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To: District Plan Team – Attention: Greg Wilson
 Strategic Planning & Policy
 5 Memorial Avenue
 Private Bag 752
 Kaikohe 0440.
 Email: greg.wilson@fnhc.govt.nz

RE: Submission on the Proposed Far North District Plan 2022

1. **Details of persons making submission**

Waitoto Development Limited { WDL }
 C/- Bay of Islands Planning (2022) Limited
 Attention: Steven Sanson
 PO Box 318
 PAIHIA 0247

2. **General Statement**

WDL are directly affected by the Proposed Far North District Plan. They generally support the provisions within the PDP subject to amendments detailed in this Submission.

WDL cannot gain an advantage in trade competition through this submission. They are directly impacted by the Proposed District Plan. The effects are not related to trade competition.

3. **Background & Context**

Background

WDL is private company who own land located on the intersection of Aucks Road and the Russell Whakapara Road , Orongo Bay , Russell .

The company has been progressively developing the land for commercial activities undertake the auspices of a special zone within the ODP. This development has contributed to the economic and social wellbeing of the Far North particularly those within the Russell, Okiato and outer Bay of Islands communities.

To maintain the contribution the company makes to the district a substantial investment program is required both in the short and long term. This commitment can be reinforced through the District Plan incorporating the appropriate management strategy as outlined within this submission.

The PDP has effectively embodied the management framework for within the ODP , which is supported , however there are nonetheless provisions within the PDP which require review.

Site Description

WDL owns land comprised within the following Record of Title:

- ROT 538669 (Lot 20 DP 437503)

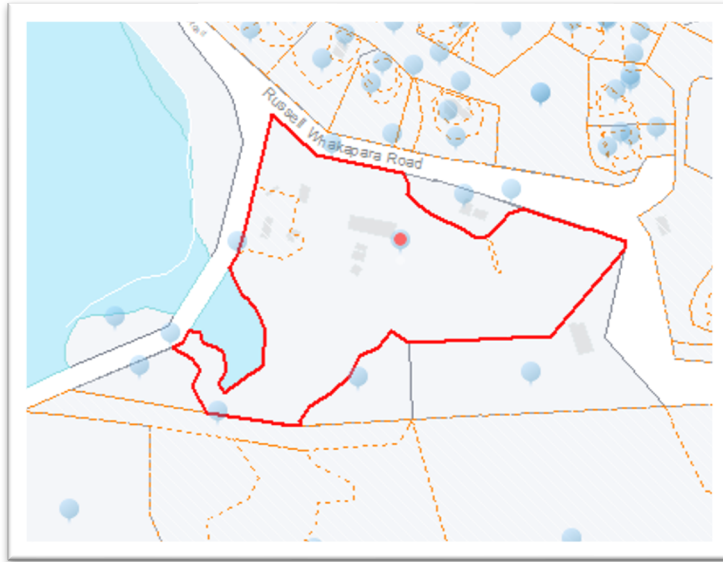
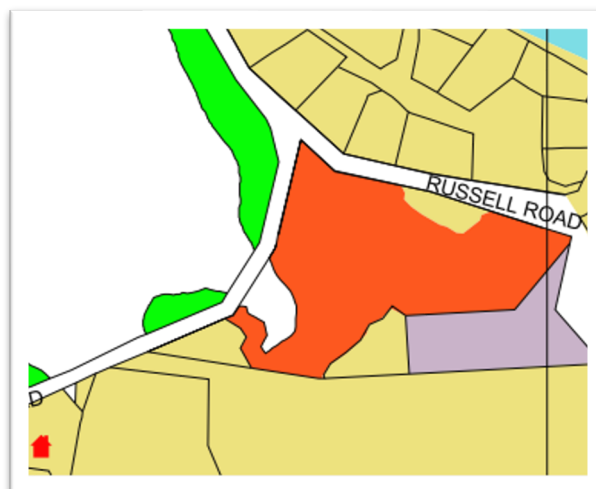


Figure 1 - Site

Operative and Proposed District Plan Zoning

The Operative District Plan reveals the land is zoned **Orongo Bay Special Purpose Zone** and the site has no Resource Features –



ODP Zone

The PDP seeks to apply the **Orongo Bay Special Purpose Zone** [OBSPZ] over the site and **Coastal Environment Overlay** –



PDP ZONE MAP

4. **The specific provisions of the Proposed Far North District Plan that this submission relates to are:**

PDP E Maps

- Proposed Planning Zone Map which relate to the landholdings referred to in Section 3 [*Figure 1*] of this submission; and
- The follows provisions in the PDP –

**General Provisions – Definitions : Earthworks;
Orongo Bay Special Purpose Zone ;**

**Coastal Environment Rules ;
District Wide Rules – Subdivision ;
Earthworks;**

5. **WDL seek the following amendments/relief:**

This submission relates to the Proposed Far North District Plan:

PDP E Maps

- Supports the **Orongo Bay Special Purpose Zone** [OBSPZ] S263.001
over the landholdings as provided for on the PDP E-Maps ;

The reasons for making the submission on the Proposed District Plan are as follows:

The OBSPZ is effectively replicating the ODP zone.

General Provisions – Definitions : Earthworks;

- Amend the definition to exclude earthworks associated with building foundations. If the definition cannot be amended include an exemption rule within the Earthworks chapter. S263.002

The reasons for making the submission on the Proposed District Plan are as follows:

The proposed definition would capture the land disturbance in creating building foundations and drilling holes for concrete piles. This would then become an additional burden on

applicants as well as Council having to process and monitor building work.

Orongo Bay Special Purpose Zone

- Support **Rules OBZ-R1 to OBZ-R22** ; S263.003 to S263.024
- Support **OBZ-S1 to OBZ-S3 and OBZ-S5** S263.025 to S263.028
- Oppose **OBZ-S4 Building or structure coverage** – This should be deleted. S263.029

The reasons for making the submission on the Proposed District Plan are as follows:

The OBSPZ is generally replicating the existing ODP management structure. However a new rule has been include relating to the maximum floor area. The original development plans for the site took into the appropriate scale and intensity of development. This limit is not considered necessary or appropriate.

Subdivision

- **Rule SUB-S3 :**

Support the proposed minimum allotment size within the Orongo Bay Zone. S263.030

The reasons for making the submission on the Proposed District Plan are as follows:

The allotment size reflects the existing ODP and original development plan approval. This facilities social and economic well being within the district.

Signs

- **Rule SIGN -R12**

Support the rules within the Orongo Bay Zone.

S263.031

The reasons for making the submission on the Proposed District Plan are as follows:

The standard reflects the existing ODP and original development plan approval.

Coastal Environment

S263.032 to S263.034

- **Rules CE-R1 to CE-R3 and CE-S1 to CE-S3**

S263.035 to S263.037

Oppose all of these rules applying the OBSPZ . The PDP shall exempt the OBSPZ from these rules.

The reasons for making the submission on the Proposed District Plan are as follows:

The imposition of these rules over the OBSPZ effectively negates the overall purpose and intent of the special zone.

These new rules fail to take into account the investment made to date and the future investment programmed against the original overall development plan of the property.

The blanket approach of applying these overlay rules across large urban and developed coastal areas fails to take into the applicable provisions of the NZCPS and the lower order planning documents.

6. **Overall WDL wish that the Far North District Council to address the above issues by:**

1. Supports the new **Orongo Bay Special Purpose Zone** as depicted on the PDP E-Maps ;
2. Amend the definition of **earthworks** to exclude building foundations or include an exemption in the Earthworks chapter ;
3. Support **Rules OBZ-R1 to OBZ-R22** ;
4. Support **OBZ-S1 to OBZ-S3 and OBZ-S5**
5. Oppose **OBZ-S4 Building or structure coverage** – This should be deleted.
6. Support **SUB-S3** as it relates to the OBSPZ;
7. Support **Rule SIGN – R12** as it relates to the OBSPZ;
8. Oppose **Rules CE-R1 to CE-R3 and CE-S1 to CE-S3** as it relates to the OBSPZ ;
9. Any other relief to achieve the outcomes sought by this submission.

7. Our clients wish to be **heard** in relation this submission.

Yours sincerely,



Steven Sanson

Director | Consultant Planner



Reviewed by

Jeff Kemp

Principal Planning Consultant

On behalf of Waitoto Developments Limited.

Dated this 20th Day of October 2022