



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:

<b>Full Name:</b>	Des and Lorraine Morrison		
<b>Company / Organisation Name: (if applicable)</b>			
<b>Contact person (if different):</b>	Des Morrison   Vicki Morrison-Shaw		
<b>Full Postal Address:</b>	17 Butcher Road, Pukekohe 2120		
<b>Phone contact:</b>	<b>Mobile:</b> 027 305 5129 (Des)	<b>Mobile:</b> 0275 720 883 (Vicki)	<b>Work:</b>
<b>Email (please print):</b>	<a href="mailto:des.lorraine@xtra.co.nz">des.lorraine@xtra.co.nz</a>   <a href="mailto:vicki@morrisonshaw.nz">vicki@morrisonshaw.nz</a>		
I could not gain an advantage in trade competition through this submission			
<b>The specific provisions of the Plan that my submission relates to are:</b> <i>(please provide details including the reference number of the specific provision you are submitting on)</i>  The proposed zoning of the following properties: <ul style="list-style-type: none"> <li>• 19 James Street, Russell</li> <li>• 24 James Street, Russell</li> <li>• 34 Pukematu Lane, Russell</li> <li>• 36 Pukematu Lane, Russell</li> <li>•</li> </ul> The provisions of the Rural Production Zone, the Kororāreka Township Zone, and the subdivision rules applying to these zones			
Confirm your position: <input type="checkbox"/> <b>Oppose in part and seek changes</b>			
<b>My submission is:</b> <i>(Include details and reasons for your position)</i>  <b>Please see attached Submission document</b>			



<p><b>I seek the following decision from the Council:</b> <i>(Give precise details. If seeking amendments, how would you like to see the provision amended?)</i></p> <p><b>Please see attached Submission document</b></p>
<p>I <b>wish</b> to be heard in support of my submission</p>
<p>If others make a similar submission, I will consider presenting a joint case with them at a hearing <b>Yes</b></p>
<p>Do you wish to present your submission via Microsoft Teams? <b>No</b> – would prefer in person</p>
<p><b>Signature of submitter:</b> <i>(or person authorised to sign on behalf of submitter)</i></p> <p></p> <p>Vicki Morrison-Shaw <b>Date: 11 October 2022</b></p> <p><i>(A signature is not required if you are making your submission by electronic means)</i></p>

**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](mailto: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](http://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.

**SUBMISSION NUMBER**



**SUBMISSION ON PROPOSED FAR NORTH DISTRICT PLAN**  
**DS & LA MORRISON**

**EXECUTIVE SUMMARY**

1. This submission seeks a change of zoning for four adjacent land blocks in Russell:
  - (a) 19 and 24 James Street; and
  - (b) 34 and 36 Pukematu Lane;

(together, **the Land**) from Rural Production to Kororāreka Russell Township zone.
2. Such a zoning more appropriately recognises the land's location within the town basin, its topography, contours and natural characteristics and the existing infrastructure to and on the Land. It is more consistent with the surrounding land uses and zoning within the town basin and will provide additional residential capacity over the life of the plan, with the proposed high natural character and coastal environment overlays ensuring that any development enabled by the plan remains at a scale appropriate to the environment. Such a zoning is also more consistent with the objectives and policies of the relevant policy and plan documents and with Part 2 of the Resource Management Act 1991 (**RMA**).
3. If the primary relief sought is not accepted and Rural Production zoning is to remain, alternative relief is sought to the environmental benefit subdivision rule (SUB-R6) to allow one additional lot for every 1 ha of significant vegetation or significant indigenous habitat to be legally protected, where that lot is adjacent to a residential or open space zone in the coastal environment.
4. Changes are sought to enable papakāinga activities to be undertaken on the Land. Consequential and other relief is also sought as may be necessary to address the issues raised in this submission and to give full effect to the changes requested in this submission.

**THE LAND AND THE OWNERS**

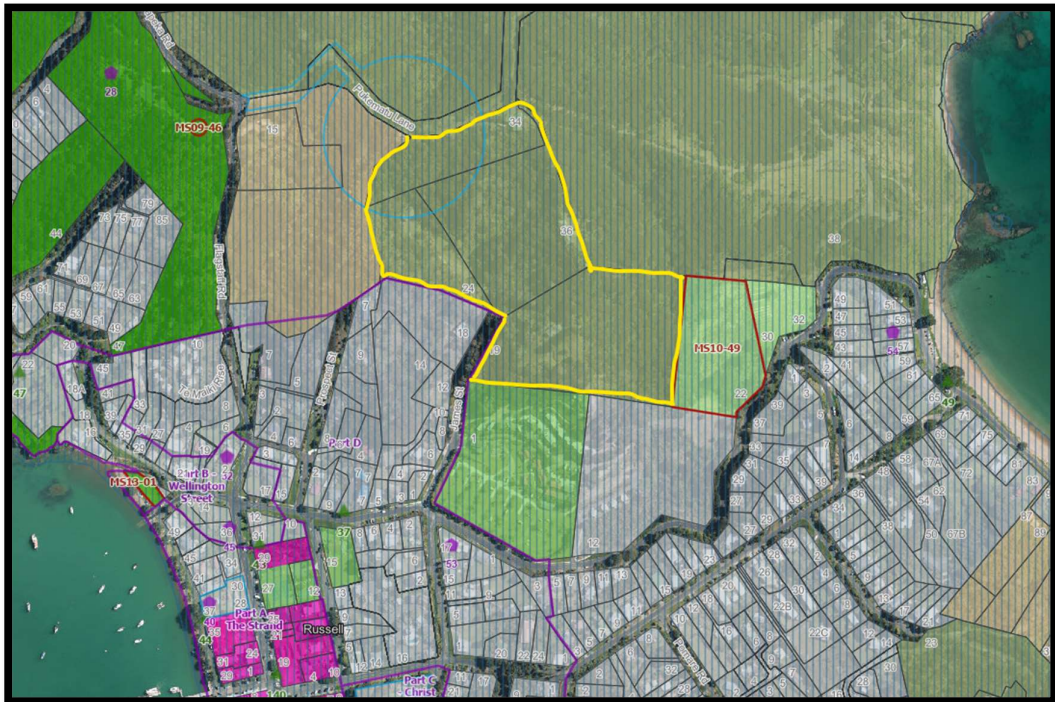
5. The Land to which this submission relates, consists of four adjacent blocks. The owners, address and title details of each block are listed in the following table:

## SUBMISSION ON PROPOSED FAR NORTH DISTRICT PLAN

### DS & LA MORRISON

Owner(s)	Address	Title	Size
Des & Lorraine Morrison	19 James Street, Russell	NA159/163	3.26 ha
Gary & Angela Shortland (Russell Bush House Retreat)	24 James Street, Russell	NA89B/316	1.14 ha
Colwyn Shortland (Pukematu Lodge)	34 Pukematu Lane, Russell	698689	1.21 ha
Gary Shortland	36 Pukematu Lane, Russell	698690	2.63 ha
			<b>8.24 ha</b>

6. In the Proposed FNDC Plan this area is zoned Rural Production. This zoning (light green) and the external boundaries of the Land (yellow line) is shown in the excerpt from the proposed Far North District planning maps below:



**Plan 1: Proposed District Plan zoning for the Land**

7. As the above map shows:
- (a) the northernmost boundary of the Land borders Pukematu Lane and the western boundaries interface with the Rural Lifestyle zone and the Kororāreka Russell Township zone fronting on to James Street;
  - (b) the southern boundary interfaces with the Open Plan zone, which is currently leased by the Russell Top 10 Holiday Park Camping Ground, and Kororāreka

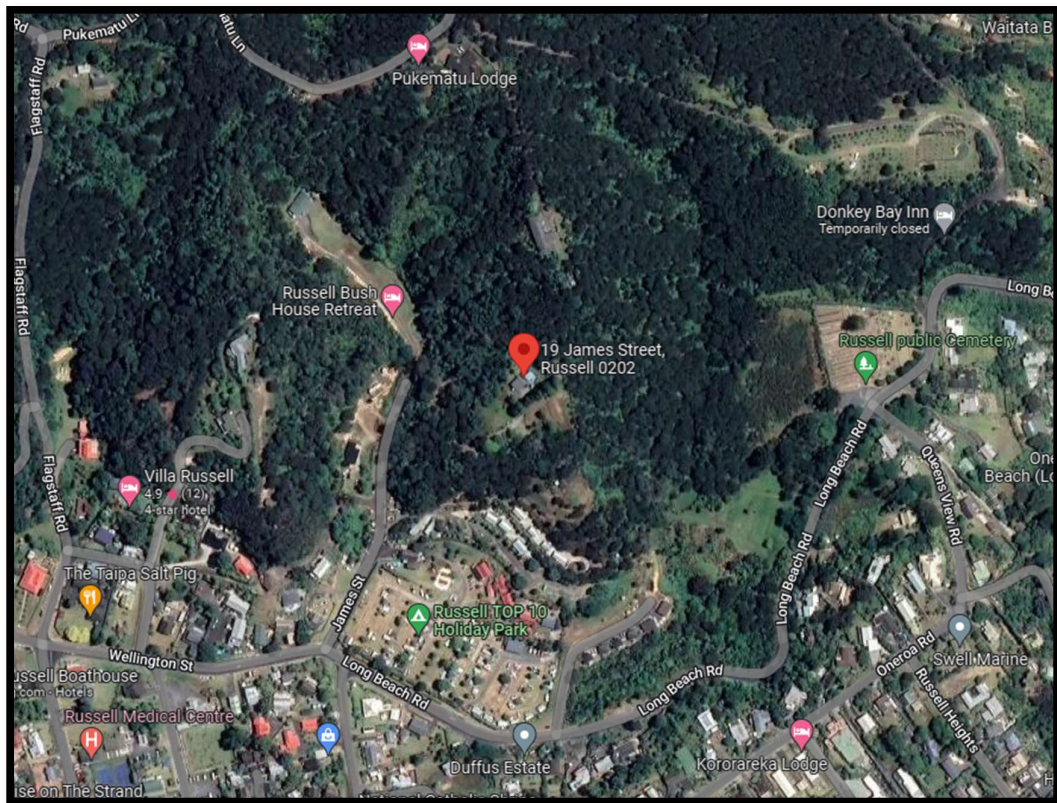
## SUBMISSION ON PROPOSED FAR NORTH DISTRICT PLAN DS & LA MORRISON

Russell Township zone fronting on to Long Beach Road. Pensioner flats occupy part of this area (Duffus Estate);

(c) the eastern boundary borders the open plan zone area (MS10-49) which is the proposed site for a Marae. This is adjacent to the Russell Cemetery; and

(d) the north easterly boundary borders the Rural production zone.

8. The Land has a south-west aspect and as such is contained within the Russell township basin.



Plan 2: Aerial view of the Land and surrounding properties

9. Photographs showing each of the properties are contained in **Appendix A** to this submission.

### CHANGE IN ZONING SOUGHT

10. This submission seeks to change the zoning of the Land from Rural Production to Kororāreka Russell Township zone.

## **SUBMISSION ON PROPOSED FAR NORTH DISTRICT PLAN**

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11. As shown on Plan 1 above, our proposed extension to the urban boundary follows a direct line from the cemetery to the ridgeline for the property at 19 James Street. At the intersection with property 36 Pukematu Lane, the proposed urban boundary heads to the northwest following the ridge and property boundaries of 34 and 36 Pukematu Lane.

### **REASONS WHY KORORĀREKA RUSSELL TOWNSHIP ZONE IS MORE APPROPRIATE**

12. The reasons why we say Kororāreka Russell Township zone is a more appropriate zone for this property are:
  - (a) it better aligns with topography and surrounding land uses;
  - (b) the availability and presence of existing infrastructure;
  - (c) there is no rural production use, and the Land is not suitable for such usage;
  - (d) the Land is not consistent with the Rural Production zone provisions;
  - (e) the Land is subject to the coastal environment and high natural character overlays;
  - (f) the Land is consistent with the Kororāreka Russell Township zone provisions;
  - (g) the Land will provide additional growth capacity;
  - (h) Kororāreka Russell Township zoning is more consistent with higher order RMA policies and plans;
  - (i) Kororāreka Russell Township zoning is more consistent with the purpose and principles of the RMA.
13. We briefly expand on these reasons in the following sections. These matters will be fleshed out further in the submissions and evidence we call in support of our position at the hearing.

#### **1. Better aligns with topography and surrounding land uses**

14. Amending the zoning of the Land would redefine the urban boundary in a more logical way. Open plan areas (including the camping ground and future marae site) are incorporated into residential and town zoning and shifting the urban boundary to follow the external boundaries of the Land, would follow the ridgeline and better reflect the location of these properties within the Russell Town Basin. Refer **Appendix 1**.



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**2. Availability and presence of existing infrastructure**

15. The Land is all able to be serviced via the existing Russell township infrastructure. There are existing powerlines to all sites, and both James Street and Pukematu Lane are sealed.



**Photograph 1: Pukematu Lane showing sealing and powerlines**

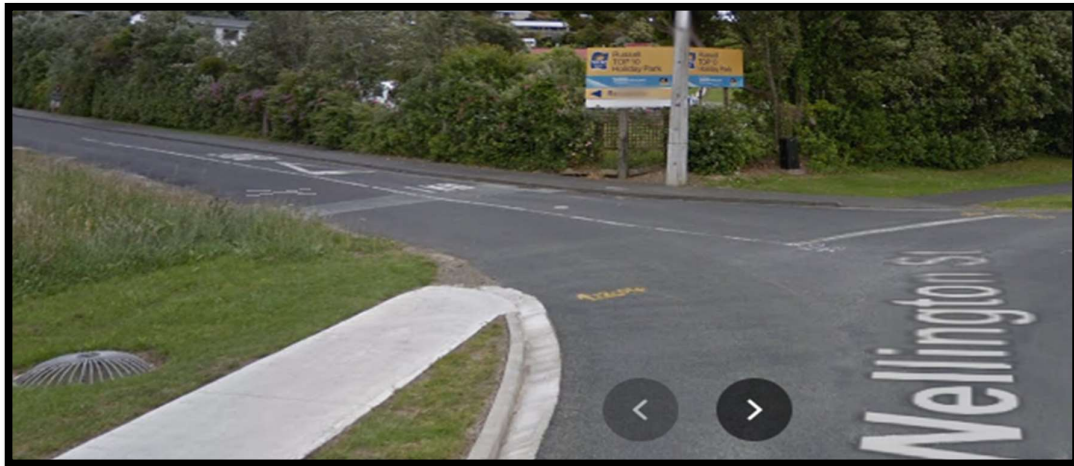
16. James Street is formed and sealed to the boundaries of the Camping Ground and 19 James Street. From there to the entrance of 24 James Street it is a private metalled lane on the surveyed paper road.



**Photographs 2 – 4: James Street showing extent of sealing and powerlines**

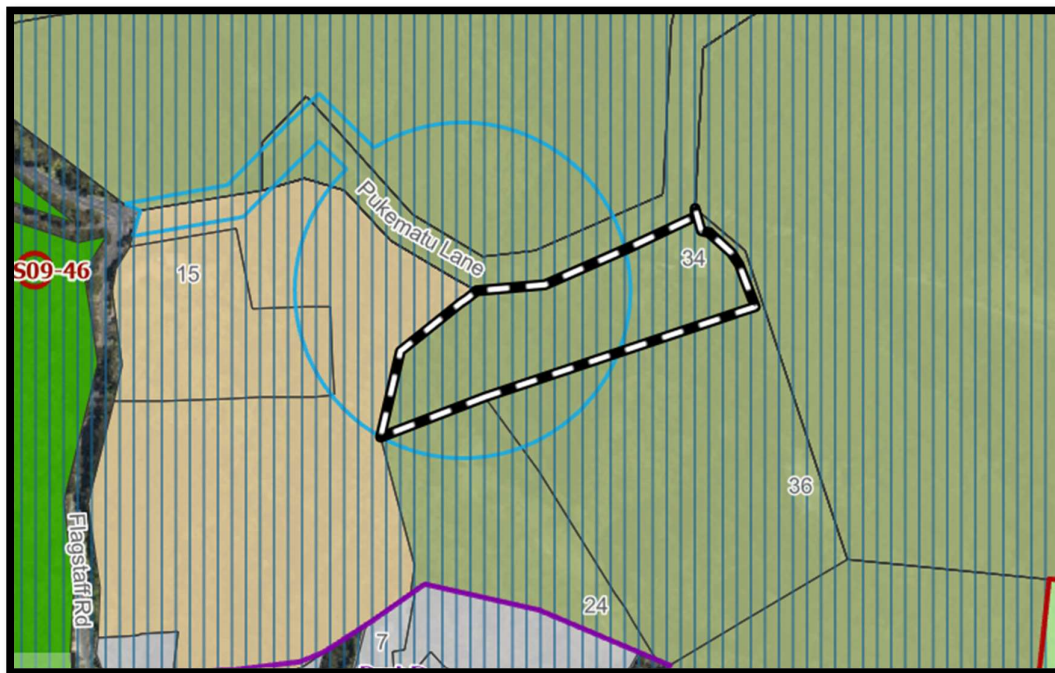
17. A stormwater soak hole/drainage pit is located at the entry to James Street.

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**Photograph 5: Intersection Wellington and James Street stormwater drainage pit**

18. While the Land is not currently connected to the town wastewater system, it is eligible to be. Drinking water, like most of Russell is provided by way of rainwater tanks.
19. Three of the four blocks comprising the Land, namely 24 James Street, 34 and 36 Pukematu Lane are also subject to an infrastructure designation (KL-230) in favour of Kordia Ltd. Refer blue line in Plan 3 below.



**Plan 3: Infrastructure designation**

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20. This designation relates to infrastructure requirements for broadcasting, telecommunications including access and electricity routes to support Russell Township and environs. This designation has been given effect to with telecommunications towers located adjacent to the boundary of 34 Pukematu Lane as shown in the aerial below and photograph.



**Plan 4: Location of telecommunication tower**



**Photograph 6: Telecommunication tower on Pukematu Lane**

21. This infrastructure and its ongoing locational requirements for operation, access, and maintenance is not a Rural Production Zone activity.

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#### **3. No rural production use and Land not suitable for such usage**

22. None of the four blocks are currently used for a rural production purpose and nor, to the respective owners' knowledge, have they been previously used as such. Most of the owners have held long-term ownership interests in the area. The Shortlands are second generation owners having purchased the properties from parents. We have owned the James Street property for 23 years and before that owned a section in Gould Street, Russell for around 8 years which we holidayed at.
23. Each of the four blocks are currently used for residential purposes with one dwelling per block. The property at 34 Pukematu Lane is known as Pukematu Lodge and has guest accommodation as well as being as the owners residence ([www.pukematulodge.co.nz](http://www.pukematulodge.co.nz)). The property at 24 James Street is known as Russell Bush House Retreat and is available for hire as self-catering accommodation.
24. The relatively small sizes of the blocks (1.21, 2.63, 1.14, and 3.26 ha respectively), the topography, steep contours, existing bush cover, poor soil fertility, proximity to urban residential and open plan zones, and existence of the infrastructure designation make them unsuitable for rural production.

#### **4. Land is not consistent with rural production zone provisions**

25. Key objectives and policies of the Rural Production zone look to preserve suitable land for primary production, which has a functional need to be in a rural environment, to protect that land from subdivision and fragmentation, and to avoid issues of reverse sensitivity with urban communities.
26. As noted, the Land is already compromised. The small block sizes, contour, lack of soil fertility, proximity to urban zones, and infrastructure requirements mitigate against these properties meeting the requirements of the Rural Production Zone.

#### **5. Land is subject to High Natural Character and Coastal Environment overlays**

27. Parts of each of the four properties fall within the high natural character overlay, and all the Land, like the rest of Russell Township, is covered by the coastal environment overlay.
28. The Kororāreka Russell Township zone currently includes areas which are subject to both overlays, and the provisions of that zone have specific objectives, policies and rules

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controlling development in such areas. Accordingly, the presence of the overlays will ensure that any development appropriately recognises and protects the special characteristics of the Land.

**6. Land is consistent with Kororāreka Russell Township zone provisions**

29. The Kororāreka Russell Township zone seeks to:

- (a) provide for residential and non-residential activities that are compatible with the historic heritage values of the zone;
- (b) maintain the character and amenity of the area;
- (c) recognise and protect high natural character and coastal environment areas;
- (d) ensure land use and subdivision is supported by appropriate infrastructure;
- (e) provide communities with functional and high amenity living environments.

30. The Land is consistent with and would assist in the achievement of all these objectives, as well as their respective policies. In particular:

- (a) there are already long-established residential uses on the Land;
- (b) while there are no scheduled historic heritage sites on the Land the heritage area overlay appears to follow/slightly cross the western boundary of 19 James Street and the southern boundary of 24 James Street (refer purple line shown in Plan 1 above);
- (c) there is an area of 19 James Street that was previously used during World War 2 as an access track to look-out posts. The track is located beside a degraded wetland and freshwater spring area on the eastern boundary of the property adjacent to the Open Plan zone of the proposed Marae (MS 10-49). The area is currently overgrown and subject to weed infestation. Enabling a greater level of development on the property would provide greater resources to be brought to bear to restore and protect these areas. It would also provide the potential for access to be opened to these areas, which could support the future marae development on the adjoining block (such as through providing access for mahinga kai purposes) as well as potentially public access if the land were later vested as

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reserve. The existing and proposed rural production zoning would make these outcomes unfeasible.

- (d) the presence of the overlays and the provisions of the zone will ensure that the Land is developed in a manner that maintains the special characteristics and amenity of the area. Subdivision is limited by the overlays and would be strategically executed to position residential and non-residential buildings, accessways, outside of the High natural character boundaries;
- (e) all four properties have areas of native bush on-site. Providing for a greater level of development on these properties would enable the cost and resource involved in maintaining and enhancing the significant bush areas to be spread among a greater number of owners;
- (f) the contours and existing natural bush on site provide opportunities for functional high amenity development which complements the character and amenity of the zone;
- (g) consolidating land use and subdivision around the existing township would avoid/mitigate future sprawl and sporadic patterns of development;
- (h) location of these properties in the Russell township basin puts them near required infrastructure – existing sealed roads, wastewater, stormwater systems and electricity, broadcasting, telecommunications as noted above; and
- (i) development of these properties would function as a transition between urban and rural production land use activities.

#### **7. Land will provide additional growth capacity**

- 31. The Northland region has been growing at a rate higher (and in some years significantly higher) than the national average growth rate since 2014.<sup>1</sup> In 2018 and 2019 it had the highest growth rate in the country.<sup>2</sup>
- 32. It is important that the FNDP is future looking and makes sufficient land available to meet the needs of its growing population over the 10-year period of the plan. It is also important that this land is proximate to existing urban zoned land in towns to avoid urban

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<sup>1</sup> <https://ecoprofile.infometrics.co.nz/northland%2Bregion/Population/Growth>  
<sup>2</sup> <https://www.stats.govt.nz/news/estimated-population-up-in-all-regions/>

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sprawl. Rezoning the Land Kororāreka Township zone will provide additional capacity for Russell township, while ensuring that development remains proximate to the township, and urban sprawl is avoided.

#### **8. More consistent with higher order RMA policies and plans**

33. Like the proposed district plan, the Regional Policy Statement for Northland and the New Zealand Coastal Policy Statement both seek to consolidate urban development within or adjacent to existing coastal settlement and avoid sprawling or sporadic patterns of development. Rezoning the Land Kororāreka Russell Township zone is consistent with these policies for the reasons noted above.
34. The National Environmental Standards for Freshwater are designed in part to protect existing inland wetlands. However, that protection is only triggered where a use is proposed on site to which the standards apply. As noted above, enabling a further level of development would provide a means to restore and protect the wetland area in a manner consistent with the standards.

#### **9. More consistent with the RMA**

35. The RMA seeks to enable people to provide for their economic, social, cultural and well being while ensuring natural and physical resources remain available for future generations, and adverse effects are appropriately avoided, remedied or mitigated.
36. The current and proposed rural production zoning of the Land does not achieve the sustainable management of resources. As already noted, the current shape, size, contours and other characteristics of the Land make it unusable for a rural production purpose, and do not allow the owners to provide for their economic or social wellbeing. Nor does it ensure the protection and enhancement of those special characteristics of the Land, such as the wetland on 19 James Street, or the areas of high quality existing native bush. Kororāreka Russell Township zoning would be more consistent with the purpose and principles of the RMA as it would enable these matters to be provided for and it also offers opportunities to enhance cultural wellbeing (such as through the remediation of the wetland, restoration of the WWII track, and provision of public/marae access to the area).

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#### OTHER CHANGES SOUGHT

37. At present there is no provision made within either the Kororāreka Russell Township zone or the Rural Production zone for papakāinga. The plan appears to assume that all such activities will be located within the Māori purpose zone. However, as the definition of papakāinga recognises, papakāinga also applies to general land owned by Māori where it can be demonstrated that there is an ancestral link to the land. Both the Shortlands and the Morrisons have whakapapa to the area and consider it is important that provision is made to enable papakāinga to occur outside of Māori purpose zones. Accordingly, this submission seeks such amendments as may be necessary to enable papakāinga housing to be provided for on their Land through the Kororāreka Russell Township zone (if that zoning is accepted for the Land) or in the alternative in the Rural Production zone (if contrary to this submission that zoning is to remain).

#### CONCLUSION AND RELIEF SOUGHT

38. This submission requests that the properties located at 34 and 36 Pukematu Lane, and 19 and 24 James Street be rezoned Kororāreka Russell Township zone for the reasons given in this submission. It is obvious that the properties do not comfortably sit within the requirements of the Rural Production zone objectives and policies. The location of these properties on the upper southwestern slopes of the Russell township basin and immediate proximity to the township and infrastructure suggests that the Township zoning is more appropriate. S44.001
39. Development of the properties would need to be consistent with the Coastal Environment and High Natural Character overlays providing opportunities for functional high amenity development and thus be an effective buffer between the Town and Rural production zone.
40. Whilst the Rural Lifestyle zoning was considered, town zoning was considered more appropriate given, proximity to town, characteristics of the Land and the likely need for further developable land within the next ten years. The Rural Lifestyle zone would also simply reflect the historic use of the property rather than what might be needed over the life of the plan.
41. While a potential alternative may be to amend the environmental benefit subdivision rule (SUB-R6) to allow one additional lot for every 1 ha of significant vegetation or significant S44.002



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indigenous habitat to be legally protected, where that lot is adjacent to a residential or open space zone in the coastal environment, this is a considerably inferior approach. It would potentially affect a larger number of areas, would constrain development to a form of limited residential use, and would not result in an efficient use of land or resources. However, if rezoning to Kororāreka zoning is not accepted, then amending this rule would result in some limited benefits over the current proposed Rural Production zoning.

42. This submission also requests an amendment to enable the provision of papakāinga on the Land as well as any consequential and further or other relief which may be necessary to give effect to the changes sought in this submission.

**S44.003**

### **HEARING**

43. As stated in the attached submission form, we wish to be heard in support of our submission. We anticipate putting forward a joint case with the owners of the other blocks of the Land and will be presenting submissions and calling both expert and landowner evidence in support of our submission.

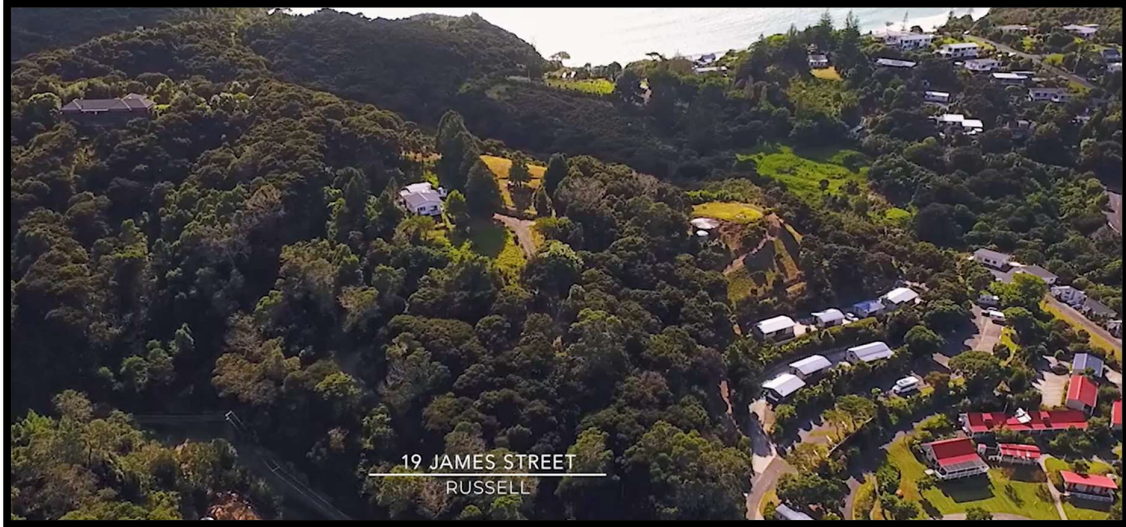
**Des and Lorraine Morrison**

11 October 2022

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DS & LA MORRISON**

**APPENDIX A – PHOTOGRAPHS OF THE PROPERTIES**

**A. 19 James Street**



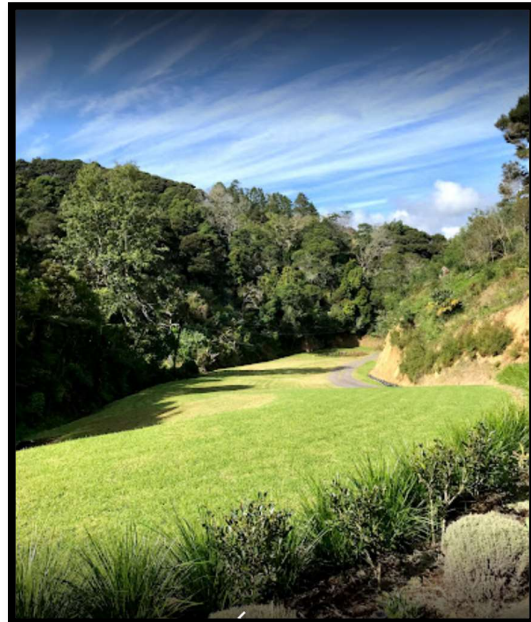
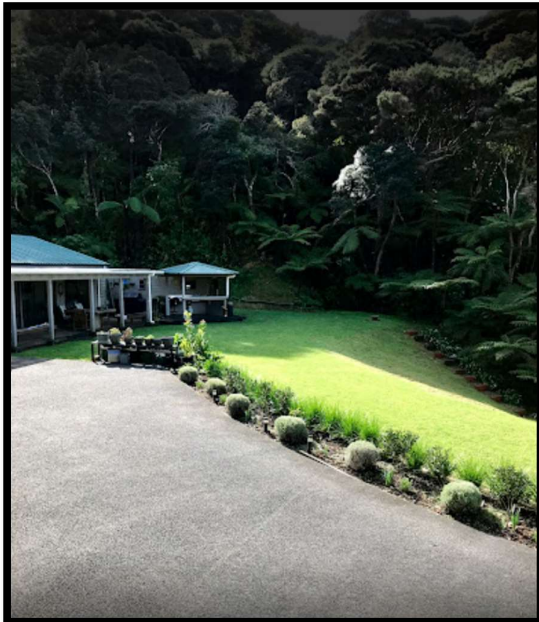
**Photograph A1: 19 James Street – looking south-east (dwelling in centre)**



**Photograph A2: 19 James Street – view south-west from above the existing dwelling**

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**B. 24 James Street**



**Photograph B1 and B2: 24 James Street driveway and grounds**



**Photograph B3: 24 James Street (to the left) 19 James Street (behind trees in foreground)**

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**Photograph B4: Start of metal driveway up to 24 James Street (18 James Street on the left)**

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**C. 34 and 36 Pukematu Lane**



**Photograph C1: Entrance to both 34 and 36 Pukematu Lane**