

Willowridge Submission on PDP



To: Far North District Council (**FNDC**)

Re: Submission on Proposed Far North District Plan – Willowridge Developments Limited

Name: Willowridge Developments Limited

Contact number: 021 969 152

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Date: 21 October 2022

Submission Information:

This is a submission on the Proposed Far North District Plan (**PDP**).

Willowridge Developments Limited could not gain an advantage in trade competition through this submission.

The specific provisions of the PDP that Willowridge Developments Limited submission relates to are attached.

Willowridge Developments Limited seeks amendment to the specific provisions as listed in the attached document. The reasons are provided in the attached document.

The decisions that Willowridge Developments Limited wishes Far North District Council (**FNDC**) to make to ensure the issues raised by Willowridge Developments Limited are dealt with are also contained in the attached document.

Willowridge Developments Limited wishes to be heard in support of this submission.

If others make a similar submission, Willowridge Developments Limited will consider presenting a joint case with them at a Hearing.

Alison Devlin

Willowridge Developments Limited

1.0 Introduction

Willowridge Developments Limited (**Willowridge**) welcomes the opportunity to submit on the Far North District Council (**FNDC**), Proposed Far North District Plan (**PDP**), that was notified to the public on 27 July 2022.

Willowridge was formed by Allan and Elizabeth Dippie in 1993 and has been developing quality, sought-after comprehensive residential and commercial development since the early 1990s. Willowridge has built a reputation of creating desirable residential developments, with successful projects in Wanaka, Clyde, Luggate and Lake Hawea in Central Otago. They have a reputation for achieving high quality designed comprehensive mixed-use developments, including Three Parks in Wanaka, accommodating for future growth for the township, with a mix of residential, tourism and recreational facilities.

The PDP is of particular interest to Willowridge, as landowners in Orongo Bay, a coastal settlement south east of Russell township in the Bay of Islands. The site comprises 96.4ha of land and is held in six Records of Title, stretching from Aucks Road, Orongo Bay to Waikare Inlet (refer to **Figure 1**.)

Willowridge acknowledges and appreciates the work that FNDC has put into developing the PDP and is generally supportive of the approach to comprehensively review the District Plan. However, Willowridge considers that amendments are required to provide a more effective planning framework which better acknowledges the infrastructure capacity and development constraints facing the District's urban areas, by recognising the need to provide more development capacity for housing land in and around the District's existing coastal and rural settlements.

This submission covers matters addressed by the PDP which Willowridge have an interest. Specific points of submission are detailed in **Attachment 1**, whilst general feedback with summarised submission points is detailed in Section 2 below.



Figure 1: Willowridge Site of Interest (source: emaps)

1.1 Current Zoning

Currently, all sites are zoned as either Coastal Living or General Coastal under the Operative District Plan (ODP) and two of the sites are subject to the Flood Susceptible, as shown in **Figure 2** below.

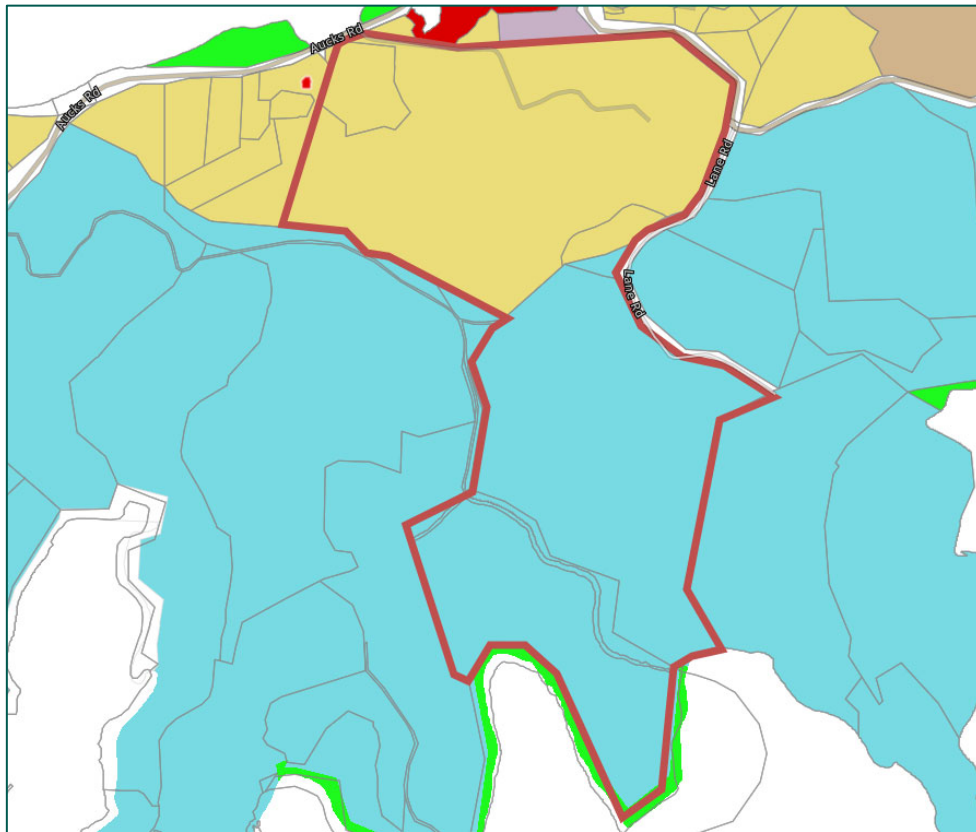


Figure 2: Willowridge Site identified in red (source: FNDC ODP GIS)

1.2 Proposed Zoning

As proposed, all sites of interest to Willowridge have been mapped either Rural Lifestyle Zone (RLZ) or Rural Production Zone (RPROZ), with Coastal Environment (CE), areas of High Natural Character (HNC), River Flood Hazard Zone (10 Year ARI and 100 Year ARI Events), and Coastal Flood (Zones 1 to 3). Relevant proposed mapping is shown in **Figure 3** below, with detailed mapping of each record of title shown in **Attachment 2** of this submission. Specific points of submission with respect to site zoning and provisions are detailed in **Attachment 1**, whilst general feedback is detailed in Section 2 below.

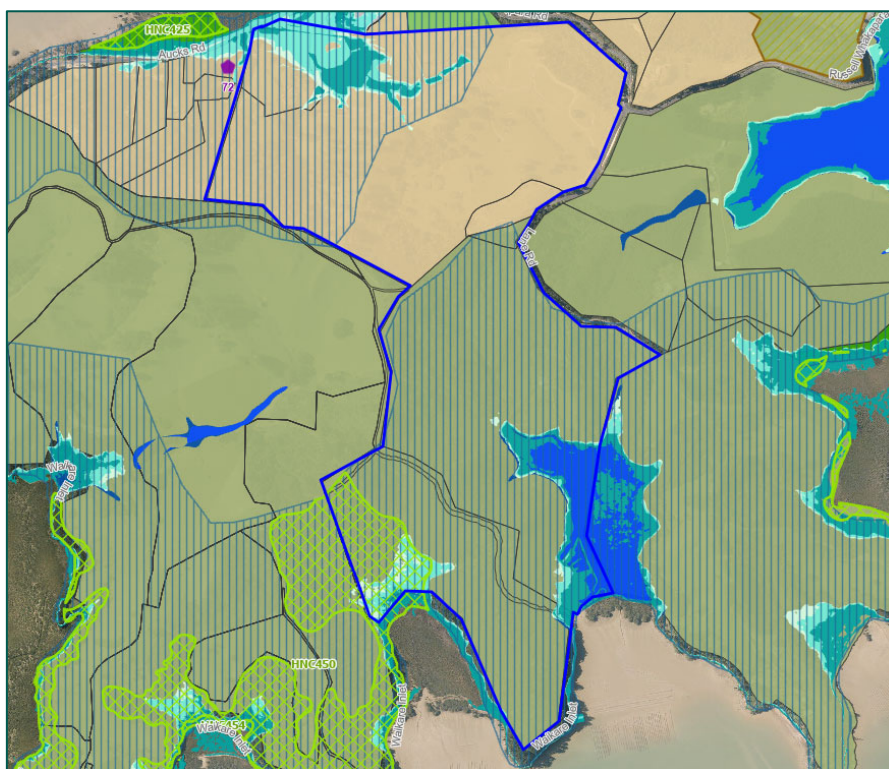


Figure 3: Willowridge Site – PDP Mapping (source: PDP)

2.0 General Feedback

2.1 Part 1 – Introduction and General Provisions

2.1.1 Definitions

The PDP includes several undefined terms of particular relevance to Willowridge and there are terms used in rule headings that are either, inconsistent with defined terms, or do not have a definition in the Definitions Chapter. Further, it is noted no definition nesting tables are used in the PDP. Willowridge consider that it is worthwhile to include nesting tables to provide certainty for plan users and decision-makers as to what activities are captured in the rules. The introduction and explanation of nesting tables would need to be included within the Definitions Chapter.

2.2 Part 2 – District-Wide Matters

2.2.1 Strategic Direction

The Strategic Direction Chapter (**SD Chapter**) is fundamental to the tone and direction of the PDP. As a general comment, Willowridge are concerned that the SD Chapter only contains objectives for each topic, and no supporting policies. In Willowridge’s view, the objectives need policies to demonstrate how they are going to be achieved in the Plan.

Additionally, it is noted that the SD Chapter does not provide overarching direction with respect to the management of growth in and around urban towns, centres and coastal or rural settlements.

Willowridge consider this lack of direction a fundamental flaw of the SD Chapter, particularly, in light of FNDC's limited development capacity within existing three waters network infrastructure.

With respect to the Rural Environment Strategic Direction, Willowridge notes that these objectives narrowly focus on primary production activities and protection of highly versatile soils without any clear outcomes that are to be achieved in these environments. For instance, the chapter is void of any outcomes which relate to the provision or management of rural lifestyle or residential activities.

Furthermore, it is noted that the objectives contained in this chapter have not been evaluated in terms of their appropriateness under section 32 (1)(a) of the RMA.

2.2.2 Natural Environment Values – Ecosystems and Indigenous Biodiversity

The PDP includes a specific chapter for Ecosystems and Indigenous Biodiversity and includes provisions that have immediate legal effect for Significant Natural Areas (**SNA**). The PDP excludes the mapping that was released as part of the Draft Plan, and while it is understood that this was removed in response to significant public backlash, it is now unclear how these provisions will be applied, assessed and monitored. This is of particular relevance to Willowridge, as one of their properties of interest contains a large tract of indigenous vegetation.

With respect to rules IB-R1 – IB-R4, they all either relate to or reference SNA's as permitted activity rules for the management of clearance within these areas. Given there is no mapping to identify these areas, there is no means to assess compliance with the permitted standards except by providing a site-specific report prepared by a suitably qualified ecologist of that habitat. This approach is considered to be overly onerous and inappropriate as a permitted activity status, simply due to the steps necessary to determine compliance. Not only would landowners be required to engage an ecologist, Council themselves would require a specialist suitably skilled and qualified to assess and deem the appropriateness of the assessment. For these reasons, Willowridge are concerned with the effectiveness and efficiency of this approach and oppose the provisions as they have been notified.

2.2.3 Natural Hazards

It is recognised that FNDC are required to manage significant risks from natural hazards and method 7.1.7 of the Regional Policy Statement for Northland (**RPS**) requires the incorporation of new floor and coastal hazard mapping. However, the Natural Hazards Chapter (**NH Chapter**) also includes provisions for land instability and wild fire, and while these are accepted as natural hazards that may require management, Willowridge consider the proposed approaches to be inappropriate for the following reasons:

- Some areas of the Willowridge site are subject to Coastal and Flood hazards. While Willowridge appreciate the importance of managing risk from natural hazards, it considers that existing activities and buildings should be recognised and provided for. Further, Willowridge consider that the default performance standard of no increase in GFA or footprint of structures, is overly restrictive and will require unnecessary resource consent applications.
- Land instability is not mapped and has instead been incorporated as a defined term. The notified definition is considered to be overly complex and would require a suitably qualified and experienced geotechnical engineer to assess compliance with these provisions. It is considered

to be overly onerous on landowners to be required to undertake site specific assessment to determine this. FNDC are better placed to undertake this assessment and have maps that sit outside of the district plan to manage this. In Willowridge's view, this would be a more efficient, cost-effective, and consistent way to manage this natural hazard risk associated with land instability.

- NH-R5 and NH-R6 require all new buildings and extensions or alterations to buildings that accommodate vulnerable activities to be set back a minimum of 20m from the dripline of any 'contiguous scrub or shrubland, woodlot or forestry', none of which are defined terms. This provision is very similar to that contained in Chapter 12 of the ODP and is often a trigger for single breach resource consents, whereby FNDC typically request approval from Fire and Emergency NZ (FENZ) who assess whether there is adequate provision of firefighting water supply and access. There is considered to be adequate consideration of water supply within the NH-R5 and R6 PER-1 and TRAN-R3-PER-1 provisions. Therefore, it is considered unnecessary to include a setback requirement when there is already adequate provision of the firefighting supply and access requirements, being the key measures required by FENZ.

2.2.4 Coastal Environment and Natural Character Overlay

Willowridge generally support FNDC's efforts to preserve the natural character of the coastal environment in accordance with section 6(a) of the RMA, the New Zealand Coastal Policy Statement (NZCPS) and the RPS. In particular, Willowridge support the mapping approach taken by FNDC to identify the Coastal Environment, and High Natural Character Overlays. It is considered that this method more accurately identifies the CE when compared with the broad-brush zoning approach taken by the ODP. This combined with the delineation of areas that have HNC allows a tiered management approach for land use, subdivision and development within these areas by recognising that natural character varies depending on the characteristics and qualities of each place at the time these were assessed.

While Willowridge are generally supportive of the approach outlined in the CE Chapter, they are concerned with the limited enablement of built form as notified, and it is considered that the provisions have not sufficiently accounted for the attributes of the underlying zones. In particular, rule CE-R1 only provides for buildings and structures that are 300m² or less in urban areas, while only enabling buildings ancillary to farming that are 25m² or less. When these bulk and location controls cannot be met, either discretionary activity or non-complying activity resource consent area required. Willowridge note that the construction of any residential unit within their site of interest would require at a minimum discretionary activity resource consent, despite the site having sufficient RLZ land to establish up to 21 residential units as a permitted activity in accordance with the underlying zone provisions. While Willowridge support controls that manage built form, in their view, the provisions as notified have not struck the balance between avoiding adverse effects and providing for activities that are reasonably anticipated and make up the values of any given environment.

Although Willowridge understand and support the need to protect the qualities and attributes that make up the natural character of the CE, it is considered that these values are variable, and are influenced by the values of the underlying zone which has not been provided for as notified in the PDP. It is considered that this approach is overly restrictive, when considering the nature of the

effects generated. In Willowridge's view, the section 32 evaluation report and supporting Landscape Report do not provide sufficient analysis to support this approach, particularly when considering the varied character and amenity values present cross the Far North District.

2.2.5 Rural Production Zone

The Rural Production Zone (**RPROZ**) is the largest zone (in area) within the Far North District with approximately 65% of land identified. The RPROZ recognises the importance of providing for primary production activities, with a focus on farming, forestry, and horticulture. The RPROZ also provides for other activities that are ancillary to, and support primary production that have a functional need to be located within these environments and acknowledges that recreation and tourism activities may be appropriate in this environment where they are complimentary to the zones function, character and amenity effects.

Willowridge are generally supportive of this approach, however, are concerned with the management approach for residential activities in the RPROZ. As noted in the overview of the chapter provisions, this zone is the largest in area within the Far North, with many communities located outside of urban centres, townships and settlements. Willowridge consider there has been insufficient analysis undertaken with respect residential activities, both in relation to the density controls and enablement of minor residential unit activities. While the Section 32 evaluation and supporting Rural Report prepared by 4Sight Consulting and Market Economics broadly discusses allotment sizes and density controls as key methods for the management of reverse sensitivity, avoidance of land fragmentation and protection of highly versatile soils, it is considered that there is insufficient evaluation of the appropriateness of alternative lot sizes, i.e., the existing ODP 20ha Rural Production Zone. While lot size and density controls are typical in this environment, a 40ha density control is considered to be overly conservative, when taking into account the actual effects of a residential unit in these environments.

Willowridge consider that FNDC should look to recent approaches taken by neighbouring Council's, to establish a regionally consistent approach to manage the productive capacity of the rural environment, particularly in relation to density controls and allotment size thresholds. Furthermore, it is unclear why minor residential activities have been classed as requiring controlled activity resource consent, while it is permitted in other rural zone environments.

2.2.6 Rural Lifestyle Zone

The Rural Lifestyle Zone (**RLZ**) recognises the demand for rural lifestyle living in appropriate areas that are close to transport routes with good access to services in urban areas and settlements. The zone recognises the new framework proposed as part of the PDP, in particular the restrictive subdivision framework for RPROZ and the removal of the Coastal Living Zone. The RLZ recognises the need to continue providing for rural lifestyle and rural residential development that were previously provided by the operative Rural Production and Coastal Living Zones.

Willowridge are generally supportive of the enablement of visitor accommodation activities, and other small scale rural industry and commercial activities such as home businesses and rural produce retail. In terms of the provision of residential activities, Willowridge are supportive of the inclusion of Minor Residential Units as a permitted activity, however, there are concerns with the proposed density controls of one residential unit per 2ha as notified in RLZ-R3. In Willowridge's view

and experience, rural lifestyle allotments vary in size from 5,000m² to 2ha, as the section 32 evaluation reports do not assess the effectiveness of these density controls, it is unclear whether these provisions are the most suitable to achieve the objectives of the zone.

2.2.7 Settlement Zone

Willowridge are generally supportive of the Settlement Zone framework. The provisions are considered to reflect and recognise established development patterns, and provide for existing communities that are established outside of urban centres. While it is recognised that these areas will not be serviced by network infrastructure now or in the future, it is considered a rational approach for providing for development outside of towns and centres where there are infrastructure capacity constraints.

Willowridge are supportive of the range of activities that enabled in the Settlement Zone, in particular the provision of residential activities and some small commercial activities.

2.2.8 Mapping

Orongo Bay is located approximately halfway between Okiato Bay and Kororāreka Russell Township. The surrounding locality is made up of a range of established activities, including a service station, Russell Football Club, oyster processing facilities, Orongo Bay Holiday Park (and a range of other visitor accommodation activities), with a cadastre pattern that reflects allotment sizes that range in size from 2,000m² in Lichen Grove to larger sites of approximately 40ha.

The proposed zoning for the surrounding area is a mix of RLZ, Orongo Bay Special Purpose Zone, Settlement Zone and RPROZ with areas of Open Space Zone. In Willowridge's view, the existing development pattern and combination of activities present in the area is better reflected in the consistent application of a single zoning framework. The PDP proposes a Settlement Zone in accordance with the Planning Standards, which provides for 'areas used predominantly for a cluster of residential, commercial, light industrial and/or community activities' that are located in rural areas or the coastal environment. As discussed above, the surrounding locality includes a mix of activities, including a service station, small scale industrial/commercial activities, recreational activities and clusters of residential activities. Based on the existing development pattern of the area and taking into account the zoning framework proposed, in Willowridge's view, it is considered that the subject site, and the wider locality would best align with the Settlement Zone framework. This would enable coherent and coordinated development of the locality, establish a cogent zoning pattern and is considered to be the most effective and efficient way in achieving the purpose of the RMA, as shown in **Figure 4**.

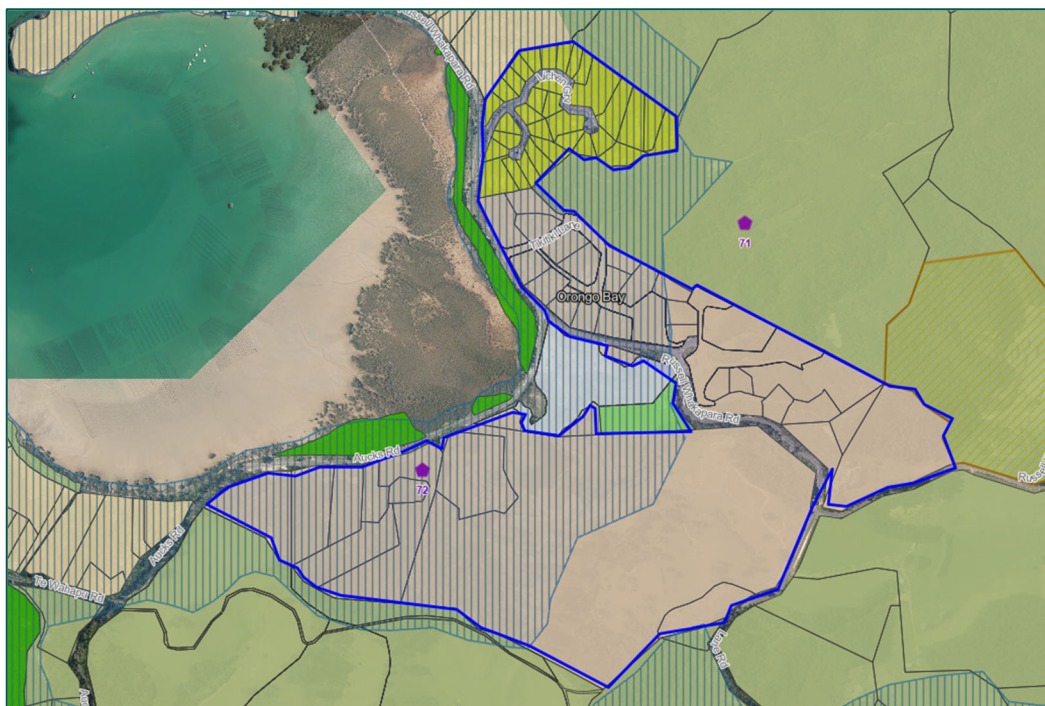


Figure 4: Willowridge’s requested Zoning Change to Settlement Zone

3.0 Conclusion

In conclusion, Willowridge seeks the following relief:

- (a) That Willowridge’s general comments in Section 2.0 and specific feedback are addressed through decisions on the PDP and that the specific amendments sought in **Attachment 1** are made; and
- (b) Any further necessary consequential amendments required to achieve (a) above.

Willowridge looks forward to working collaboratively with FNDC to address the above relief and is happy to meet with FNDC policy staff or consultants to work through these matters.

Willowridge Submission on PDP



Attachment 1: Specific Submission Points on PDP

Sub #	Feedback Topic	Support/Oppose/Seek Amendment	Comments / Reasons	Relief Sought
Part 1 – Introduction and General Provisions – Interpretation - Definitions				
1	Definitions	Seek amendment	The PDP includes activity-based rules which manage the establishment and operation of activities within zones and sites. Willowridge note that no definition nesting tables are used in the Draft PDP. Willowridge consider that it is worthwhile to include nesting tables to provide certainty for plan users as to what activities are captured in the rules. The introduction and explanation of nesting tables would need to be included within the Definitions Chapter.	Willowridge seek that FNDC incorporate nesting tables into the definitions chapter. S250.001
Part 2 – District Wide Matters – Strategic Direction				
2	Strategic Direction Chapter	Seek amendment	The Strategic Direction chapters do not contain policy which give effect to proposed objectives. Willowridge consider that there is no clear policy direction to give effect to the proposed objective which could lead to an ineffective plan.	The strategic direction chapter be reconsidered to provide clear direction for growth and development throughout the Far North District. S250.002 Insert appropriate policies in to the Strategic Direction chapters to give effect to strategic direction objectives. FNDC establish a centre hierarchy to set a clear policy direction for the larger urban

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Willowridge Submission on PDP



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				<p>areas within the District and amend zoning as necessary to implement the hierarchy. Including for the management of growth outside of urban areas, and how this informs the zone framework of the rural environment.</p> <p>Proposed objectives be evaluated in accordance with section 32AA to confirm that these are the most appropriate objectives.</p>
<p>Part 2 – Hazards and Risks – Natural Hazards</p> <p>Rules and Standards</p>				
3	NH-R2	Seek amendment	<p>The PDP seeks to manage the risk from natural hazards to people, property and infrastructure. Willowridge’s site of interest is subject to Flood hazards, while Willowridge appreciates the importance of managing risk from natural hazards, it considers that existing activities and buildings should be recognised and provided for. Willowridge consider that the default performance standard of no increase in GFA or footprint of structures, is overly restrictive and will require unnecessary resource consent applications.</p>	<p>That NH-R2 be amended to provide for additional and alterations to existing activities as a permitted activity.</p> <p style="text-align: center;">S250.003</p>
4	NH-R5 and NH-R6	Seek amendment	<p>As detailed in the body of the submission, Willowridge generally supports the</p>	<p>Amend rules NH-R5 and NH-R6 to remove PER-2 of each rule.</p>

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Willowridge Submission on PDP

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			management of wild fire in the PDP. It is considered that the risks to and of wild fire are suitably managed by the requirements to provide for a firefighting water supply in the Subdivision chapter. Further, the Transport Chapter requires adequate standards for access for firefighting vehicles, which are also duplicated in PER-1 of rules NH-R5 and NH-R6. Willowridge does not consider it necessary to require a 20m setback from the dripline of bush areas, where the requirements of water supply and access are met.	S250.004 and S250.005

Part 2 – Natural Environment Values – Ecosystems and Indigenous Biodiversity

Rules and Standards

5	Rules IB-R1-R4	Oppose	Willowridge are concerned with the approach proposed by FNDC with regards to the management of ecosystems and indigenous biodiversity. Particularly the reference to SNA throughout all the permitted standards. While Willowridge recognise the need to protect areas of significant indigenous vegetation and habitats in accordance with section 6 of the RMA, it is considered that the provisions as notified are overly onerous as	Amend IB-R1-R4 to include maximum clearance thresholds. S250.006, S250.007, S250.008 and S250.009
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Willowridge Submission on PDP



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			they require an assessment of all areas of indigenous vegetation to be undertaken to determine whether compliance with the permitted activity thresholds. This is considered to be overly onerous as the assessment would need to be undertaken by a suitably qualified ecologist. For these reasons, Willowridge consider these provisions need to be reconsidered, with appropriate indigenous vegetation clearance thresholds proposed to allow plan users and decision-makers to easily determine compliance.	
<p>Part 2 – Subdivision</p> <p>Rules and Standards</p>				
6	SUB-R6 Environmental Benefit Subdivision	Support, seek amendments	Willowridge support the inclusion of an environmental benefit subdivision (EBS) in the PDP. However, it is unclear how the identified thresholds in Table 1 have been established. Whilst this is mentioned in the section 32, there is no ecological assessment to confirm that an environmental benefit would be achieved by those thresholds or in fact whether the number of allotments proposed would achieve an appropriate level of environmental benefit. It is considered that this is required to understand whether these	Review and amend the EBS provisions to achieve the following (or relief to the same or similar effect): <ul style="list-style-type: none"> • Confirm the environmental benefit of enabling greater subdivision opportunities through the protection of indigenous biodiversity with evidence prepared by an ecologist; • Provide for EBS where ecological enhancement and restoration is provided for;

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Willowridge Submission on PDP

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			<p>are appropriate. Further, it is considered that environmental outcomes could be improved with a provision that promotes ecological enhancement and or restoration.</p> <p>Furthermore, Willowridge note that the EBS provisions do not promote the protection of other natural resources such as heritage resources, cultural heritage resources, ONL's or ONF's that could also be considered to achieve net public benefits where permanent protection is achieved through subdivision. In Willowridge's view, there is an opportunity to provide wider protections and achieve greater net public benefit through subdivision.</p>	<ul style="list-style-type: none"> Include EBS provisions for the protection of other natural environment and physical resources that are identified as being nationally important in accordance with section 6 of the RMA. <p>S250.010</p>
7	SUB-R20 Subdivision of a site within the Coastal Environment (excluding Outstanding Natural Character Areas)	Oppose	<p>SUB-R20 defaults all subdivision with the CE a discretionary activity. Willowridge consider this to be a blunt approach to the management of subdivision within the CE, in the context of the minimum allotment size provisions provide in SUB-S1. Subdivision does not necessary require physical works and does not always propose or introduce built form. Further, the PDP already contains provisions for the management of built form, land disturbance and vegetation clearance (i.e., Rules CE-R1 and CE-R3, and standards CE-S1 and CE-S3).</p> <p>While it is understood that NZCPS requires the avoidance of adverse effects of</p>	<p>Delete rule, and review the provisions, incorporating either a targeted policy or assessment criteria in the rule SUB-R13.</p> <p>S250.011</p>

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Willowridge Submission on PDP

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			subdivision on the natural character of the coastal environment, it is considered that this could be achieved through appropriate matters of control/discretion or assessment criteria elsewhere in the subdivision provisions, i.e., in SUB-R13 or SUB-P11.	
8	SUB-S1 Minimum allotment sizes	Support, seek amendment	Willowridge generally supports the intent of this standard and the framework to provide for subdivision at varying allotment sizes across environments. Particularly, the intentions to protect highly versatile soils, manage the fragmentation of productive land, and to avoid reverse sensitivity effects from arising. However, in Willowridge’s view, 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. In particular, Whangārei District Council who have recently been through a plan change that gives effect to the RPS, provide for subdivision as a controlled activity where allotment sizes are a minimum of 20ha. These provisions have been tested through the Schedule 1 Plan Making process and are considered to achieve the outcomes sought by the zone, while giving effect to higher order documents.	<ul style="list-style-type: none"> • That FNDC to 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. • That FNDC 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. <p style="color: red; text-align: center;">S250.012</p>

Willowridge Submission on PDP

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			Finally, 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. It is common practice to align these controls to provide consistent outcomes across land use and subdivision controls.	
Part 2 – District Wide Matters – Coastal Environment				
Objectives				
9	CE-O1	Support	Willowridge generally support the intention of this objective as it is considered to align with the RPS and Section 6(a) of the RMA.	Retain as notified. S250.013
Policies				
10	CE-P1	Support	Willowridge support the identification methods and intention of this policy as it aligns with Policy 4.5.1 and Method 4.5.4 of the RPS.	Retain as notified. S250.014
11	CE-P10	Support, seek amendment	Willowridge support FNDC’s approach to provide a ‘manage’ policy to provide plan-users and decision-makers key matters to consider as part of a resource consent. Ballantyne & Agnew seek amendments to improve consistency and clarity. Clause (l) relates to the quality of coastal waters, this is	Amend CE-P10 as follows: S250.015 <i>“CE-P10 Manage land use and subdivision to preserve and protect the natural character of the coastal environment, and to address the effects of the activity requiring resource consent, including (but not limited to)</i>

Willowridge Submission on PDP

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			<p>considered to be a function of regional council and is considered inappropriate.</p>	<p><i>consideration of the following matters where relevant to the application:</i></p> <ul style="list-style-type: none"> <i>a. the presence or absence of buildings, structures or infrastructure;</i> <i>b. the temporary or permanent nature of any adverse effects;</i> <i>c. the location, scale and design of any proposed development;</i> <i>d. any means of integrating the building, structure or activity <u>into the wider landscape and maintenance of any significant ridgelines</u>;</i> <i>e. the ability of the environment to absorb change;</i> <i>f. the need for and location of earthworks or vegetation clearance;</i> <i>g. the operational or functional need of any regionally significant infrastructure to be sited in the particular location;</i> <i>h. any viable alternative locations for the activity or development;</i> <i>i. any historical, spiritual or cultural association held by tangata whenua,</i>

Willowridge Submission on PDP

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				<p><i>with regard to the matters set out in Policy TW-P6;</i></p> <p><i>j. the likelihood of the activity exacerbating natural hazards;</i></p> <p><i>k. the opportunity to enhance public access and recreation;</i></p> <p><i>l. the ability to improve the overall quality of coastal waters; and</i></p> <p><i>m. any positive contribution the development has on the characteristics and qualities, including ecological enhancement and / or restoration."</i></p>
12	CE-R10	Seek amendment	<p>The PDP seeks to manage the risk from natural hazards to people, property and infrastructure. Willowridge’s site of interest are subject to Coastal Flood hazards, while Willowridge appreciate the importance of managing risk from natural hazards, it considers that existing activities and buildings should be recognised and provided for. Willowridge consider that the default performance standard of no increase in GFA or footprint of structures, is overly restrictive</p>	<p>Amend CE-R10 to provide for additional and alterations to existing activities as a permitted activity.</p> <p style="color: red; text-align: center;">S250.016</p>

Willowridge Submission on PDP

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			and will require unnecessary resource consent applications.	
Rules and Standards				
13	CE-R1 New buildings or structures, and extensions or alterations to existing buildings or structures	Seek amendment	As detailed in the general comments, and summarised again here, in Willowridge’s view the CE does not provide sufficient nuance or recognise the varied environments of the underlying zones. This is considered relevant in both the urban and non-urban environments described in the rule, particularly as it relates to the enablement of built form that cannot meet the permitted activity thresholds described in PER-1 and PER-2 of the CE-R1. Willowridge note that the construction of any residential unit within their site of interest would require discretionary activity resource consent, despite the site having sufficient RLZ land that has to establish as up to 21 residential units as a permitted activity in accordance with the underlying zone provisions. It is considered that this approach is overly restrictive, when considering the nature of the effects generated. The section 32 evaluation report and supporting Landscape Report provided as Appendix 1 do not provide sufficient analysis	<ul style="list-style-type: none"> Amend CE-R1-PER-1 to remove clause (1) that relates to building footprint. Amend CE-R1-PER-2 to remove clause (1). Review the building footprint controls proposed in clause (2) and provide for appropriate building footprints that reflect the varied values of each zone environment. Incorporate a restricted discretionary activity to CE-R1 with targeted matters of discretion to provide for activities that cannot comply with the permitted standards where the proposal is outside of HNC and ONC areas. <p style="text-align: center; color: red;">S250.017</p>

Willowridge Submission on PDP

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			to support this approach, particularly when considering the varied character and amenity values present cross the Far North District.	
14	CE-S1 Maximum height	Oppose in part	For the same reasons described above, in Willowridge’s view the narrow approach for the management of height in the CE is considered to inadequately provide for the variable values of existing environments and underlying zones. For example, the CE-S1 limits all built form irrespective of the underlying zone to 5m. This fails to take into account areas that are zoned either mixed use or industrial where height limits are set at 12m, with many existing buildings that already exceed this proposed limit. For these reasons, the 5m height limit is considered inappropriate in these environments. However, as the section 32 evaluation does not include analysis of height limits in each zone it is unclear what the most appropriate heights should be.	Review the height limits proposed in CE-S1 and provide tailored height limits for each zone. S250.018

Part 3 – Area-Specific Matters

Sub #	Feedback Topic	Support/Oppose/Seek Amendment	Comments / Reasons	Relief Sought
Rural Production Zone				
Policies				
15	RPROZ-P6	Seek amendment	Willowridge consider this policy to be too narrow, focussing too heavily on farming activities, rather than the productive capability of the zone. It is considered that this policy should be broadened to encompass all primary production activities.	Amend RPROZ-P6 as follows: <p style="text-align: right; color: red;">S250.019</p> “Avoid subdivision that: <ol style="list-style-type: none"> a. results in the loss of highly productive land for use <u>primary production by farming</u> activities; b. fragments land into parcel sizes that are no longer able to support <u>farming activities productive capacity of the rural environment</u>, taking into account: <ol style="list-style-type: none"> 1. the <u>productive capability of soils type of farming proposed</u>; and 2. whether smaller land parcels can support <u>more productive activities forms of farming</u> due to the presence of highly productive land. c. provides for rural lifestyle living unless there is an environmental benefit.”

Willowridge Submission on PDP



Sub #	Feedback Topic	Support/Oppose/Seek Amendment	Comments / Reasons	Relief Sought
<u>Rules and Standards</u>				
16	PROIZ-R3 Residential Activity	Seek amendment	<p>The RPZ limits residential development to one unit per 40ha, up to a maximum of 6 per site and will now require discretionary activity resource consent for non-compliance with either of these standards. It is clear that this framework has been established to maintain the productive capability of the rural environment, and Willowridge are generally supportive of the intent of this approach. However, it is considered that the section 32 does not provide sufficient assessment regarding the density controls primarily focussing on allotment sizes for subdivision. Willowridge note that FNDC have opted to adopt the 40ha minimum allotment size as the permitted standard to align with the subdivision standards, however, this fails to recognise the functional need to accommodate multiple residential units on a single site for activities such as farming or horticulture where workers may be required to reside on site or where there is a need to provide housing for family. Willowridge note that the Whangārei District Plan and Kaipara’s Exposure Draft Plan each have rule</p>	<p>Amend PROZ-R3-PER-1 to allow for at a minimum, one residential unit per 20ha.</p> <p style="color: red; font-weight: bold;">\$250.020</p>

Willowridge Submission on PDP

Sub #	Feedback Topic	Support/Oppose/Seek Amendment	Comments / Reasons	Relief Sought
			frameworks that would provide for two residential units per 40ha. It is considered that these provisions should be amended to align with adjacent Councils to provide a more consistent region wide approach to the management of RPZ land.	
17	RPROZ-R4 Visitor Accommodation	Support	Willowridge support the enablement of visitor accommodation in the PRZ.	Retain as notified. S250.021
18	RPROZ-R9 Recreational Activity	Seek amendment	As outlined above, the rule title is inconsistent with the defined term 'Recreation Activity' in the Definitions Chapter. It is considered that this should be revised to improve consistency and legibility.	Amend RPROZ-R9 to be consistent with definition. S250.022
19	RPROZ-R15 Plantation forestry and plantation forestry activity	Seek amendment	There is an error in the rule title.	Amend RPROZ-R15 to delete the repeated 'and'. S250.023
20	RPROZ-R19 Minor Residential Unit	Support, seek amendments	Willowridge support the inclusion of a minor residential unit rule in the RPROZ, however, considers this can be appropriately managed as a permitted activity with the same clauses applied. Further, it is noted that this rule does not contain any matters of control making it unclear whether this is supposed to be a permitted or a controlled activity or define the parameters over which Council limits its control.	Amend RPROZ-R19 activity status to make a permitted activity. S250.024

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Willowridge Submission on PDP

Sub #	Feedback Topic	Support/Oppose/Seek Amendment	Comments / Reasons	Relief Sought
21	RPROZ-R22 Rural Tourism Activity	Support	Willowridge support this, as it provides for tourism activities within the rural environment which have a functional need to be located here.	Retain as notified. S250.025
Part 3 – Area-Specific Matters				
Rural Lifestyle Zone				
Rules and Standards				
22	RLZ-R3	Support, seek amendment	Willowridge are generally supportive of the PDP approach to recognise and provide for rural lifestyle living activities, and the intentions of the density control. However, as detailed above, the Section 32 Report lacks analysis to conclusively determine that the 2ha threshold proposed is the most effective and efficient way to achieve the objectives of the zone and overall purpose of the RMA. It is considered that rural lifestyle living could be easily accommodated on a range of allotment sizes ranging from 5,000m ² to 2ha as provided in the ODP Coastal Living Zone.	Amend RLZ-R3-PER to provide for residential intensity of one residential unit per 5,000m ² as a permitted activity. S250.026
23	RLZ-R4	Support	Willowridge are supportive of the provision of small-scale visitor accommodation in this zone.	Retain as notified. S250.027
24	RLZ-R11	Support, seek amendments	Willowridge are supportive of the intention of this rule, particularly recognising the need and providing for minor residential units as a	Amend RLZ-R11 as follows:

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Willowridge Submission on PDP


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			permitted activity. However, Willowridge considers that either a controlled or restricted discretionary activity control should be considered where compliance cannot be achieved with clauses PER-1 to 4. Particularly, PER-4 where there may a functional purpose or physical constrains that requires a larger separation distance. Further, the justification for requiring a minimum of 1ha to make use of this provision is unclear. In Willowridge’s view, this clause could be removed.	<ul style="list-style-type: none"> Remove PER-2, alternatively, provide justification as to why this density control is necessary; Introduce a controlled or restricted discretionary activity with targeted matters/limits to manage the effects of clauses PER-1-4. <p style="text-align: center;">S250.028</p>
25	RLZ-S3	Seek amendment	Willowridge appreciates bulk and location controls are used to manage the localised amenity and effects between sites and its influence the wider character and amenity of the environment. However, it is unclear why a tiered setback approach has been taken in this instance for sites that are 5,000m ² or less vs larger sites. Willowridge prefers a consistent approach to managing siting and design, to reduce confusion.	<p>Amend RLZ-S3 to have one setback standard for side boundaries.</p> <p style="text-align: center;">S250.029</p>
Mapping				
26	Land Susceptible to Land Instability	Support	As detailed above, it is Willowridge’s view that the definition proposed to identify and manage <i>Land Susceptible to Land Instability</i> is	FNDC to map land instability as a non-statutory information layer showing areas of low, medium and high instability.

Willowridge Submission on PDP

Sub #	Feedback Topic	Support/Oppose/Seek Amendment	Comments / Reasons	Relief Sought
			complex. It is considered that this risk would be more efficiently managed if it was mapped and clearly identified, ensuring consistent application of the definition and management of the hazard.	S250.030
27	Zoning	Seek amendment	<p>In Willowridge’s view, and as outlined in the overall submission, it is considered that the wider locality of Orongo Bay should be rezoned to Settlement Zone for the following reasons:</p> <ul style="list-style-type: none"> • There is a range of commercial, industrial, residential and recreational activities established within the locality that align with the purpose of the Settlement Zone; and • Applying a consistent and singular zoning pattern would provide an opportunity to achieve a more coherent and coordinated management approach for the areas. 	<p>That FNDC rezone the land identified in Figure 4 of the submission to Settlement Zone.</p> <p>S250.031</p>

Willowridge Submission on PDP

Attachment 2: Site Details

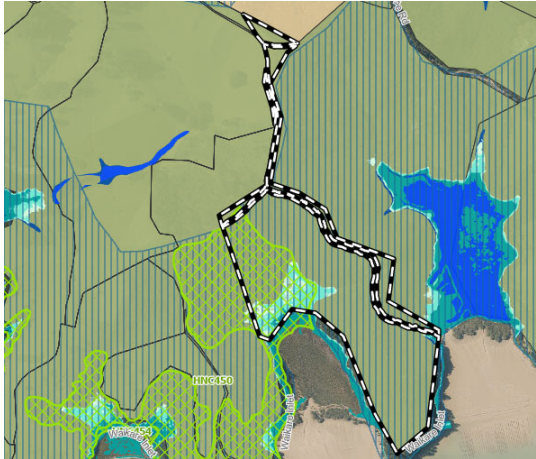
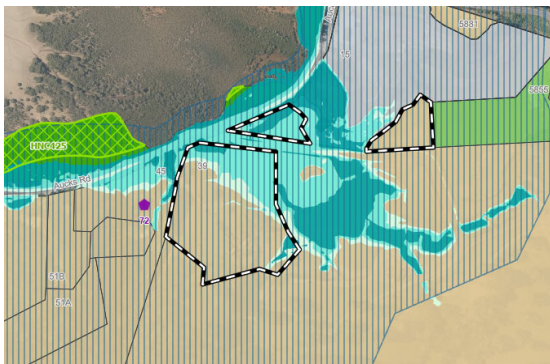
Address	Operative District Plan (ODP)	Proposed District Plan (PDP)
<p>Null Lane Road, Russell Lot 1 DP 542129</p> 	<p>Zone: Coastal Living Overlays: NRC-Flood Susceptible Land</p>	<p>Zone: Rural Lifestyle Overlays: Coastal Environment</p> <p>Coastal Flood Hazard 3 – 100 year + rapid sea level rise</p> <p>Coastal Flood (Zone 2: 100 Year Scenario)</p> <p>Coastal Flood (Zone 1: 50 Year Scenario)</p>
<p>Null Lane Road, Russell Lot 2 DP 542129</p> 	<p>Zone: Coastal Living Overlays: None</p>	<p>Zone: Rural Lifestyle Overlays: Coastal Environment</p>
<p>No Physical Address</p>	<p>Zone: General Coastal</p>	<p>Zone: Rural Production</p>

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<p>Section 24 Block V Russell Survey District and Lot 1 – 319371</p> 	<p>Overlays: None</p>	<p>Overlays: High Natural Character – Ref – 450</p> <p>Coastal Flood Hazard 3 – 100 year + rapid sea level rise</p> <p>Coastal Flood (Zone 2: 100 Year Scenario)</p> <p>Coastal Flood (Zone 1: 50 Year Scenario)</p> <p>River Flood Hazard Zone -100 Year ARI Event</p>
<p>39 Aucks Road, Russell Lot 1 DP 187577 and Lot 3-4 DP 420232</p> 	<p>Zone: Coastal Living</p> <p>Overlays: NRC-Flood Susceptible Land</p>	<p>Zone: Rural Lifestyle</p> <p>Overlays: Coastal Environment</p> <p>Coastal Flood Hazard 3 – 100 year + rapid sea level rise</p> <p>Coastal Flood (Zone 2: 100 Year Scenario)</p> <p>Coastal Flood (Zone 1: 50 Year Scenario)</p>
<p>No Physical Address Lot 1 DP 182616</p>	<p>Zone: General Coastal</p> <p>Overlays: None</p>	<p>Zone: Rural Production</p> <p>Overlays: Coastal Environment</p>

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<p>54 Lane Road, Russell Lot 1 DP 190467</p>	<p>Zone: General Coastal Overlays: None</p>	<p>Zone: Rural Production Overlays: Coastal Environment</p> <p>Coastal Flood Hazard 3 – 100 year + rapid sea level rise</p> <p>Coastal Flood (Zone 2: 100 Year Scenario)</p> <p>Coastal Flood (Zone 1: 50 Year Scenario)</p> <p>River Flood Hazard Zone -100 Year ARI Event</p> <p>River Flood Hazard Zone 10-Year ARI Event</p>