

Appendix 2 – Officer's Recommended Decisions on Submissions on the Rural Settlement Zone

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Officer recommendation	Relevant section of S42A Report
S100.001	Lynley Newport	Overview	Support	I support the introduction of this zone and its application,	Retain the settlement zone	Accept	RSZ S42A Report Section 5.2.2 Key Issue 2: RSZ Overview, Objectives and Policies
S397.002	Ian Ray (Joe) Carr	Overview	Support	This new Settlement zone is an appropriate zone in the District's suite of zones.	Retain the Settlement zone overview	Accept	RSZ S42A Report Section 5.2.2 Key Issue 2: RSZ Overview, Objectives and Policies
S397.003	Ian Ray (Joe) Carr	Objectives	Support	This new Settlement zone is an appropriate zone in the District's suite of zones.	Retain the Settlement zone objectives	Accept	RSZ S42A Report Section 5.2.2 Key Issue 2: RSZ Overview, Objectives and Policies
S331.075	Ministry of Education Te Tāhuhu o Te Mātauranga	RSZ-O1	Support	The submitter supports objective RSZ-O1 as it provides for a range of compatible activities, such as educational facilities, which sustain the rural and coastal settlements.	Retain objective RSZ-O1, as proposed.	Accept	Rural Wide Issues and RPROZ s42A Report Section 5.2.4 Key Issue 4: Plan wide or rural wide submissions
S454.114	Transpower New Zealand Ltd	RSZ-O1	Not Stated	Objective RSZ-O1 sets out the predominant uses of settlements. Transpower supports the intent of this objective to identify the activities that are likely to occur within the Settlement zone, however critical infrastructure, such as the National Grid, is not addressed clearly. Due to its linear nature and the requirement to connect new electricity generation to the National Grid, regardless of where the new generation facilities are located, transmission lines may need to traverse any	Amend RSZ-O1 as follows: Rural and coastal settlements are used predominantly for residential activities and are sustained by a range of compatible activities, and services, and infrastructure.	Reject	Rural Wide Issues and RPROZ s42A Report Section 5.2.4 Key Issue 4: Plan wide or rural wide submissions

Proposed Far North District Plan – s42A Report Table

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				zone within the Far North District. The objective should be made more explicit to ensure that it is clear that infrastructure such as the National Grid is contemplated in this zone.				
FS369.506	Top Energy		Support	Top Energy supports the objective to provide for infrastructure that has a functional or operational need to locate in the zone.	Allow		Reject	Rural Wide Issues and RPROZ s42A Report Section 5.2.4 Key Issue 4: Plan wide or rural wide submissions
S397.004	Ian Ray (Joe) Carr	Policies	Support	This new Settlement zone is an appropriate zone in the District's suite of zones.	Retain the Settlement zone policies		Accept	RSZ S42A Report Section 5.2.2 Key Issue 2: RSZ Overview, Objectives and Policies
S529.158	Carbon Neutral NZ Trust	Policies	Not Stated	We consider that all zones, except urban zones, need to be covered by firm PDP policies and rules to protect a key natural resource - productive land - now and for future generations. This means preventing fragmentation and loss of productive land from productive use, especially LUC Class 1-3 land and productive types of soil/land suitable for horticulture. It is not necessary to wait until the regional council has implemented the NPS-HPL.	Amend policies to protect a key natural resource - productive land - now and for future generations.		Accept in part	Rural Wide Issues and RPROZ S42A Report Section 5.2.2 Key Issue 2: Giving Effect to the NPS-HPL
FS570.2046	Vision Kerikeri 3		Support	Support to the extent the submission is consistent with our original submissions.	Allow	Allow the original submission	Accept in part	Rural Wide Issues and RPROZ S42A Report Section 5.2.2 Key Issue 2: Giving Effect to the NPS-HPL
FS566.2060	Kapiro Conservation Trust 2		Support		Allow	Allow the original submission	Accept in part	Rural Wide Issues and RPROZ S42A Report Section 5.2.2 Key Issue 2: Giving Effect to the NPS-HPL

Proposed Far North District Plan – s42A Report Table

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FS569.2082	Vision Kerikeri 2		Support		Allow	Allow the original submission	Accept in part	Rural Wide Issues and RPROZ S42A Report Section 5.2.2 Key Issue 2: Giving Effect to the NPS-HPL
S331.076	Ministry of Education Te Tāhuhu o Te Mātauranga	RSZ-P1	Support	The submitter supports policy RSZ-P1 as it enables complementary non-residential activities that support the role and function of the Settlement zone, such as educational facilities.	Retain policy RSZ-P1, as proposed.		Accept	Rural Wide Issues and RPROZ s42A Report Section 5.2.4 Key Issue 4: Plan wide or rural wide submissions
S454.115	Transpower New Zealand Ltd	RSZ-P1	Not Stated	Transpower supports the intent of this policy to identify the activities that are likely to occur within the Settlement zone, however critical infrastructure, such as the National Grid, is not addressed clearly. Due to its linear nature and the requirement to connect new electricity generation to the National Grid, regardless of where the new generation facilities are located, transmission lines may need to traverse any zone within the Far North District. The policy should be made more explicit to ensure that it is clear that infrastructure such as the National Grid is contemplated in this zone.	Amend RSZ-P1 as follows: Enable residential, and complementary non-residential activities and infrastructure , that support the role and function of the Settlement zone.		Reject	Rural Wide Issues and RPROZ s42A Report Section 5.2.4 Key Issue 4: Plan wide or rural wide submissions
FS369.507	Top Energy		Support	Top Energy supports the objective to provide for infrastructure that has a functional or operational need to locate in the zone.	Allow		Reject	Rural Wide Issues and RPROZ s42A Report Section 5.2.4 Key Issue 4: Plan wide or rural wide submissions
S331.077	Ministry of Education Te Tāhuhu o Te Mātauranga	RSZ-P3	Support	The submitter supports policy RSZ-P3 as it enables complementary non-residential activities that support the role and function of the Settlement zone, such as educational facilities.	Retain policy RSZ-P3, as proposed.		Accept	Rural Wide Issues and RPROZ s42A Report Section 5.2.4

Proposed Far North District Plan – s42A Report Table

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							Key Issue 4: Plan wide or rural wide submissions
S438.016	New Zealand Motor Caravan Association	Rules	Support in part	It is considered that camping grounds have similar impacts as in the General Residential Zone.	Amend Rural Settlement Zone rules to provide for camping grounds as discretionary activities.	Reject	RSZ S42A Report Section 5.2.3 Key Issue 3: RSZ Rules
S438.017	New Zealand Motor Caravan Association	Rules	Support in part	The proposed amendments would see compatible treatment of camping sites to camping grounds as amended in the submission.	Amend Settlement Zone rules to provide for camping sites as a discretionary activity (inferred).	Reject	RSZ S42A Report Section 5.2.3 Key Issue 3: RSZ Rules
S512.053	Fire and Emergency New Zealand	Rules	Not Stated	<p>Fire and Emergency support an activity for emergency service facilities being listed as an activity in zones. Please see Table 1 of the submission for the location of existing fire stations. Note that these are found in a range of zones. New fire stations may be necessary in order to continue to achieve emergency response time commitments in situations where development occurs, and populations change. In this regard it is noted that Fire and Emergency is not a requiring authority under section 166 of the RMA, and therefore does not have the ability to designate land for the purposes of fire stations. Provisions within the rules of the district plan are therefore, the best way to facilitate the development of any new fire stations within the district as urban development progresses.</p> <p>Fire and Emergency request that emergency service facilities are included as a permitted activity in all zones. The draft Plan currently only includes emergency services facilities as an activity in some zones and with varying activity status. In addition, fire stations have specific requirements with relation to setback distances and vehicle crossings. Fire and Emergency request that</p>	Insert new rule for Emergency service facilities included as a permitted activity Emergency service facilities are exempt from standards relating to setback distances, vehicle crossings	Reject	Rural Wide Issues and RPROZ S42A Report Section 5.2.4 Key Issue 4: Plan wide or rural wide submissions

Proposed Far North District Plan – s42A Report Table

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				emergency service facilities are exempt from these standards				
S512.076	Fire and Emergency New Zealand	Rules	Support in part	<p>Setbacks play a role in reducing spread of fire as well as ensuring Fire and Emergency personnel can get to a fire source or other emergency.</p> <p>An advice note is recommended to raise to plan users (e.g. developers) early on in the resource consent process that there is further control of building setbacks and firefighting access through the New Zealand Building Code (NZBC).</p>	<p>Insert advice note to setback standard:</p> <p>Building setback requirements are further controlled by the Building Code. This includes the provision for firefighter access to buildings and egress from buildings. Plan users should refer to the applicable controls within the Building Code to ensure compliance can be achieved at the building consent stage. Issuance of a resource consent does not imply that waivers of Building Code requirements will be considered/granted.</p>		Reject	Rural Wide Issues and RPROZ s42A Report Section 5.2.4 Key Issue 4: Plan wide or rural wide submissions
S363.020	Foodstuffs North Island Limited	Rules	Not Stated	The submitter considers that supermarkets should be provided for in the Rural Settlement Zone as a permitted activity.	Insert a new rule to provide for supermarkets as a permitted activity in the Rural Settlement Zone.		Reject	RSZ S42A Report Section 5.2.1 Key Issue 1: General Submissions on RSZ chapter
S529.165	Carbon Neutral NZ Trust	Rules	Not Stated	We consider that all zones, except urban zones, need to be covered by firm PDP policies and rules to protect a key natural resource - productive land - now and for future generations. This means preventing fragmentation and loss of productive land from productive use, especially LUC Class 1-3 land and productive types of soil/land suitable for horticulture. It is not necessary to wait until the regional council has implemented the NPS-HPL	Amend rules to protect a key natural resource - productive land - now and for future generations.		Accept in part	Rural Wide Issues and RPROZ S42A Report Section 5.2.2 Key Issue 2: Giving Effect to the NPS-HPL
FS570.2053	Vision Kerikeri 3		Support	Support to the extent the submission is consistent with our original submissions.	Allow	Allow the original submission	Accept in part	Rural Wide Issues and RPROZ S42A Report Section 5.2.2 Key Issue 2: Giving Effect to the NPS-HPL

Proposed Far North District Plan – s42A Report Table

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FS566.2067	Kapiro Conservation Trust 2		Support		Allow	Allow the original submission	Accept in part	Rural Wide Issues and RPROZ S42A Report Section 5.2.2 Key Issue 2: Giving Effect to the NPS-HPL
FS569.2089	Vision Kerikeri 2		Support		Allow	Allow the original submission	Accept in part	Rural Wide Issues and RPROZ S42A Report Section 5.2.2 Key Issue 2: Giving Effect to the NPS-HPL
S489.042	Radio New Zealand	Notes	Support in part	Part of the zone is within 1,000m of RNZ's facilities and RNZ seeks the addition of a note	Insert a note as follows: There is a risk that significant tall structures (i.e., higher than 40m) within 1,000m of Radio New Zealand's Facilities at Waipapakauri or Ōhaeawai, could present a safety risk from electromagnetic coupling. Developers of such structures should consult with Radio New Zealand at the planning stage to ensure such risks are avoided.		Accept in part	RSZ S42A Report Section 5.2.1 Key Issue 1: General Submissions on RSZ chapter
S368.009	Far North District Council	RSZ-R1	Support in part	Provision needs to be made for the pedestrian frontage shown on the maps. This is an omission that was in the operative DP Commercial zone and not brought across in all instances within the PDP zones	Amend to Include reference to a standard in the 'New buildings or structures, and extensions or alterations to existing buildings or structures' rule and include the standard for pedestrian frontage as seen in the Mixed Use zone.		Accept in part	RSZ S42A Report Section 5.2.3 Key Issue 3: RSZ Rules
S512.100	Fire and Emergency New Zealand	RSZ-R1	Support in part	Many zones hold objectives and policies related to servicing developments with appropriate infrastructure. Noting that NH-R5 requires adequate firefighting water supply for vulnerable activities (including residential), Fire and Emergency consider that inclusion of an additional standard on infrastructure servicing within individual zone chapters may be beneficial	Insert new standard and/or matter of discretion across zones on infrastructure servicing (including emergency response transport/access and adequate water supply for firefighting).		Reject	Rural Wide Issues and RPROZ S42A Report Section 5.2.4 Key Issue 4: Plan Wide or Rural Wide Submissions
S363.026	Foodstuffs North Island Limited	RSZ-R1	Not Stated	The submitter considers rule RSZ-R1 New buildings or structures, and extensions or alterations to existing buildings or structures,	Amend rule RSZ-R1 New buildings or structures, and extensions or alterations to existing buildings or structures to provide		Reject	RSZ S42A Report Section 5.2.1

Proposed Far North District Plan – s42A Report Table

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				that building bulk and scale should be managed separately to the scale of activities.	for an increase to buildings to a scale which is appropriate to the RSZ.			Key Issue 1: General Submissions on RSZ chapter
S482.005	House Movers Section of New Zealand Heavy Haulage Association Inc	RSZ-R1	Support in part	The Proposed Plan definition of "building" does not clearly include relocated buildings, and the existence of a separate definition of relocate buildings in the Proposed Plan appears to create a distinction between "buildings" and "relocated buildings". It is not clear that the permitted activity status applied in most zones to "new buildings and structures" also applies to the relocation of buildings. It is submitted that relocated buildings should have the same status as new buildings, and subject to the same performance standards unless there is any specific overlay or control which applies e.g. historic heritage.	Amend RSZ-R1 to: provide for relocated building as a permitted activity when relocated buildings meet performance standards and criteria (see schedule 1). Insert a performance standard for use of a pre inspection report(schedule 2) restricted discretionary activity status for relocated buildings that do not meet the permitted activity status standards.		Accept in part	Rural Wide Issues and RPROZ S42A Report Section 5.2.4 Key Issue 4: Plan Wide or Rural Wide Submissions
FS23.151	Des and Lorraine Morrison		Support	It is important that provision is made in all zones for relocatable buildings to enable choice, reuse of existing housing, and to make it clear what the activity status is for such buildings. This is particularly the case in urban zones.	Allow	Allow the relief sought	Accept in part	Rural Wide Issues and RPROZ S42A Report Section 5.2.4 Key Issue 4: Plan Wide or Rural Wide Submissions
FS23.152	Des and Lorraine Morrison		Support	It is important that provision is made in all zones for relocatable buildings to enable choice, reuse of existing housing, and to make it clear what the activity status is for such buildings. This is particularly the case in urban zones.	Allow	Allow the relief sought	Accept in part	Rural Wide Issues and RPROZ S42A Report Section 5.2.4 Key Issue 4: Plan Wide or Rural Wide Submissions
S431.126	John Andrew Riddell	RSZ-R1	Not Stated	The amendment is necessary in order to achieve the purpose of the Act.	Amend the rule so that any proposal to set a building or structure less than 20 metres back from the coastal marine area, or from rivers and banks is a non-complying activity.		Reject	Rural Wide Issues and RPROZ S42A Report Section 5.2.4 Key Issue 4: Plan Wide or Rural Wide Submissions

Proposed Far North District Plan – s42A Report Table

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FS332.126	Russell Protection Society		Support	The original submission aligns with our values. The Russell Protection Society has a purpose of promoting wise and sustainable development that compliments the historic and special character of Russell and its surrounds.	Allow	Allow the original submission.	Reject	Rural Wide Issues and RPROZ S42A Report Section 5.2.4 Key Issue 4: Plan Wide or Rural Wide Submissions
S481.006	Puketotara Lodge Ltd	RSZ-R2	Not Stated	<p>The submitter seeks to ensure that the PDP adequately controls effects from stormwater discharge, particularly between sites or adjacent sites.</p> <p>The Operative Far North Plan contains a stormwater management rule in each zone, along with matters of discretion which Council can consider where the impermeable surface area exceeds what is allowed under the permitted activity rule.</p> <p>There is no specific "stormwater management" rule in the Rural Production zone in the PDP, however there is a rule relating to impermeable surface coverage. It is submitted that additional matters should be added to the list of relevant matters for discretion in the impermeable coverage rule in all zones, in order to better control effects between sites or adjacent sites,</p>	<p>Amend point c of the matters of discretion as follows:</p> <p>c. the availability of land for disposal of effluent and stormwater on the site without adverse effects on adjoining adjacent waterbodies (including groundwater and aquifers) or on adjoining adjacent sites; Insert the following as additional matters of discretion:</p> <ul style="list-style-type: none"> • Avoiding nuisance or damage to adjacent or downstream properties; • The extent to which the diversion and discharge maintains pre-development stormwater run-off flows and volumes; • The extent to which the diversion and discharge mimics natural run-off patterns. 	Accept in part	<p>RSZ S42A Report Section 5.2.3</p> <p>Key Issue 3: RSZ Rules</p> <p>Rural Wide Issues and RPROZ S42A Report Section 5.2.4</p> <p>Key Issue 4: Plan wide or rural wide submissions</p>	
S283.016	Trent Simpkin	RSZ-R2	Oppose	The impermeable surfaces rule is one of the most common rules breached when designing homes. The low thresholds means therefore means many homes will still require a resource consent for Impermeable surfaces. all RC's breaching impermeable surfaces require a TP10/Stormwater report from an engineer (already). This is a detailed design of the stormwater management onsite and shouldn't require FNDC to look at it and tick the box to say it is acceptable. Why don't we have a PER-2 which says that if a TP10 report is provided by an engineer,	Amend to increase impermeable surface coverage maximum to be realistic based on the site of lots allowed for the zone and/or insert a PER-2 which says if a TP10 report is provided by an engineer, the activity is permitted (inferred).	Reject	<p>RSZ S42A Report Section 5.2.3</p> <p>Key Issue 3: RSZ Rules</p> <p>Rural Wide Issues and RPROZ S42A Report Section 5.2.4</p> <p>Key Issue 4: Plan wide or rural wide submissions</p>	

Proposed Far North District Plan – s42A Report Table

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				it's permitted? (one solution to reduce the number of RC's for Council to process and assist with getting back to realistic processing times). This submission point applies to all zones.				
FS570.830	Vision Kerikeri 3		Oppose	Oppose to the extent that the submission is inconsistent with our original submissions.	Disallow	Disallow to the extent that the submission is inconsistent with our original submission	Accept in part	RSZ S42A Report Section 5.2.3 Key Issue 3: RSZ Rules Rural Wide Issues and RPROZ S42A Report Section 5.2.4 Key Issue 4: Plan wide or rural wide submissions
FS566.844	Kapiro Conservation Trust 2		Oppose	Oppose to the extent that the submission is inconsistent with our original submission	Disallow	Disallow to the extent that the submission is inconsistent with our original submission	Accept in part	RSZ S42A Report Section 5.2.3 Key Issue 3: RSZ Rules Rural Wide Issues and RPROZ S42A Report Section 5.2.4 Key Issue 4: Plan wide or rural wide submissions
FS569.866	Vision Kerikeri 2		Oppose	Oppose to the extent that the submission is inconsistent with our original submission	Disallow	Disallow to the extent that the submission is inconsistent with our original submission	Accept in part	RSZ S42A Report Section 5.2.3 Key Issue 3: RSZ Rules Rural Wide Issues and RPROZ S42A Report Section 5.2.4

Proposed Far North District Plan – s42A Report Table

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							Key Issue 4: Plan wide or rural wide submissions
S368.083	Far North District Council	RSZ-R3	Support in part	The 'Residential activity' rule in zones that provide for a minor residential unit need to provide an exclusion for a 'minor residential unit'. The intent of the rule is to provide for a minor residential unit in addition to a principal residential unit on a site, it is not meant to be captured by PER-1 within the rule.	<p>Amend RSZ- R3</p> <p>Make the following amendments (the area2 will be relative to the zone) to the 'Residential activity' rule within the Rural Production zone, Rural Lifestyle zone, Rural Residential zone and the Settlement zone in the PDP.</p> <p>PER-1</p> <p>The site area per residential unit is at least xxxm².</p> <p>PER-1 does not apply to:</p> <ol style="list-style-type: none"> i. a single residential unit located on a site less than xxxm². ii. A minor residential unit constructed in accordance with rule Rxx-Rxx. 	Accept	RSZ S42A Report Section 5.2.3 Key Issue 3: RSZ Rules
S397.005	Ian Ray (Joe) Carr	RSZ-R3	Support in part	The Permitted Residential Activity threshold of 3,000m ² is too high and out of context with the long established and well accepted lot sizes found at Okaihau.	<p>Amend the rule to:</p> <ol style="list-style-type: none"> 1) Lower the Permitted Residential Activity PER-I threshold to 1,500m². 2) Introduce a restricted discretionary status with an allowable threshold of 1000 M2, with matters of discretion restricted to the availability of land for disposal of effluent and stormwater on the site without adverse effects on adjoining waterbodies (including groundwater and aquifers) or on adjoining sites. 3) Introduce a discretionary (DIS-I) status activity with a minimum lot size of 600m². The activity status where compliance not achieved with this DIS-I should be non-complying 	Reject	RSZ S42A Report Section 5.2.3 Key Issue 3: RSZ Rules

Proposed Far North District Plan – s42A Report Table

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S368.026	Far North District Council	RSZ-R4	Support in part	Correction: Matter of discretion f. should say 'wastewater treatment and disposal'	Amend RSZ-R4 Matters of discretion are restricted to: <ul style="list-style-type: none"> a. the number of visitors accommodated; b. the location and design of buildings, outdoor areas, parking and loading areas and access; c. hours of operation; d. noise, disturbance and loss of privacy of adjacent sites; e. screening and landscaping; f. wastewater treatment and disposal; g. water supply for drinking and firefighting; and h. stormwater disposal. 	Accept	RSZ S42A Report Section 5.2.3 Key Issue 3: RSZ Rules
S425.055	Pou Herenga Tai Twin Coast Cycle Trail Charitable Trust	RSZ-R4	Support in part	PHTTCCT support the provision for visitor accommodation in zones. It is considered that providing for this activity, particularly throughout the Zones that adjoin the Trail as a permitted activity will help activate the Trail and ensure that that the potential in terms of social and economic impact can be realised (noting the comments made in the Transport Chapter in regard to parking). PHTTCCT acknowledged the rationale behind the inclusion of PER-1 in the Rural Production, Rural Residential, Rural Living and Settlement Zone but considers that this is too blunt given the number of shared access ways within the District, and has suggested wording that uses a setback to manage any likely noise or dust effects that could be experienced as a result of sharing an access	Amend RSZ-R4 as follows: Activity status: Permitted Where: PER-1 The visitor accommodation is within a residential unit, accessory building or minor residential unit. PER-2 The occupancy does not exceed 10 guests per night. PER-3 The site does not share access with another site. Where the site shares access with a The access to the site is set back more than 20m from any residential unit, or minor residential unit on any site that shares the access.	Reject	Rural Wide Issues and RPROZ S42A Report Section 5.2.4 Key Issue 4: Plan wide or rural wide submissions
S512.042	Fire and Emergency New Zealand	RSZ-R4	Support	Fire and Emergency support the consideration of water supply for firefighting for visitor accommodation. However, this same matter of discretion should be	Retain RSZ-R4	Accept	RSZ S42A Report Section 5.2.3

Proposed Far North District Plan – s42A Report Table

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				applicable across many of the other activities listed across zone chapters. Particularly given that the Settlement zone notes that most settlements do not have reticulated water supply and so alternative firefighting water sources are essential for more than just visitor accommodation.			Key Issue 3: RSZ Rules
S214.005	Airbnb	RSZ-R4	Support in part	<p>The proposed district plan allows for visitor accommodation as a permitted activity for less than or equal to 6-10 guests on site. If these conditions are not met, the activity is discretionary except in the settlement zone where it is restricted discretionary. Airbnb supports the overall approach to allow visitor accommodation to occur in all zones and commends the Council's leadership in this space.</p> <p>We would, however, recommend that restrictions around the number of guests be standardised to 10 across the district to account for the range of families that tend to stay in this type of accommodation and would also recommend that properties that do not meet permitted status default to restricted discretionary as opposed to discretionary. This would increase certainty for our Hosts and unlock the full potential of residential visitor accommodation in the district.</p> <p>Airbnb strongly believes that consistency for guests and hosts is important and that a national approach is the most effective way to address these concerns. Kiwis agree with 64% expressing support for national regulation. One example of this type of standardised approach across councils is the Code of Conduct approach as piloted in New South Wales (NSW), Australia (with a robust compliance and enforcement mechanism, operating on a 'two strike' basis whereby bad actors are excluded from</p>	Amend rules to standardise the guest limit cap for permitted visitor accommodation to 10 across all zones and make the default non-permitted status restricted discretionary (as opposed to Discretionary) across all zones.	Reject	Rural Wide Issues and RPROZ S42A Report Section 5.2.4 Key Issue 4: Plan wide or rural wide submissions

Proposed Far North District Plan – s42A Report Table

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				participating in the industry for a period of 5 years after repeated breaches of the Code).				
FS23.067	Des and Lorraine Morrison		Support	Support standardizing the number applying to permitted visitor accommodation activities across all zones. Taking a consistent approach will make it easier for the plan provisions to be applied and understood. The effects are not likely to differ significantly in residential zones	Allow	Allow relief sought	Reject	Rural Wide Issues and RPROZ S42A Report Section 5.2.4 Key Issue 4: Plan wide or rural wide submissions
S425.060	Pou Herenga Tai Twin Coast Cycle Trail Charitable Trust	RSZ-R5	Support	PHTTCCT support the provision for home business in zones. It is considered that providing for this activity as a permitted activity, particularly throughout the zones that adjoin the Trail, will help activate the Trail and ensure that that the potential in terms of social and economic impact can be realised (noting the comments made in the Transport Chapter in regard to parking).	Retain as notified		Accept	Rural Wide Issues and RPROZ S42A Report Section 5.2.4 Key Issue 4: Plan wide or rural wide submissions
S502.059	Northland Planning and Development 2020 Limited	RSZ-R5	Support in part	A home business could be utilizing a shed on site which may be larger than 40m2. A business may only utilize a portion of a building where the rest is set aside as private space. Utilizing an existing building which exceeds 40m2 should not be a trigger for consent. Moreover, even if a business was utilizing a space greater than 40m2 other standards such as PER-2 & 3 are in place to control the effects such that the effects will be no more than minor on the surrounding environment.	Amend RSZ-R5 PER-1 The home business is undertaken within: 1. a residential unit; or 2. an accessory building that does not exceed 40m2 GFA; or 3. a minor residential unit.		Reject	RSZ S42A Report Section 5.2.3 Key Issue 3: RSZ Rules
S431.143	John Andrew Riddell	RSZ-R5	Not Stated	The amendment is necessary in order to achieve the purpose of the Act.	Amend PER-4 of Rule RSZ-R5 so that the hours of operation apply to when the business is open to the public.		Accept	RSZ S42A Report Section 5.2.3 Key Issue 3: RSZ Rules
FS332.143	Russell Protection Society		Support	The original submission aligns with our values. The Russell Protection Society has a purpose of promoting wise and sustainable development that compliments the historic	Allow	Allow the original submission.	Accept in part	RSZ S42A Report Section 5.2.3

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Officer recommendation	Relevant section of S42A Report
				and special character of Russell and its surrounds.			Key Issue 3: RSZ Rules
S331.078	Ministry of Education Te Tāhuhu o Te Mātauranga	RSZ-R6	Oppose	<p>The submitter opposes rule RSZ-R6 and recommends the inclusion of a new provision (see submission #331.17) to provide for educational facilities as a permitted activity in the Settlement zone in the Infrastructure Chapter. In conjunction with this relief, the submitter seeks the removal of this rule from the Settlement zone to limit rule duplication.</p> <p>However, if this relief is not granted, the Ministry supports the permitted activity standards to provide for small scale educational facilities in the Settlement zone. However, educational facilities with student attendance higher than 4 will likely be required to support the rural environment and suggest student attendance not exceeding 30 to align with Ministry pre-school licences.</p> <p>The Ministry request that all educational facilities are enabled in the Settlement zone to serve the education needs of the rural community and suggest a restricted discretionary activity status where compliance with the permitted standards cannot be achieved.</p>	<p>Delete rule RSZ-R6 Educational Facility OR</p> <p>Amend rule RSZ-R6 Educational Facility, as follows:</p> <p>Educational facility</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1</p> <p>The educational facility is within a residential unit, accessory building or minor residential unit.</p> <p>PER-2</p> <p>Hours of operation are between;</p> <ol style="list-style-type: none"> 1. 7am-8pm Monday to Friday. 2. 8am-8pm Weekends and public holidays. <p>PER-3</p> <p>The number of students attending at one time does not exceed 30 four, excluding those who reside onsite.</p> <p>Activity status where compliance not achieved with PER-1, PER-2or PER-3:</p> <p>Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. Design and layout b. Transport safety and efficiency c. Scale of activity and hours of operation d. Infrastructure servicing e. Potential reverse sensitivity effects on rural production operations. 	Accept in part	<p>Rural Wide Issues and RPROZ S42A Report</p> <p>Section 5.2.4</p> <p>Key Issue 4: Plan wide or rural wide submissions</p>

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
S363.027	Foodstuffs North Island Limited	RSZ-R8	Not Stated	The submitter considers rule RSZ-R8 Commercial activity, only provide for some commercial activities as a permitted activity being retail activities office activities and any activity that fails to comply is a discretionary activity which is inappropriate, inefficient and ineffective as the supermarkets are essential services for small communities and RSZ is the only zone eligible.	Amend rule RSZ-R8 Commercial activity, to clearly provide for supermarkets, with an appropriate GFA limit.		Reject	RSZ S42A Report Section 5.2.1 Key Issue 1: General Submissions on RSZ chapter
S363.028	Foodstuffs North Island Limited	RSZ-R8	Not Stated	The submitter considers that rule RSZ-R8 Commercial activity, provides for retail and office activities at a larger scaler scale as a permitted activity within Moerewa, with a smaller scale applied to other settlements with no clear justification or s32 support for a smaller limit in other settlements.	Amend rule RSZ-R8 Commercial activity, to provide for supermarkets, with an appropriate GFA limit consistently across all settlements.		Reject	RSZ S42A Report Section 5.2.1 Key Issue 1: General Submissions on RSZ chapter
S338.017	Our Kerikeri Community Charitable Trust	RSZ-R8	Not Stated	Settlement zones don't allow for small local shops or facilities at present. However, a combined dairy/café in larger Settlement zones would allow local people to walk to obtain everyday needs instead of driving 4 to 15 kms to the CBD and could be allowed in case where there are suitable locations, and where it would not create additional traffic problems or other adverse effects on local communities or small roads leading to the Settlements.	Retain Rule RSZ-R8 (inferred)		Accept in part	RSZ S42A Report Section 5.2.3 Key Issue 3: RSZ Rules
FS542.085	Foodstuffs North Island Limited		Oppose	Foodstuffs seeks an amendment of this provision to provide for supermarkets.	Disallow	Amend RSZ-R8	Accept in part	RSZ S42A Report Section 5.2.3 Key Issue 3: RSZ Rules
FS570.958	Vision Kerikeri 3		Support	Support to the extent the submission is consistent with our original submissions.	Allow	Allow the original submission	Accept in part	RSZ S42A Report Section 5.2.3 Key Issue 3: RSZ Rules
FS566.972	Kapiro Conservation Trust 2		Support		Allow	Allow the original submission	Accept in part	RSZ S42A Report Section 5.2.3

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
								Key Issue 3: RSZ Rules
FS569.994	Vision Kerikeri 2		Support		Allow	Allow the original submission	Accept in part	RSZ S42A Report Section 5.2.3 Key Issue 3: RSZ Rules
S449.019	Kapiro Conservation Trust	RSZ-R8	Support in part	Settlement zones don't allow for small local shops or facilities at present. However, a combined dairy/café in larger Settlement zones would allow local people to walk to obtain everyday needs instead of driving 4 to 15 kms to the CBD and could be allowed in case where there are suitable locations, and where it would not create additional traffic problems or other adverse effects on local communities or small roads leading to the Settlements.	Retain Rule RSZ-R8 (inferred)		Accept in part	RSZ S42A Report Section 5.2.3 Key Issue 3: RSZ Rules
FS542.086	Foodstuffs North Island Limited		Oppose	Foodstuffs seeks an amendment of this provision to provide for supermarkets	Disallow	Amend RSZ-R8	Accept in part	RSZ S42A Report Section 5.2.3 Key Issue 3: RSZ Rules
FS569.1818	Vision Kerikeri 2		Support		Allow		Accept in part	RSZ S42A Report Section 5.2.3 Key Issue 3: RSZ Rules
FS570.1835	Vision Kerikeri 3		Support	Support to the extent the submission is consistent with our original submissions.	Allow		Accept in part	RSZ S42A Report Section 5.2.3 Key Issue 3: RSZ Rules
S522.039	Vision Kerikeri (Vision for Kerikeri and Environs, VKK)	RSZ-R8	Support in part	Settlement zones don't allow for small local shops or facilities at present. However, a combined dairy/café in larger Settlement zones would allow local people to walk to obtain everyday needs instead of driving 4 to 15 kms to the CBD and could be allowed in case where there are suitable locations, and where it would not create additional traffic	Retain Rule RSZ-R8 (inferred)		Accept in part	RSZ S42A Report Section 5.2.3 Key Issue 3: RSZ Rules

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
				problems or other adverse effects on local communities or small roads leading to the Settlements.				
FS542.087	Foodstuffs North Island Limited		Oppose	Foodstuffs seeks an amendment of this provision to provide for supermarkets	Disallow	Amend RSZ-R8	Accept in part	RSZ S42A Report Section 5.2.3 Key Issue 3: RSZ Rules
FS566.1778	Kapiro Conservation Trust 2		Support		Allow	Allow the original submission	Accept in part	RSZ S42A Report Section 5.2.3 Key Issue 3: RSZ Rules
S529.018	Carbon Neutral NZ Trust	RSZ-R8	Support in part	Settlement zones don't allow for small local shops or facilities at present. However, a combined dairy/café in larger Settlement zones would allow local people to walk to obtain everyday needs instead of driving 4 to 15 kms to the CBD and could be allowed in case where there are suitable locations, and where it would not create additional traffic problems or other adverse effects on local communities or small roads leading to the Settlements.	Retain Rule RSZ-R8 (inferred)		Accept in part	RSZ S42A Report Section 5.2.3 Key Issue 3: RSZ Rules
FS542.088	Foodstuffs North Island Limited		Oppose	Foodstuffs seeks an amendment of this provision to provide for supermarkets.	Disallow	Amend RSZ-R8	Accept in part	RSZ S42A Report Section 5.2.3 Key Issue 3: RSZ Rules
FS570.1908	Vision Kerikeri 3		Support	Support to the extent the submission is consistent with our original submissions.	Allow	Allow the original submission	Accept in part	RSZ S42A Report Section 5.2.3 Key Issue 3: RSZ Rules
FS566.1922	Kapiro Conservation Trust 2		Support		Allow	Allow the original submission	Accept in part	RSZ S42A Report Section 5.2.3 Key Issue 3: RSZ Rules

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
FS569.1944	Vision Kerikeri 2		Support		Allow	Allow the original submission	Accept in part	RSZ S42A Report Section 5.2.3 Key Issue 3: RSZ Rules
S100.003	Lynley Newport	RSZ-R10	Support	Support for the allowance for a minor residential unit within this zone	retain RSZ-R10		Accept	RSZ S42A Report Section 5.2.3 Key Issue 3: RSZ Rules
FS196.46	Joe Carr		Support	sensible	Allow		Accept	RSZ S42A Report Section 5.2.3 Key Issue 3: RSZ Rules
S90.003	Yvonne Sharp	RSZ-S2	Oppose	The Proposed Plan changes the sunlight rules without any justification in the section 32 reports to indicate the basis of the change. Therefore, it is not known whether the current rules are working or if the degree of change proposed is warranted. Further information is needed.	Amend the height in relation to boundary standards so they are consistent with those in the Operative District Plan (i.e. retain the existing standards in the District).		Reject	RSZ S42A Report Section 5.2.4 Key Issue 4: RSZ Standards
S313.003	Chris Sharp	RSZ-S2	Oppose	The Proposed Plan changes the sunlight rules without giving reason for this in the section 32 reports. As it is unknown why or if any changes are actually warranted the changes from the current rules are unsupported.	Amend the standard so it is consistent with the Operative District Plan Standards for sunlight.		Reject	RSZ S42A Report Section 5.2.4 Key Issue 4: RSZ Standards
S431.185	John Andrew Riddell	RSZ-S2	Not Stated	Not stated	Retain the approach varying the required height to boundary depending on the orientation of the relevant boundary.		Accept	RSZ S42A Report Section 5.2.4 Key Issue 4: RSZ Standards
S502.060	Northland Planning and Development 2020 Limited	RSZ-S3	Support in part	This rule does not exclude fences or walls. It is noted Rule RSZ-S7 requires a solid fence with a minimum height of 1.8m along a road boundary which is not occupied by buildings.	Amend RSZ-S3 The building or structure, or extension or alteration to an existing building or structure must be set back at least 1.2m from all site boundaries, except that the setback must be at least 3m measured from a road boundary.		Accept in part	RSZ S42A Report Section 5.2.4 Key Issue 4: RSZ Standards

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Officer recommendation	Relevant section of S42A Report
					<p>This standard does not apply to:</p> <ul style="list-style-type: none"> i. uncovered decks less than 1m in height above ground level; ii. ii. fences and retaining walls less than 1.8m in height iii. underground wastewater infrastructure; iv. water tanks less than 2.7m in height above ground level; v. a building or structure exceeding this standard for a maximum distance of 10m along any one boundary other than a road or public boundary. 		
FS113.2	Martin OBrien		Support	Underground wastewater infrastructure should include surface laid dripper lines and risers.	Allow	Accept in part	RSZ S42A Report Section 5.2.4 Key Issue 4: RSZ Standards
S416.061	KiwiRail Holdings Limited	RSZ-S3	Support in part	<p>For health and safety reasons, KiwiRail seek a setback for structures from the rail corridor boundary. While KiwiRail do not oppose development on adjacent sites, ensuring the ability to access and maintain structures without requiring access to rail land is important.</p> <p>Parts of the KiwiRail network adjoin commercial, mixed use, industrial and open space zones. These zone chapters do not currently include provision for boundary setbacks for buildings and structures. KiwiRail seek a boundary setback of 5m from the rail corridor for all buildings and structures.</p> <p>KiwiRail considers that a matter of discretion directing consideration of impacts on the safety and efficiency of the rail corridor is appropriate in situations where the 5m setback standard is not complied with in all zones adjacent to the railway corridor.</p>	<p>Insert a railway setback (refer to submission for examples).</p> <p>Insert the following matters of discretion into the standard:</p> <ul style="list-style-type: none"> • the location and design of the building as it relates to the ability to safely use, access and maintain buildings without requiring access on, above or over the rail corridor • the safe and efficient operation of the rail network 	Accept in part	Rural Wide Issues and RPROZ s42A Report Section 5.2.4 Key Issue 4: Plan wide or rural wide submissions

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Officer recommendation	Relevant section of S42A Report
				<p>Building setbacks are essential to address significant safety hazards associated with the operational rail corridor. The Proposed Plan enables a 1m setback from side and rear boundaries shared with the rail corridor, increasing the risk that poles, ladders, or even ropes for abseiling equipment, could protrude into the rail corridor and increasing the risk of collision with a train or electrified overhead lines. Further, there is a 600mm eave allowance within side and rear yards which restricts potential access to roofs from of buildings even further and results in an effective yard setback of 400mm.</p> <p>KiwiRail consider that a 5m setback is appropriate in providing for vehicular access to the rear of buildings (e.g. a cherry picker) and allowing for scaffolding to be erected safely. This setback provides for the unhindered operation of buildings, including higher rise structures and for the safer use of outdoor deck areas at height. This in turn fosters visual amenity, as lineside properties can be regularly maintained.</p> <p>One option is a cross-reference between the standards of each zone to avoid repetition, or to create a standard rail corridor setback rule and replicate it in each zone. The provision of a setback can ensure that all buildings on a site can be accessed and maintained for the life of that structure, without the requirement to gain access to rail land, including by aspects such as ladders, poles or abseil ropes. This ensures that a safe amenity is provided on the adjacent sites for the occupants, in line with delivery policy direction such as GRZ-O2, clause 4 whereby safety is a specific objective for achieving zone appropriate character and amenity values.</p> <p>It is noted that some zones (Heavy Industrial, Rural production)) have wider</p>			

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Officer recommendation	Relevant section of S42A Report
				yards than sought by KiwiRail. This is supported, but the yard purpose is not linked to safety matters relating to a site's proximity to the railway and therefore any applications for reductions may not consider this requirement.			
FS243.147	Kainga Ora Homes and Communities		Support	Kāinga Ora opposes the requested 5m setback; a considerably reduced set back would provide adequate space for maintenance activities within sites adjacent to the rail network. In doing so, it will continue to protect the safe, efficient, and effective operation of the rail infrastructure while balancing the cost on landowners. The amendments are unnecessary.	Disallow	Accept in part	Rural Wide Issues and RPROZ s42A Report Section 5.2.4 Key Issue 4: Plan wide or rural wide submissions
S512.094	Fire and Emergency New Zealand	RSZ-S5	Support in part	<p>Fire and Emergency support the provision of an outdoor living space on the premise that while not directly intended, may provide access for emergency services and space for emergency egress. Fire and Emergency acknowledge that firefighting access requirements are managed through the NZBC however consider it important that these controls are brought to the attention of plan users (i.e. developers) in the resource consent process so that they can incorporate the NZBC requirements early on in their building design.</p> <p>The NZBC requirements will have an influence over how a site is deigned and consequential site layout therefore Fire and Emergency consider it important that developers incorporate these requirements into their site layout at resource consent so that Council are able to assess this design to ensure compliance with the RMA. Fire and Emergency therefore request that, as a minimum, an advice note is included directing plan users to the requirements of the NZBC.</p>	<p>Insert advice note to RSZ-S5</p> <p>Advice note: Site layout requirements are further controlled by the Building Code. This includes the provision for firefighter access to buildings and egress from buildings. Plan users should refer to the applicable controls within the Building Code to ensure compliance can be achieved at the building consent stage. Issuance of a resource consent does not imply that waivers of Building Code requirements will be considered/granted.</p>	Reject	Rural Wide Issues and RPROZ s42A Report Section 5.2.4 Key Issue 4: Plan wide or rural wide submissions

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Officer recommendation	Relevant section of S42A Report
S90.004	Yvonne Sharp	RSZ-S7	Oppose	<p>The standard is unduly restrictive. For example, the Opito Bay settlement currently enjoys an open space environment where fences and screenings are minimal and there is a street vista which is open, accessible and reflects the close community ethos which prevails. The requirements in the standard will destroy this and create private fortresses.</p> <p>The deletion of the standard won't prevent owners wanting this degree of privacy from establishing it. It is noted that if RSZ-S7 is deleted, the rules relating to impermeable surfaces will still ensure a level of landscaping on most sites thereby also contributing to amenity as well as stormwater management.</p>	Delete RSZ-S7 (Landscaping and Screening)	Accept in part	RSZ S42A Report Section 5.2.4 Key Issue 4: RSZ Standards
S313.004	Chris Sharp	RSZ-S7	Oppose	<p>The standard is excessively restrictive. Doves Bays properties vary considerably in elevation and position. The proposed standard is inappropriate for a number of these sites. This community enjoys an open friendly lifestyle with the ability for those that wish a higher degree of privacy to create it. The proposed rules would impede and reduce the community interaction.</p>	Delete RSZ-S7	Accept in part	RSZ S42A Report Section 5.2.4 Key Issue 4: RSZ Standards
S508.001	Brian Francis Steere	RSZ-S7	Oppose	<p>This standard is not appropriate to the Opito Bay community and imposes undue restrictions on the community. Opito Bay is a built up historic community that enjoys an amazing kiwi feel which is based around residents and holiday makers having open access to each other's property. Many residents are older and having no fences or screenings adds to the safety and security of the community. By imposing 1.8m fences or screenings would destroy the community feel and the nature of Opito Bay.</p> <p>Residents always have the option of building a fence or can plant screenings that ensure privacy if desired. In fact, RSZ-S7 is likely to</p>	Delete RSZ-S7	Accept in part	RSZ S42A Report Section 5.2.4 Key Issue 4: RSZ Standards

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
				have some undesired consequences. Many properties are South facing and shading from overgrown boundary trees can be hazardous and dangerous as these shaded areas grow moss and mould on driveways. The current district plan has enough safeguards and RSZ-S7 is not appropriate in settlements like Opito Bay.				
S250.012	Willowridge Developments Limited	SUB-S1	Support in part	The 40ha allotment size proposed for the RPROZ is considered to be overly conservative, with insufficient consideration of other lot sizes that could reasonably achieve the sought outcomes by the zone. With respect to the RLZ, it is unclear why the proposed minimum lot size for controlled activity subdivision has been selected. To 4ha controlled activity subdivision is inconsistent with the residential density control provided in the RLZ Chapter.	Review and consider a regional consistency with neighbouring Council's for minimum lot sizes, in particular the provision of a 20ha minimum lot size in the RPROZ as a controlled activity. Amend to align the minimum lot size of the RLZ with the residential intensity control of the RLZ Chapter. Retain the minimum lot size for subdivision in the Settlement Zone as notified.		Accept	RSZ S42A Report Section 5.2.5 Key Issue 5: SUB-S1 and the Settlement Zone <i>Note: This submission point is duplicated in Appendix 2 of other relevant rural section 42A reports with respect to SUB-S1 amendments for those rural zones.</i>
FS332.262	Russell Protection Society		Oppose	Rural production zone minimum allotment size of 40ha is appropriate in coastal areas.	Disallow in part	Disallow the original submission in part.	Accept in part	RSZ S42A Report Section 5.2.5 Key Issue 5: SUB-S1 and the Settlement Zone
FS570.698	Vision Kerikeri 3		Oppose	Oppose to the extent that the submission is inconsistent with our original submissions.	Disallow	Disallow to the extent that the submission is inconsistent with our original submission	Accept in part	RSZ S42A Report Section 5.2.5 Key Issue 5: SUB-S1 and the Settlement Zone
FS566.712	Kapiro Conservation Trust 2		Oppose	Oppose to the extent that the submission is inconsistent with our original submission	Disallow	Disallow to the extent that the submission is inconsistent with our original submission	Accept in part	RSZ S42A Report Section 5.2.5

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
								Key Issue 5: SUB-S1 and the Settlement Zone
FS569.734	Vision Kerikeri 2		Oppose	Oppose to the extent that the submission is inconsistent with our original submission	Disallow	Disallow to the extent that the submission is inconsistent with our original submission	Accept in part	RSZ S42A Report Section 5.2.5 Key Issue 5: SUB-S1 and the Settlement Zone