produce food but can accommodate things other than rural production; OR amend Planning Maps to remove RPROZ from urban areas as separately submitted.

S485.02

S485.03

The specific provisions of the Plan that my submission relates to are:

OSZ-R1, OSZ-R2, SARZ-R1, SARZ-R2

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

My submission is:

We would like the parks and reserves in our district with new zoning rules that don't require minimum bulk/height and location rules. If there are to be some rules, these should be limited to activities that are not for public facilities or playgrounds or open space areas.



We would like the parks and reserves in our district with new zoning rules that don't require impermeable surface rules for playgrounds and other parks. If there are to be some rules, these should be limited to activities that are not for public facilities or playgrounds or open space areas.

We would like the parks and reserves in our district with new zoning rules that don't require minimum bulk/height and location rules. If there are to be some rules, these should be limited to activities that are not for public facilities or playgrounds or open space areas.

We would like the parks and reserves in our district with new zoning rules that don't require impermeable surface rules for playgrounds and other parks. If there are to be some rules, these should be limited to activities that are not for public facilities or playgrounds or open space areas.

I seek the following decision from the Council:

Amend rule OSZ-R1 by deleting the reference to OSZ-S1 (maximum height) and OSZ-S5 (building coverage), OR at least amend the rule so that those standards do not apply to public facilities or playgrounds.

Delete rule OSZ-R2 (impermeable surface) OR at least amend the rule so that impermeable surface restrictions do not apply to public facilities or playgrounds.

Amend rule SARZ-R1 by deleting the reference to SARZ-S1 (maximum height) and SARZ-S5 (building coverage), OR at least amend the rule so that those standards do not apply to public facilities or playgrounds.

Delete rule SASZ-R2 (impermeable surface) OR at least amend the rule so that impermeable surface restrictions do not apply to public facilities or playgrounds.

The specific provisions of the Plan that my submission relates to are:

The whole PDP in general

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

My submission is:

The council is required by the government to give effect to higher policy documents, but also in its role under the Local Government Act it is to enable democratic local decision making and action by and on behalf of communities, so in essence it is also required to represent the needs and wants of ratepayers and the community back to the government.

I seek the following decision from the Council:

Stop telling your community what the government has said they have to do and start fighting for your community. Otherwise you are just puppets of the government and not our community's representatives. Enable the community to achieve desirable outcomes the way they see it, not in a way dictated by a bunch of bureaucrats in Wellington who have probably never been here, experience the way our community works and certainly not walked on our land. Facilitate, don't force and don't put bureaucratic deterrents in place. S485.048

☐ 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 October 2022

S485.03

S485.03

S485.03

S485.03



(A signature is not required if you are making your submission by electronic means)

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

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 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.



The specific provisions of the Plan that my submission relates to are:

General Rural Zone (landuse rules)

☐ ☐ Confirm your position: ~~Support~~ ~~Support In-part~~ **Oppose**

☐ **My submission is:**

We do not support the 30m setback from roads and instead submit to having a 20m setback, and only a 5m setback if it is a garage or non-habitable building. This will provide for open space and rural amenity, while still allowing efficient and effective use of the rural site.

We do not support the new permitted residential intensity rule density (multiple dwellings per title), and submit that it be retained at the 1 dwelling per 12ha intensity, as per the existing operative district plan. This is requested as still allows for a relatively low density of housing relative to land area, but still allows for the provision of housing in a rural setting. It is submitted that that the rule is currently effective, and should remain the same, to ensure that housing can still be provided in the general rural zone as a permitted activity as long as the subject site has a minimum of 12 hectares of land, and the minimum area of 3000m² of exclusive use surrounding the dwelling.

I seek the following decision from the Council:

It is submitted that that the rule is currently effective, and should remain the same, to ensure that housing can still be provided in the general rural zone as a permitted activity as long as the subject site has a minimum of 12 hectares of land, and the minimum area of 3000m² of exclusive use surrounding the dwelling.

It is submitted that the setback from the road boundary in this zone should be 20 metres for a dwelling, and 5 metres for a non-habitable dwelling.

S485.04

S485.04

From: Proposed District Plan <pdp@fndc.govt.nz>
Sent: Tuesday, 1 November 2022 3:07 pm
To: Office <office@elbury.co.nz>
Subject: Acknowledgement of Submission on Proposed District Plan (Elbury Holdings)

Dear Submitter

The Far North District Council acknowledges receipt of your submission on the Proposed District Plan.

A copy of your submission is attached to this email. Following the submission period, all submissions and decisions requested will be summarised and made available on the council's website, followed by a further submissions process, hearings and decisions. At this stage, hearings are likely to be held from mid-2023. When hearings are being scheduled, you will be contacted directly if you have indicated that you wish to be heard. For more information and next steps please visit: <https://pdp.fndc.govt.nz>.

If you require any further information, please feel free to contact the District Planning Team on email pdp@fndc.govt.nz or 0800 920 029.

Kind Regards,
District Planning Team
Far North District Council



Theresa Burkhardt

Policy Planner

Strategic Planning & Policy, Far North District Council | **24-hour Contact Centre** 0800 920 029

DDI +6494089408 | **M** +64272214149 | Theresa.Burkhardt@fndc.govt.nz

[Website](#) | [Facebook](#) | [LinkedIn](#) | [Careers](#)

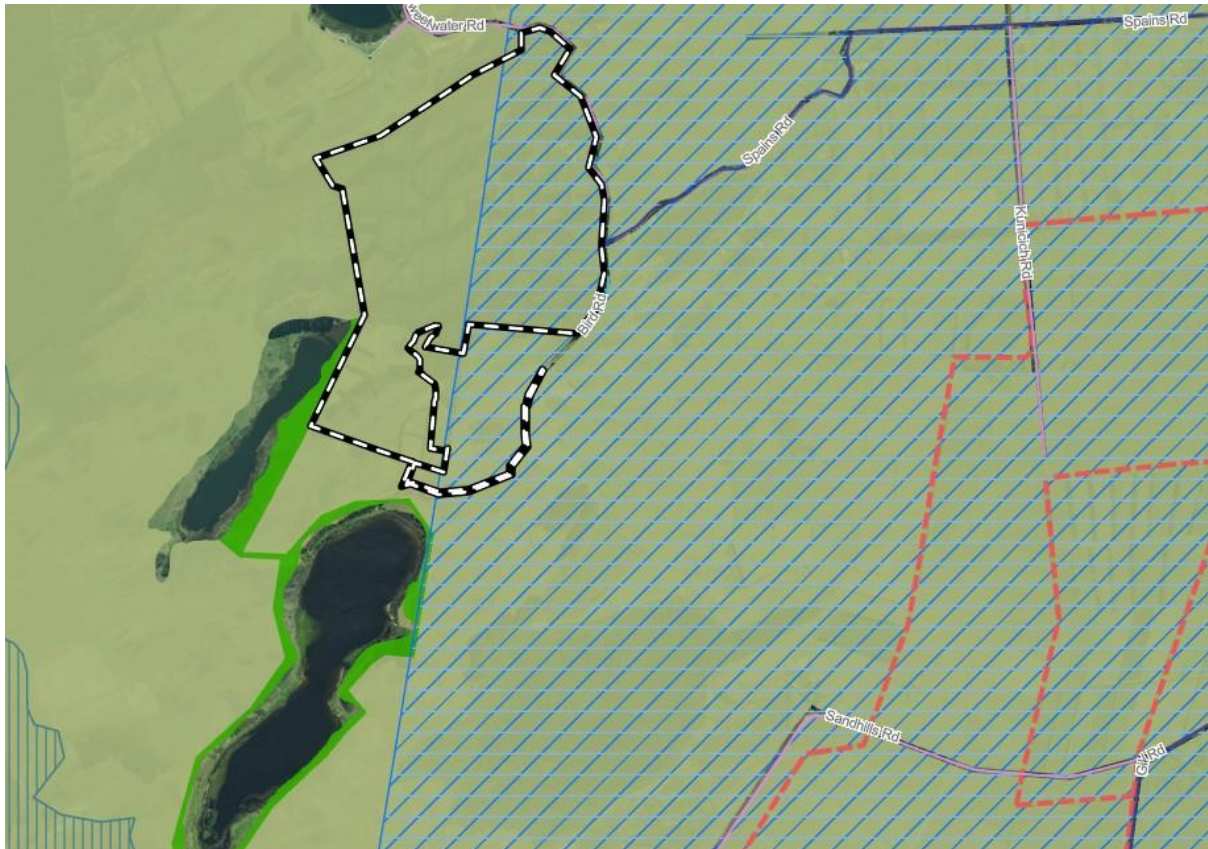
APPENDIX 3 – ERRORS IN MAPPING SOUGHT TO BE CORRECTED

This needs to be added to the scheme as it drains east to the sandhills drain and out into the Awanui harbour.



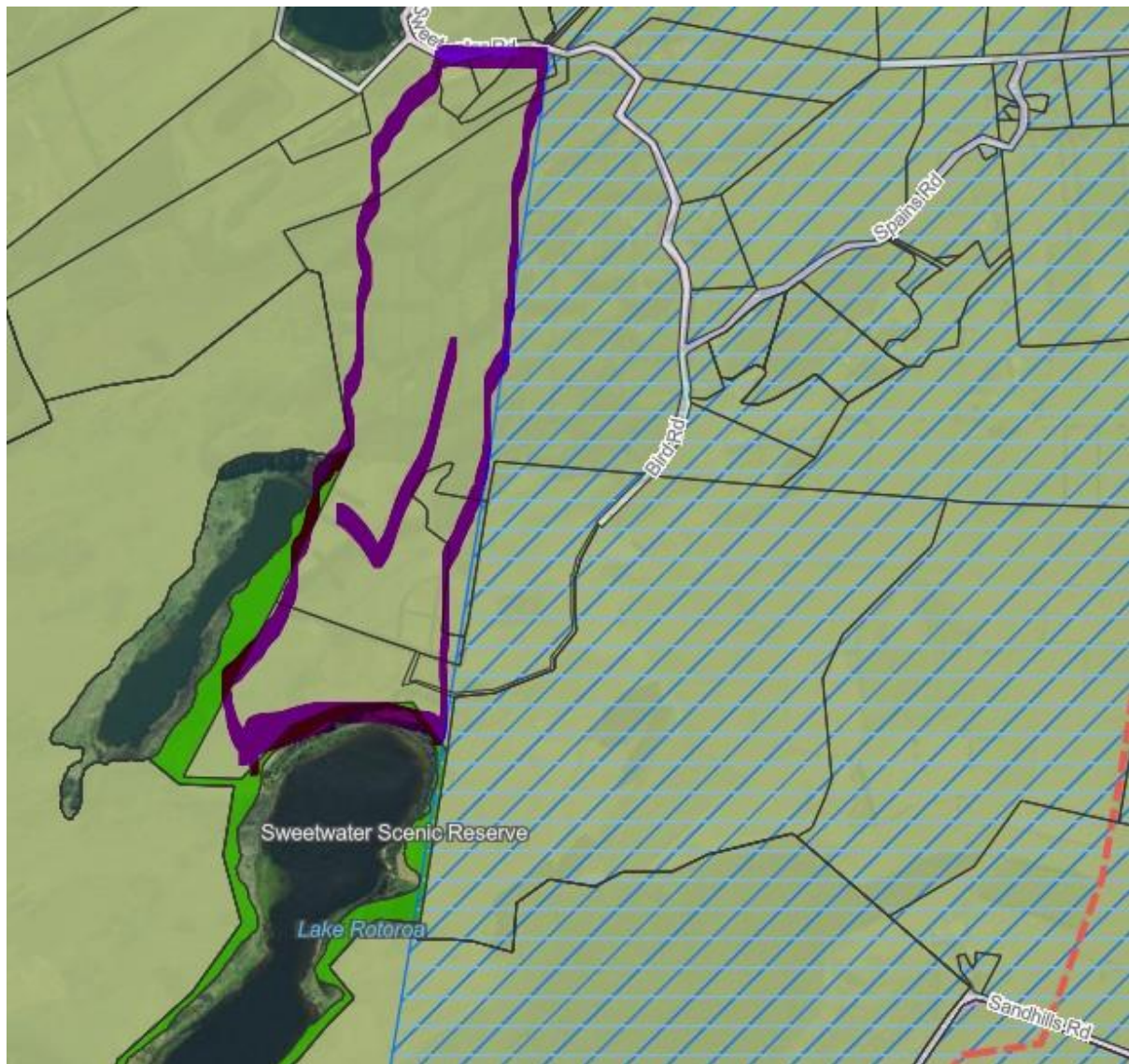
Kaitaia drainage scheme as per the plan 2026. This plan needs amending/correcting

Please note that the map shows a straight line on the left does not show when the land contour and water catchments vary.



The purple shows the area of land that is rated but not included in the Land drainage area map. It needs to be added as it flows down into the sandhills drain shown as the orange line. The purple shows the area that should be rated but not included in the land drainage area of benefit as it flows down into the sandhills drain shown as orange line in the right of picture.

The third is 238 Sweetwater road marked, and flows into the drainage area of benefit. Property Details for Valuation: 00013-4951. This needs to be added to the corrected maps also.



This is Ahipara township which has no Council maintained land drainage drains. It is now urban stormwater rated and it flows out to Ninety mile beach . .

This area to be removed from the land drainage area Of benefit.



South of Kaitiāia township after Larmers road, the area does not any land drainage drains. This area is part of the river rating as it flows into the rivers.

This area shown with the X should be removed from the Land Drainage Area of benefit.

