

Form 5

Submission on notified proposal for policy statement or plan, change or variation

[Clause 6](#) of Schedule 1, Resource Management Act 1991

To Far North District Council

Name of submitter: Ironwood Trust Limited

This is a submission on the Proposed District Plan for the Far North District. (the **proposal**):

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

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 effects of trade competition.

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

The identification of areas of High Natural Character (*HNC*), Outstanding Natural Landscape (*ONL*) and provisions relating to the Coastal Environment.

My submission is:

The submitter owns land at Jack's Bay and Waipiro Bay in the Bay of Islands. Some of the submitter's property is in the Settlement Zone (at Jack's Bay) and the balance is in the Rural Production Zone.

A portion of the land at Jack's Bay is also subject to the HNC and ONL overlays referred to above in terms of the proposed plan's provisions. The submitter considers that the extent of the restrictions imposed by these overlays do not reflect the state of the subject property as it currently is, which is that of a developed and modified human landscape containing buildings and other domestic infrastructure with the majority of the land not having qualities that could reasonably be described as having high natural character or comprise an outstanding natural landscape.

In particular the land subject of the HNC overlay was historically given over to pastoral farming and aside from an area of wetland, currently contains secondary growth species largely comprising manuka, kanuka and assorted weed species.

Moreover the land on the headland to the north of Jack's Bay within the Settlement Zone have been subdivided into residential sites. Some of these currently contain dwellings and there is a reasonable expectation that all sites will be used for residential purposes.

While these sites enjoy an attractive aesthetic, due to the predominantly human landscape qualities exhibited by the specific property and environs, which include dwellings and infrastructure as well as roading they cannot be considered to meet the high bar of having the HNC and ONL and values ascribed to them.

Jack's Bay Properties



The aerial photograph above shows the nature of the properties at Jack's Bay, which when assessed in greater detail demonstrates that the imposition of controls intended to manage development in highly sensitive areas are inappropriate in this context and will make the reasonable use and development of these properties unfairly and unnecessarily constrained.

Accordingly the submitter seeks that the HNC and ONL notations be removed from the land at Jacks Bay such that the submitter can continue to use his land in a manner consistent with the present planning regimen.

The extract from the planning maps below the Proposed Plan illustrates the parts of the Jack's Bay properties from which the submitter seeks to have the HNC and ONL notations removed.

The balance of the submitter's land and the site at Waipiro Bay illustrated below are subject to the Coastal Environment overlay.

Waipiro Bay Property



As a corollary to the above, the submitter considers that the proposed standards that apply to activities located within the overlays identified above would limit the reasonable development of land to an extent that is unnecessarily onerous and inconsistent with the purpose of the Act.

Further, the submitter considers that the activity status imposed on activities within the coastal environment are unnecessarily onerous. These include the identification of farming and forestry as discretionary activities, setbacks from MHWS and imitations on the height and colour of buildings.

The submitter seeks the following decision from the local authority:

1. That the HNC and ONL overlays be removed from the submitter's properties at Jack's Bay to the extent shown in the area shaded blue on the excerpt from the planning maps below.

S492.001 and S492.002



2. Without derogating from the above:
 - that provisions limiting the height, area and defining the colours and reflectivity of new buildings in ONLs be removed. S492.003
 - that all provisions in the plan that require activities located within an identified ONL to be assessed as non-complying activities be deleted. S492.004

3. With respect to controls over activities in the coastal environment overlay that:
 - the provisions within in the plan that impose limitations on the area, height and exterior finishes of new buildings located within the coastal environment overlay be deleted. S492.005
 - standards limiting the aerial extent and height of cut and fill of earthworks be deleted. S492.006

4. That the standard requiring buildings within the Rural Production Zone be set back 30 metres from MHWS be deleted. S490.007

I wish to be heard in support of my submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke extending to the right.

Signature of submitter

Owen Burn as duly authorised agent for the Ironwood Trust Limited

Date 20th October 2022

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