



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:	Birta Kortner & Jonas Kortner		
Company / Organisation Name: (if applicable)	n/a		
Contact person (if different):			
Full Postal Address:	PO Box 101, Kaikohe 0440, Northland.		
	(Physical address: 4 Wallis Rd, Kaikohe 0473, Northland.)		
Phone contact:	Mobile:	Home:	Work:
	0210-261 0995 Birta 021-166 3976 Jonas	n/a	n/a
Email (please print):	<u>birtakortner@gmail.com, jonaskortner@gmail.com</u>		

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

- I **could not** gain an advantage in trade competition through this submission
 I **could** 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:

(please provide details including the reference number of the specific provision you are submitting on)

As explained in detail below, we seek Council to decide to change the zoning for our property at 4 Wallis Rd from 'Rural Production' (present) to 'Rural Residential'. This does not reference specific provisions.

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



My submission is:

(Include details and reasons for your position)

We propose a plan change for our property on 4 Wallis Rd, with the effect to change the property's Zone from 'Rural Production' (present) to 'Rural Residential'.

Our argument is structured as follows: First, we'll provide you with a summary of our context. Second, we'll detail why the current Zone, 'Rural Production', is inappropriate. Third, we'll justify why 'Rural Residential' would be the appropriate Zone for the present-day and anticipated future development of the area.

The property on 4 Wallis Rd has been our family home and residence for four years now. With a lot size of about 7 acres or 28,000 m², it's small compared to the large farming property it had been subdivided off of historically. Today, we're sandwiched between a stretch of mostly Residential-zoned smaller lots across SH12 and what's now the Horticultural Precinct of the Ngāwhā Innovation & Enterprise Park. We graze about 3 acres; the remainder serves us and our daughters as amenity, and such residential use has been the property's sole use case since its subdivision.

Considering the ongoing development of the NIEP on the adjacent property as well as the nearby Matawii water storage reservoir, we anticipate the area to experience further development in the coming decade or so.

The current Zone of our property does not reflect the Objectives and Policies laid out for the Rural Production zone in the PDP.

This Zone provides for "*primary production activities*" as well as others that "*support primary production and have functional need to be located in a rural environment.*" (RPZ Overview, RPROZ-O1, -O2, section 32 PDP) However, no such activities have been carried out on our property since its subdivision. Importantly, the lot size of about 7 acres is too small to carry out any such activities on a commercially feasible scale. Conversely, RPROZ-P5 (a-b) demands that "*land use that is incompatible with the purpose, character and amenity of the Rural Production Zone [and/or that] does not have a functional need to locate in the Rural Production Zone and is more appropriately located in another Zone*" is to be avoided. Considering our use as well as the past use of our land there is no "*functional need*" to be in a Production Zone and the property would be more appropriately located in a Residential Zone (as explained below).

The PDP lays out Objectives and Policies to avoid further fragmentation of Production land that "*[undermines] its ability to function for its intended purpose*" (RPROZ-O3, -P4). Our property is an example of such a fragmentation that has occurred due to now fault of our own but due to historic subdivision and the introduction of the special zone for the Ngawha Innovation Park. Especially now that the NIEP is placed in its own 'NIEP zone', 4 Wallis Rd is left isolated with no connection to any significant Production land. Again, its small lot size prohibits carrying out primary production activities on a feasible scale so that, in changing its Zone, no such activities would be forced "*to locate further away from urban areas*" and no "*loss of highly productive land*" would occur. (RPZ Overview, RPROZ-O3, section 32 PDP) No further fragmentation would occur.

It would be appropriate to place 4 Wallis Rd in a Rural Residential zone.

The new minimum Production lot sizes of 40 ha and 8 ha (controlled and discretionary, respectively; section 32 PDP) highlight the fact that the approx. 7 acres of 4 Wallis Rd are insufficient for primary production activities at a commercial scale. While its 28,000 m² are relatively large compared to the 2,000–4,000 m² bracket that the Residential Zone provides for, many properties along SH12 zoned Residential, and within a stretch of Residential Zone adjacent to 4 Wallis Rd, are of similar size or even much larger: for example, 5236A, 5236B, 5274, 5288A, and 5226, all on SH12. In fact, section 32 of the PDP states that

"[the] Rural Residential special Zone has been created to provide for Rural Residential development around existing urban areas and some settlements where they are contiguous with the urban / settlement environment. This recognises that Rural Residential land may be up zoned over time to an urban zone as required to cater for growth in these areas. This Zone also provides for a transition between urban Zones and the Rural Production, Rural Lifestyle and Horticulture Zones."



Our property at 4 Wallis Rd is located approx. 1.2 km from Kaikohe, in between a stretch of established Residential Zone and operations at the NIEP, and is connected to town water and the broadband telecommunication network, 4 Wallis Rd is best described as *“providing an opportunity for people to enjoy a spacious, peri-urban living environment located close to a settlement”*, (RRZ-O1, -O2) and would be accurately placed in a zone *“on the fringe of the District's settlements”*, *“[providing] a transition to the surrounding Rural Production and/or Rural Lifestyle and Horticulture zones”*. (RRZ Overview)

Our residential, small-scale farming, and/or home business activities at 4 Wallis Rd do not and will not compromise *“the role, function and predominant character and amenity of the Rural Residential Zone”* yet are fully enabled in a Residential Zone. (RRZ-P1) Conversely, activities that are *“incompatible with the role, function and predominant character and amenity of the Rural Residential Zone”* (RRZ-P2) are not and will not be feasible to carry out at 4 Wallis Rd.

Looking ahead, and in light of the recent development of the NIEP and the Matawii water storage facility, Kaikohe and the area surrounding the NIEP appear to be *“a location where an urban area may grow and where land may be re-zoned for urban development when demand requires it.”* The Residential Zone *“helps meet the demand for growth around urban centres”* (RRZ Overview, RRZ-O3, section 32 PDP). We understand that availability of residential land in proximity of the NIEP had been identified as a strategic challenge for its development earlier in the planning stage, implying that there is such demand or that such demand is anticipated in the near future.

In summary, a change of the Zone for our property at 4 Wallis Rd from ‘Rural Production’ (present) to ‘Rural Residential’ would eliminate a misalignment between de-facto, present-day activities and the Objectives and Policies laid out for the Rural Production zone in the PDP, but support and provide for these activities in a way that is fully consistent with the Objectives and Policies laid out for the Rural Residential zone in the PDP.

Therefore, we seek Council to decide to change the zoning for our property at 4 Wallis Rd from ‘Rural Production’ (present) to ‘Rural Residential’.

I seek the following decision from the Council:

(Give precise details. If seeking amendments, how would you like to see the provision amended?)

We seek Council to decide to change the zoning for our property at 4 Wallis Rd from ‘Rural Production’ (present) to ‘Rural Residential’.

S387.001

- 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)

B. Kaur

Date: 21/10/2022

(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.