



Submission on Proposed Far North District Plan

Form 5 Submission on publically notified proposal for policy statement or plan, change or variation

Clause 6 of Schedule 1, Resource Management Act 1991

To: Far North District Council - District Planning

Date received: 19/10/2022

This is a submission on the following proposed plan (the **proposal**): Proposed Far North District Plan

Address for service:

Robert Adams
131 Long Beach Road Russell 0202
New Zealand
Email: longbeachrussellnz@gmail.com

I wish to be heard: Yes

I am willing to present a joint case: No

Could you gain an advantage in trade competition in making this submission?

- **No**

Are you 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

- **Yes**

Submission points

Point 43.1 **\$153.001**

Section: Earthworks

Sentiment: Support in Part

Submission:

EW S6 Earthworks setback. The setback is very arbitrary especially for engineered walls. Engineers are extremely well qualified to design retaining walls on or very close to boundaries to meet the needs of

the designer and the client. The land is private property and should be able to be developed according to the wishes of the owner right up to their legal boundary. Engineers have been designing up to boundaries for many decades so it is not necessary for planners to interfere with the rights of property owners to develop their property as they wish. The yards already control the location of buildings relative to boundaries .

The proposed rule creates unnecessary hurdles for owners to develop courtyards between their houses and the boundaries. A 3m wide courtyard is useful to let in light by allowing deeper windows in the building.

A 1.5 m courtyard cuts out light and creates a feeling of claustrophobia within the subject room. Having a 3 m courtyard is very important on steep sites to allow light and air into rooms. On narrow sites it is even more important as houses are built the full width of the site except for the side yards. The house is usually very deep on narrow sites so retaining walls creating courtyards are vital to achieve outdoor areas sun, light and air movement. Planners have not thought through the consequences of this rule when it is used on difficult sites. If an engineer is involved then there is no danger to adjoining properties. There are no visual issues from adjoining properties because the courtyards are below existing ground. For retaining walls above ground then height to boundary controls kick in and maximum heights of fences.

This rule needs to be removed as it restricts good design and creates narrow 1.5m alleys up against houses which will be damp ,useless spaces.

Often for construction purposes heights of retaining walls are temporarily higher until the house is built as the house is often retaining as well. On many houses there is backfill to bring the ground level up to its final level. The retaining wall on the boundary is called a soldier wall and its job is to temporarily hold the land to allow construction. The rule limits the height to 3m without going to discretion of the planners.

This 3m limit is too restrictive and unnecessary as it doesn't take into account the reality of building in the Far North when sites are often steep and narrow. To allow building safely land is often removed and put back. Owners under the rule will have to debate and argue about matters with planners which are normally the realm of engineers and builders. This work needs to be left to the designers, engineers and building processing team.

Relief sought

Remove rule EW S6 completely and if necessary replace it with a rule that gives no setback to the boundary and no limit on heights of retaining walls when designed by an engineer.

This or same effect or such other changes as are necessary and appropriate and consequential to meet the concerns of my submission.