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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**

Amanda Kennedy, Julia Kennedy Till & Simon Till (the **'Submitters'**)  
C/- Bay of Islands Planning (2022) Limited  
Attention: Steven Sanson  
PO Box 318  
PAIHIA 0247

2. **General Statement**

The Submitters are directly affected by the Proposed Far North District Plan (**'PDP'**). They seek alterations to the way in which the PDP overlays affect their land.

The Submitters cannot gain an advantage in trade competition through this submission. They are directly impacted by the PDP. The effects are not related to trade competition.

3. **Background & Context**

## Background

The Submitters have an established coastal property located at 98 Te Kahikatoa Peninsula Road to which the PDP seeks to impose additional overlays and associated rules.

## Site Description

The land to which this submission relates comprises the following Record of Title.

- NA125B/204 (Lot 1 DP 197131); and
- NA119C/48 (Lot 1 DP 189675) (referred to as the **'Landholdings'**).

A plan showing the location of the Landholdings are provided at **Figure 1** and **Figure 2** below.



*Figure 1 – NA125B/204 (Source: Prover)*



*Figure 2 – NA119C/48 (Source: Prover)*

NA125B/204 is 41.445ha in size and has direct access from Te Kahikatoa Peninsula Road. The site is currently zoned General Coastal and includes an Outstanding Landscape Overlay.

NA119C/48 is 5.0418ha in size and also has direct access from Te Kahikatoa Peninsula Road. The same zone and resource features apply to this site.

These features are outlined in the figures below.

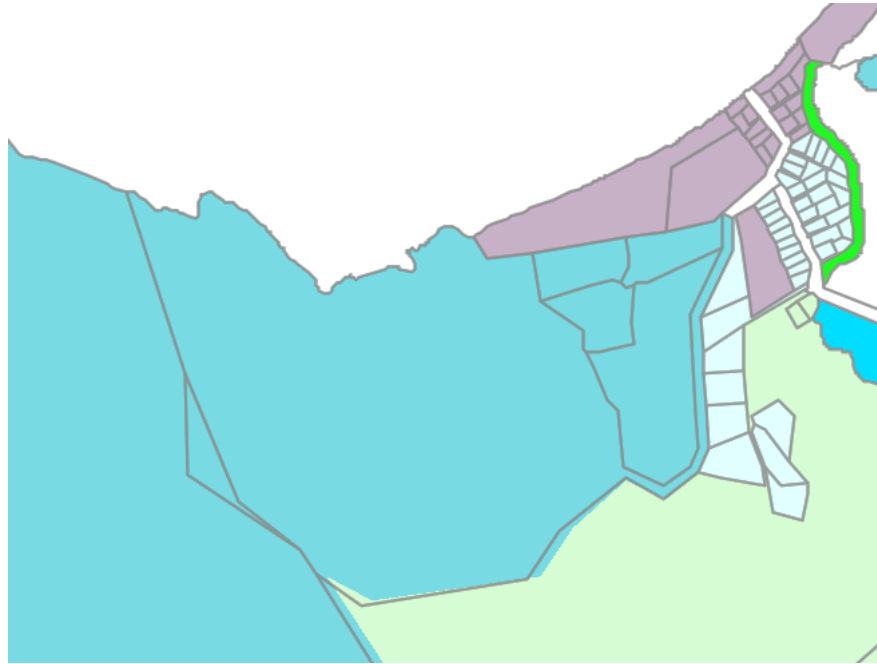


Figure 3 – Operative Zoning for the Landholdings (Source: Far North Maps)



Figure 4 – Operative Zoning for the Landholdings (Source: Far North Maps)

The PDP seeks to change the zoning of the Landholdings to Rural Production with the following overlays / features:

- Coastal Environment;
- Outstanding Natural Feature (ONF) & Outstanding Natural Landscape (ONL) – Note: this does not apply to NA119C/48;
- High Natural Character; and
- Coastal Hazards (Flooding and Erosion) – Note: this does not apply to NA119C/48.

These items are outlined in the figures below. It is noted that the change in many factors from the Operative District Plan to the Proposed District Plan have increased in extent and cover the majority of both Landholdings.

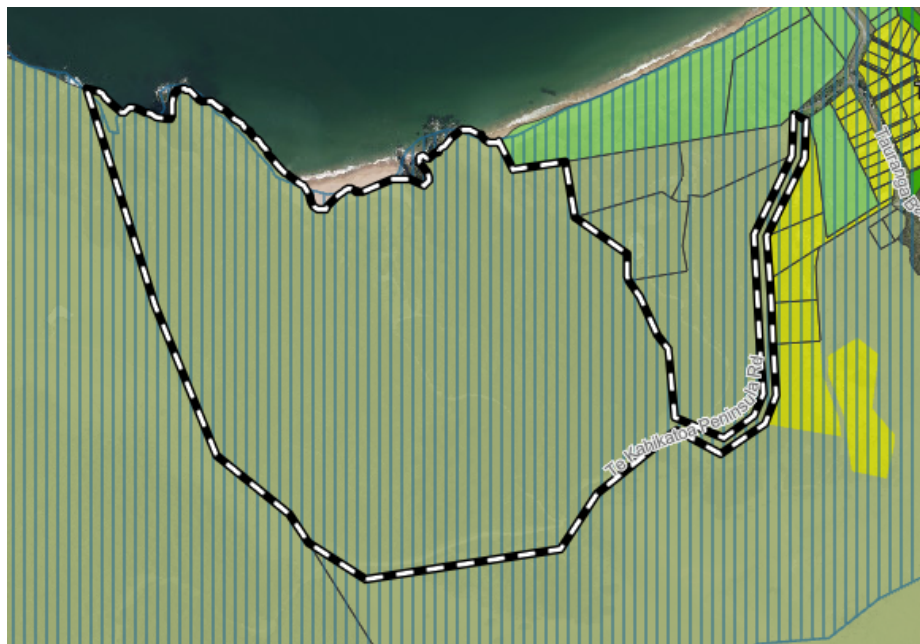


Figure 5 - Rural Production Zone & Coastal Environment (Source: PDP Maps)



Figure 6 - ONL & ONF Features (Source: PDP Maps)



Figure 7 - High Natural Character (Source: PDP Maps)

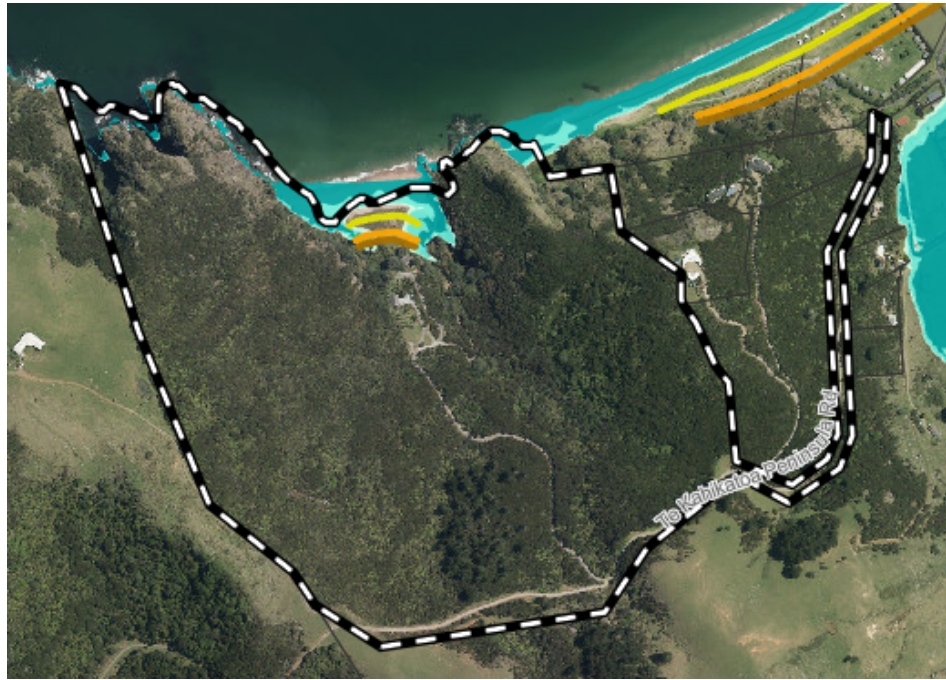


Figure 8 - Hazards (Source: PDP Maps)

In terms of High Natural Character, it is noted that this overlay implicates an existing roadway and cleared building site as outlined in **Figure 9** below.



Figure 9 – Existing Access & Building Platform (Source: Simon Till)

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

- The PDP overlays, zone maps, and provisions that relate to the Landholdings.

5. **The Landowners seek the following amendments/relief:**

This submission requests that the PDP:

- Retains parts of the High Natural Character overlay which applies to the Landholdings; **S353.001**
- Retains parts of the Outstanding Natural Landscape which applies to the NA125B/204. **S353.002**
- Retains the Landholdings as Rural Production; and **S353.003**
- Any other relief to achieve the outcomes sought by this submission.

If the primary relief above is not proposed, the submitters further seek that:

- The Management Plan approach be retained in the PDP, with further measures that enable sites (such as the Landholdings under consideration) to be appropriately developed.

Further site specific measures will be provided at time of hearing.

A detailed map and further landscape architect and ecological evidence further detailing these matters will also be provided prior to the hearing.



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

The reasons why it is believed that the proposed changes are more appropriate for this site are:

- a) It better aligns with existing development, size of landholdings and underlying characteristics and qualities of the land.
- b) The approach proposed is more consistent with higher order Resource Management Act 1991 ('**RMA**') policies and plans.
- c) The approach proposed is more consistent with the purpose and principles of the RMA.

We briefly expand on these reasons in the following sections. These matters will be fleshed out further in the evidence we call in support of our position at the hearing.

**Better aligns with existing development, size of landholdings and underlying characteristics and qualities**

It is recognised that the extent of the ONL as delineated in the operative plan does not accurately reflect or map the landscape values of the property.

The mapped area in the PDP, identified as 'Whangaroa Harbour Headlands ONL' is more closely aligned to the values of the landscape but includes some areas that are of a lower value that do not merit inclusion within the ONL.

This includes areas which are already developed, including access road, dwellings and buildings and areas which do not necessarily contain a high degree of significant vegetation or landscape value.

This is similarly true for NA119C/48 in terms of the High Natural Character Area where an existing road and building platform have also been included, whereas other developed areas within Butterfly Bay have not (Refer **Figure 7** and **Figure 9**).

Furthermore, it is noted that some parts of the valley that make up the Landholdings have the potential to be sensitively developed whilst still retaining and maintaining the landscape values.

Inclusion of these areas will unnecessarily impede the use of the submitter's property.

### **Accuracy of Mapping**

The submitters are working with a qualified landscape architect and ecologist to consider the accuracy of the character and landscape mapping as it applies specifically to the Landholdings.

This is on the basis that some areas have characteristics and qualities that are of a low value on initial assessment. Further work will be undertaken and presented for consideration at time of the hearing.

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

The approach undertaken by the PDP is understood to essentially 'take as read' the ONL, ONF, HNC, and Coastal Environment overlays as they relate to the Far North District from the Regional Policy Statement for Northland. This approach undertaken is therefore consistent with higher order documents.

However, the initial assessment undertaken has found that the Landholdings have some areas of low value which leads to the conclusion that the mapping may not be accurate.

Further evidence will be provided at time of hearing to ensure that the relevant landscape matters are addressed and considered for the site.

### **More consistent with the RMA**

The RMA is clear with respect to the areas under the consideration of this submission.

These matters are only in question on the basis that initial assessment have found particular areas of the Landholdings to have low values and retaining areas with low value is not considered to be consistent with the purpose of the RMA.

### **7. The Landowners wish that the Far North District Council address the above matters by:**

- Retains parts of the High Natural Character overlay which applies to the Landholdings;

- Retains parts of the Outstanding Natural Landscape which applies to the NA125B/204.
- Retains the Landholdings as Rural Production; and
- Any other relief to achieve the outcomes sought by this submission.

If the primary relief above is not proposed, the submitters further seek that:

- The Management Plan approach be retained in the PDP, with further measures that enable sites (such as the land under consideration) to be appropriately developed.

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

Yours sincerely,



**Steven Sanson**

Director | Consultant Planner

On behalf of the Submitters

Dated this 21<sup>st</sup> Day of October 2022