



4 September 2023

Planning and Policy, Far North District Council

Via email: [pdp@fndc.govt.nz](mailto:pdp@fndc.govt.nz)

To whom it may concern,

### Further Submission on Proposed Far North District Plan - Heron Point Limited

Please find attached further submissions made on behalf of Heron Point Limited to the Far North Proposed District Plan.

Heron Point Limited has an interest in Lot 2 DP 200205 and Lot 21 DP 181647, Hihitahi Rise, Paihia

Both land parcels are zoned General Residential in the Proposed District Plan and:-

- All of Lot 21 and a majority of Lot 2 is identified as being within the Coastal Environment Overlay.
- Subject to ONL for bush-clad hills west Opuia and Paihia (ref 55)
- Subject to High Natural Character overlay for hill slopes around Haumi River Estuary (ref 449)
- Outstanding Natural Character overlay for Haumi River Estuary (ref 105)
- Coastal Flood (Zone 3: 100 yr + rapid sea level rise), Coastal Flood (Zone 2: 100 yr) and Coastal Flood (Zone 1: 50 yr).



*Figure 2 - Far North Proposed District Plan Maps for Lot 2 DP 200205 and Lot 21 DP 181647, Hihitahi Rise, Paihia, 1/9/2023*

Heron Point Limited has an interest in the Far North Proposed District Plan that is greater than the public generally as the submitter has an interest in land situated within the Far North District. The provisions of the Proposed District Plan will have a direct impact on land use, development and subdivision constraints and opportunities of these land parcels.

Heron Point Limited wishes to be heard in relation to their further submission.

Yours sincerely

A handwritten signature in black ink that reads "J Andrews". The signature is written in a cursive, slightly slanted style.

Jessica Andrews  
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The Planning Collective  
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**Attachments:**

- 1) Form 6
- 2) Further Submission Table

# Attachment 1:



THE PLANNING  
COLLECTIVE

## Form 6 FURTHER SUBMISSIONS TO PROPOSED FAR NORTH DISTRICT PLAN

Clause 8 of Schedule 1, Resource Management Act 1991 (Form 6)

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To: **Far North District Council**

### 1. SUBMITTER DETAILS

Name of Submitter: Heron Point Limited  
Agent: Burnette O'Connor, The Planning Collective  
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Warkworth, 0941  
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### 2. SCOPE OF FURTHER SUBMISSION

Please refer to the further submission table provided as **Attachment 2** which details the further submission/s and decisions sought.

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(Persons authorised to sign on behalf of submitter)

Date: 4 September 2023

## Attachment 2: Further Submission Table on Proposed Far North District Plan - Heron Point Limited

Sub #	Sub Point	Submitter	Plan Section	Summary	Decision Requested	Heron Point Position	Further Submission – Reasons and decision requested
<b>General Process</b>							
Coastal Hazard Rules							
93	013	Lynley Newport	Rules	Support the need to manage development within coastal hazard areas but believe all hazard provisions should be located in the Natural Hazards chapter. A cross reference in the Coastal Environment back to the Natural hazards chapter can be included.	Transfer the rules from the Coastal Environment chapter (rules section addressing coastal hazards) into the Natural Hazards chapter. Consequently, insert a cross reference within the Coastal Environment chapter to this effect.	Support	Support request to locate coastal hazard rules in Natural Hazards Chapter. This will assist future users with easily locating all natural hazards provisions  Allow the submission, subject to appropriate drafting.
94	004	Lynley Newport	General	It is confusing when reading the Natural hazards chapter. At the end of the policies, one of which relates solely to Coastal Hazards (NH-P7), there is the statement that 'Coastal Hazard Rules are located in the Coastal Environment Chapter'. I am of the opinion that all natural hazard objectives, policies and rules should be in one place – in this instance the Natural Hazards Chapter.	Amend the Natural hazards chapter to transfer any provisions from the Coastal Environment section relating to hazards to the Natural Hazards chapter	Support	Support request to locate coastal hazard rules in Natural Hazards Chapter. This will assist future users with easily locating all natural hazards provisions  Allow the submission, subject to appropriate drafting.  FS94.002
194	001	Thomson Survey Limited	General Process	Support the need to manage development within coastal hazard areas, I believe all hazard provisions should be located in the Natural Hazards chapter. A cross reference in the Coastal Environment back to the Natural Hazards chapter can be included.	Amend the location of the Coastal Hazard rules by transferring them along with the Standards out of the Coastal Environment chapter and into the Natural Hazards chapter. Insert a cross reference in the Coastal Environment chapter to this effect.	Support	Support request to locate coastal hazard rules in Natural Hazards Chapter. This will assist future users with easily locating all natural hazards provisions  Allow the submission, subject to appropriate drafting.  FS547.003
<b>Application of Overlays</b>							
222	001	Wendover Two Limited	General/Plan Content/Miscellaneous	As described in the National Planning Standard 2019, an overlay spatially identifies distinctive values, risks or other factors which require management in a different manner from underlying zone provisions. It follows that the provisions relating to the overlay only apply to that part of a site so mapped. While this may be the intent of the overlays, in some instances in the Proposed Plan for overlay provisions, reference is made to 'the site'; the potential implication being that the overlay provisions apply to the site as a whole. While this may be the intent of the overlays, in some instances in the Proposed Plan for overlay provisions, reference is made to 'the site'; the potential implication being that the overlay	Insert a new clause specifying that if an overlay is shown on the Planning Maps, the overlay provisions only apply to the portion of the property covered by the overlay.	Support	The overlay rules should only apply to the part(s) of a site which they cover, not the site as a whole.  Allow the submission.  FS547.004

FS547.001

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				<p>provisions apply to the site as a whole.</p> <p>In addition to the above, the following part of the explanation is necessary to specify that overlay chapters do not contain all the provisions relating to an activity. For example, residential activity may not be provided for in the overlay, but is provided for in the underlying zoning: "Some of the Overlay chapters only include rules for certain types of activities (e.g. natural character, natural features and landscapes or coastal environment). If your proposed activity is within one of these overlays, but there are no overlay rules that are applicable to your activity, then your activity can be treated as a permitted activity under the Overlay Chapter unless stated otherwise. Resource consent may still be required under other Part 2: District-wide Matters chapters and/or Part 3: Area-Specific chapters (including the underlying zone)"</p>			
Setbacks from freshwater bodies							
355	001	Wakaiti Dalton	General/ Plan Content/ Miscellaneous	We note that across the PDP the standards for building setbacks from MHW does not have standards for setbacks from rivers, lakes and wetlands. We consider this to be an issue as stormwater generation from impermeable surfaces can adversely affect the waterbodies.	Seek amendments across the PDP to incorporate setbacks from all freshwater bodies.	Support in Part	<p>Allow the submission, subject to appropriate drafting.</p> <p style="text-align: center;"><b>FS547.005</b></p>
Hazard Mapping							
359	009	Northland Regional Council	General/ Plan Content/ Miscellaneous	Recent updates from the Ministry for the Environment indicate that sea level is rising faster than anticipated. The Proposed Plan should therefore consider the potential for updating of NRC hazard maps and working with NRC to reflect new understanding of the issue.	Amend the planning maps to align with updated NRC hazard maps (inferred).	Oppose	<p>Reject Submission. <b>FS547.006</b></p> <p>Any mapping that has potentially greater impacts on property needs to be fully tested and a full analysis and planning process is required to determine the best methods to address updated information.</p> <p>A further hazards mapping plan change may be required to ensure a clear and consistent approach to hazard management throughout the region and Far North District.</p>
Requests to align Proposed District Plan provisions with National Policy Statements							
359	004	Northland Regional Council	General/ Plan Content/ Miscellaneous	The National Policy Statement-Highly Productive Land will, and the National Policy Statement-Indigenous Biodiversity is likely to, take effect prior to the end of 2022 and the proposed plan will need	Amend the plan to have regard to the National Policy Statement-Highly Productive Land (NPS:HPL) and the National Policy Statement-Indigenous Biodiversity (NPS:IB)	Oppose	<p>The Plan give effect to the NPS however separate planning processes are required as it could create natural justice issues attempting to retrofit this planning document to make the changes required by</p>

**FS547.12**  
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Sub #	Sub Point	Submitter	Plan Section	Summary	Decision Requested	Heron Point Position	Further Submission – Reasons and decision requested
				to be reviewed in light of these new pieces of national direction.			new NPS that have come into force since the Proposed Plan was prepared.
364	004	Director-General of Conservation (Department of Conservation)	General/Plan Content/Miscellaneous	There are no scheduled SNAs within Schedule 4 of the Proposed District Plan. The Director-General is strongly opposed to this decision, which is considered contrary to section 6(c) of the RMA, the objectives and policies of the Regional Policy Statement for Northland, and the NPSIB exposure draft. The Director-General is concerned that the current wording of the subdivision chapter will allow potential SNA sites to be subdivided with minimal ability to consider the adverse effects of the subdivision on indigenous biodiversity.	Amend all restricted discretionary activity and controlled activity rules to insert matters of discretion/control for indigenous biodiversity where appropriate and not already identified (inferred).	Oppose	Implementation of the NPS IB requires a thorough and robust planning process to ensure a clear and consistent direction is adopted throughout Northland and the Far North District. The current planning process (Proposed District Plan) is too far advanced. A separate plan change is required.  <b>FS547.007</b>
364	005	Director-General of Conservation (Department of Conservation)	General/Plan Content/Miscellaneous	The s32 reports have identified that it is effective and efficient to align the PDP approach with the expected policy direction and requirements of the exposure draft of the National Policy Statement on Indigenous Biodiversity (NPSIB). The NPSIB is anticipated to come into effect during the PDP further submissions and hearing process. For this reason, the PDP should be reviewed and updated to be consistent with the NPSIB exposure draft.	Amend the Plan to be consistent with the NPSIB exposure draft. Specifically, but not limited to: <ul style="list-style-type: none"> <li>Protect SNAs and identified taonga on Māori lands inline with clause 3.18 of the NPSIB exposure draft.</li> <li>Include objectives, policies, or methods in the PDP for managing the adverse effects of new subdivision, use, and development on highly mobile fauna areas.</li> <li>Incorporate NPSIB Appendices 3 and 4 or like principles into the PDP. Update proposed Policy IB-P4 to require that any biodiversity offset, or biodiversity compensation be in accordance with these principles.</li> </ul>	Oppose	The submitter agrees that the Plan has to give effect to National Policy Statements however, as above, this plan process is too far advanced and to ensure there are no natural justice issues a separate plan change process is required.  <b>FS547.008</b>
<b>Natural Hazard Provisions</b>							
167	021	Bentzen Farm Limited	Notes <b>FS547.009</b>	Note 2 to the rule applies the requirement for a report prepared by a suitably qualified and experienced engineer/instability assessment to activities and subdivision on the site as a whole, rather than just that part impacted by the identified natural hazard, imposing unnecessary cost. The amendments sought target the requirements just to the mapped hazard area.	Amend note 2 as follows 2. Any application for a land use resource consent in relation to a <del>site</del> <b>location</b> that is potentially affected by natural hazards must be accompanied by a report prepared by a suitably qualified and experienced engineer that addresses the matters identified in the relevant objectives, policies, performance standards and matters of control/discretion. Any application for a subdivision consent must additionally include an assessment of whether <del>the site</del> <b>any new site to be created</b> includes an area of land susceptible to instability.	Support in part	Support the change sought to the extent that NH-S1 should solely be applicable where activities or development are proposed within a natural hazard area.  The submitter seeks that Note 2 is amended to clarify that the special information requirement solely applies to activities being undertaken within a mapped natural hazard area. This removes ambiguity when interpreting the current wording with requires a report where a site is potentially affected by natural hazards.
168	016	Setar Thirty Six Limited	<b>FS547.010</b>				
168	019	Limited	<b>FS547.011</b>				
187	012	The Shooting Box Limited	<b>FS547.012</b>				
222	019	Wendover Two Limited	<b>FS547.013</b>				
243	021	Matauri Trustee Limited	<b>FS547.014</b>				

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333 333	009 012	P S Yates Family Trust	FS547.015 FS547.016				
94	001	Lynley Newport	NH-P6  FS547.017	Policy NH-P6 reads as a rule, not a policy. A policy cannot "require" anything because it is not a rule. Parroting the Regional Policy Statement is not valid. That document is not a rules document in the first instance. It is far too specific and directive as a policy. The Council should be placing reliance on rules to achieve compliance and where compliance is not possible or practicable, then to achieve remedy and/or mitigation.	Amend Policy NH-P6 to: Manage land use and subdivision in river flood hazard areas to avoid, remedy or mitigate the risk from flood hazard to protect the subject site and its development, and other property	Support	The submitter supports the decision sought to amend this policy.
94	002	Lynley Newport	NH-P7  FS547.018	Policy NH-P7 reads as a rule or standard, not a policy. It is far too specific and directive as a policy. The Council should be placing reliance on rules to achieve compliance and where compliance is not possible or practicable, then to achieve remedy and/or mitigation.	Amend Policy NH-P7 -Manage new land use and subdivision in coastal hazard areas to avoid, remedy or mitigate the risk from coastal hazard to the subject site and its development and other property.	Support	The submitter supports the decision sought to amend this policy.
561	044	Kāinga Ora Homes and Communities	NH-S1  FS547.019	The reference to "potentially affected" is not specific and the comment should clarify that this relates to the mapped hazard areas.	Amend NH-S1 as follows: Information requirements Any application for a resource consent in relation to a site that is potentially affected by <b>the mapped</b> natural hazards ( <b>as noted in the Plan definitions</b> ) must be accompanied by a report prepared by a suitably qualified and experienced engineer that addresses the matters identified in the relevant objectives, policies, performance standards and matters of control/discretion.	Support in part	Support the decision sought to the extent that NH-S1 should only be triggered where a proposed activity is to occur within a portion of a site is affected by mapped natural hazard.  The submitter seeks that the information requirements of NH-S1 solely apply to a resource consent application where an activity is proposed on land affected by a mapped natural hazard.
<b>Information Requirements for Coastal Hazards</b>							
333	072	P S Yates Family Trust	CE-S5  FS547.020	As drafted, the standard may trigger the need for an engineering report for a resource consent for an activity anywhere on a site subject to a coastal hazard overlay. In most instances, the coastal hazard overlays are limited in area on a property The related rules in this section consistently refer to 'location' which limits the assessment to the location of the activity sought, relative to the overlay. The standard should also refer to location to avoid this potential interpretation.	Amend Standard CE-S5 as follows: Any application for a resource consent in relation to a location that is potentially affected by a coastal hazard must be accompanied by a report prepared by a suitably qualified and experienced engineer that addresses the matters identified in the relevant objectives, policies, performance standards and matters of control/discretion	Support	Support the change sought to the extent that the requirement to provide a coastal hazard report should only apply where activities or development is proposed within an identified coastal hazard area.  Furthermore, The submitter seeks that the word 'potential' is replaced with 'mapped' to provide landowners and developers with a clearer understanding of when a coastal hazard report is required for a proposal.
548	004	Omata Estate	CE-S5  FS547.021	A site specific engineering report should be dependent on the natural and scale of a proposal and the proximity of the proposal to an area	Delete CE-S5.	Support	As above.

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				identified as being potential affected by the coastal hazard. Applying a blanket requirement to provide a site-specific engineering report for any resource consent applications for a site potentially affected by a coastal hazard would result in undue cost constraints to applicants and does not meet the requirements of s32.			
<b>Provisions for Buildings and Structures within the Coastal Environment</b>							
422	107	Kapiro Conservation Trust	Overview <b>FS547.022</b>	It appears that the focus of the coastal environment chapter is on natural character, however a number of provisions refer broadly to the coastal environment and its values while others are specific to ONL and ONF. It is confusing that the policies cover both ONL and ONF but there are no rules that cover these features.	Amend wording to reflect that the section covers other characteristics and values of the Coastal Environment, e.g. ONLs & ONFs Make it abundantly clear in an explanation somewhere that rules covering ONL and ONFs in the coastal environment are covered in the ONF and ONL chapter.	Support	Support to the extent that rules relating to Outstanding Natural Landscapes and Features are solely covered within the corresponding chapter. Allow subject to drafting.
511	088	Royal Forest and Bird Protection Society of New Zealand	Overview <b>FS547.023</b>	It appears that the focus of the coastal environment chapter is on natural character, however a number of provisions refer broadly to the coastal environment and its values while others are specific to ONL and ONF. It is confusing that the policies cover both ONL and ONF but there are no rules that cover these features.	Amend wording to reflect that the section covers other characteristics and values of the Coastal Environment, e.g. ONLs & ONFs Make it abundantly clear in an explanation somewhere that rules covering ONL and ONFs in the coastal environment are covered in the ONF and ONL chapter.	Support	Support to the extent that rules relating to Outstanding Natural Landscapes and Features are solely covered within the corresponding chapter. Allow subject to drafting.
565	003	The Paihia Property Owners Group	Policies <b>FS547.024</b>	The report provided by Melean Absolum Limited, that supports the Coastal Environment s32 Report prepared by Council, only suggests potential rules for the Coastal Environment within an urban area. There is no detailed evidence provided within either report to support these 'suggestions'. The PDP includes to rules such as a 5m height limit, 300m <sup>2</sup> building / floor area coverage, and 400m <sup>2</sup> indigenous vegetation and earthworks limits within an urban area. There is limited rationale as to why and how these provisions were selected. it is not clear why 5m was selected, or why this height limit is appropriate.  No specific locality assessments have been undertaken specifically to suggest that this is appropriate in a highly modified urban environment such as Paihia.	Amend the policies within the Coastal Environment to promote more enabling and appropriate provisions as they relate to urban areas such as Paihia	Support	The submitter supports the decision sought to amend the Proposed District Plan provisions to better facilitate development within existing coastal towns. Paihia, including the further submitters land, is a developed area, and therefore the settlement comprises of a less sensitive environment than less densely populated coastal areas. This should be reflected in the objective and policy framework and rule provisions.
565	003 004	The Paihia Property	Rules <b>FS547.025</b>	The submitter supports in part rules in the Coastal Environment (inferred), however the PDP approach	Amend rules in the Coastal Environment (inferred) to promote more enabling and appropriate provisions as they	Support	The submitter supports the decision sought to amend the Proposed District Plan provisions to better



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		Owners Group		does not appropriately justify the provisions as no specific locality assessments have been undertaken to suggest that they are appropriate in a highly modified urban environment such as Paihia	relate to urban areas such as Paihia.		facilitate development within existing coastal towns. Paihia is a developed area, and therefore the residential zoned areas within the wider Paihia settlement comprise a less sensitive environment than other coastal areas. This should be reflected in the objective and policy framework and rule provisions.
565	018	Paihia Properties Holdings Corporate Trustee Limited and UP Management	Rules <b>FS547.026</b>	The default to discretionary activity for all activities within the HNCA is onerous and potential effects can be appropriately managed through a restricted discretionary activity status, with targeted matters of discretion, as opposed to a blanket discretionary status.	Amend rules to default to restricted discretionary activity inside the high natural character area.	support	The submitter has an interest in the decision sought, including any amendments to the provisions relating to high natural character areas required to address the decision sought.  The submitter seeks that the objective and policy framework provide clearer direction in relation to managing adverse effects of activities within high natural character areas. The current provisions place a heavy emphasis on outstanding natural landscapes and features.
344	043	Paihia Properties Holdings Corporate Trustee Limited and UP Management Limited	Rules <b>FS547.027</b>	The submitter has identified that the overlay chapters are inconsistent with respect to referencing rules for "activities not otherwise listed". The How the Plan Works chapter includes a statement that some overlays will automatically default to a permitted activity. Noting that resource consent may still be required under other Part 2: District-wide Matters chapters and/or Part 3: Area-Specific chapters (including the underlying zone). This lack of consistency will cause confusion for plan users: 1. The overlay chapters do not include notes to this effect. 2. Each overlay chapter has a different approach activity status default rules. 3. Overlays and zone chapters use different terminology. Applying an automatic permitted activity default could lead to unintentional consequences.	Amend all relevant overlay chapters as necessary to insert rules for "Activities not otherwise listed in this chapter" consistent with zone chapters.	Neutral	The submitter is interested in the outcome of this decision sought.  <b>FS547.027</b>
359	031	Northland Regional Council	Rules <b>FS547.028</b>	There is potential for unintended consequences of the rules in the Coastal Environment as new fencing requires resource consent.	Amend the rules to expand the permitted activity rule to allow for fencing within natural character areas, ONLs and ONFs where fencing is required for protection or enhancement of soil conservation treatments, water bodies and wetlands and in line with the Stock Exclusion Regulations and/or regional plan rules.	Support	The submitter supports the change sought and seeks that the Proposed District Plan provisions enable fencing within the HNC, ONL and ONF areas as a permitted activity regardless of the use given that fencing is a common feature and serves a functional purpose within both urban and rural environments.
344	013	Paihia	CE-R1	It is considered that this rule places unnecessarily	Amend CE-R1 to exclude land zoned MUZ, RSZ and LIZ or	Support	The submitter supports the decision sought. As set

**FS547.029**

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		Properties Holdings Corporate Trustee Limited and UP Management Ltd		restrictive rules upon urban areas such as Paihia within the CE where amenity and character has already been compromised.	any equivalent commercial zone, to enable development to occur in accordance with the underlying zone provisions.		out above, Paihia, including the further submitters land, is a developed area, and therefore the settlement comprises of a less sensitive environment than other coastal areas. This should be reflected in the objective and policy framework and rule provisions.
536	007	Vaughan Norton-Taylor	CE-R1  FS547.030	Limiting floor area of a new building or structure located in an urban zone to 300m <sup>2</sup> and any extension to a lawfully established building or structure to 20% of the GFA of the existing lawfully established building or structure has total disregard to development options and desecration of land values. No logic or reason are given for this change.	Delete Rule CE-R1 and retain status quo (inferred).	Support	Allow subject to drafting.
386	013	Sarah Ballantyne and Dean Agnew	CE-R1  FS547.031	<p>Ballantyne &amp; Agnew consider that the 5m height limits imposed by CE-S1 Maximum Height to all new buildings and structures within urban zones is overly restrictive. In Ballantyne &amp; Agnew's view these areas are locations where development is already concentrated, provided for by the PDP and are supported by infrastructure. In Ballantyne &amp; Agnew's view, the built form (like farming) does form part of the values present in these areas. The PDP encourages and seeks to consolidate development into these areas, however the limitations on building footprints and height are considered to hinder development capacity in these locations should these design controls remain in place.</p> <p>With respect to new buildings outside of urban zones, while it is recognised that farming forms part of the established values of natural character of the CE, Ballantyne &amp; Agnew consider it unnecessary to limit new buildings/structures in this way, given the introduction of any new built form will be the same or similar irrespective if the building is ancillary to farming or not. Further, it is considered that CE-R1 as proposed, does not adequately provide for the variable environments that exist within the District or appropriately respond to the underlying zone framework. Finally, the default activity status of 'Discretionary Activity' resource consenting pathway</p>	<ul style="list-style-type: none"> <li>- Amend CE-R1-PER-1 to delete clause (1) that relates to building footprint.</li> <li>- Amend CE-R1-PER-2 to delete clause (1).</li> <li>- Review the building footprint controls proposed in clause (2) and provide for appropriate building footprints that reflect the varied values of each zone environment.</li> <li>- Incorporate a restricted discretionary activity to CE-R1 with targeted matters of discretion to provide for activities that cannot comply with the permitted standards and are outside of HNC and ONC areas.</li> </ul>	Support	Support the decision sought as this will provide greater flexibility to landowners in terms of housing size and typography. A restricted discretionary consenting pathway is more appropriate and will facilitate targeted matters of discretion and assessment criteria for consideration of proposed activities which do not comply with the permitted standards.

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				for activities outside of mapped ONC and HNC areas is considered overly onerous. Targeted matters of discretion would be more appropriate to manage effects.			
502	018	Northland Planning and Development 2020 Limited	CE-S1  FS547.032	Amendment to the permitted height allowance is requested. Within the underlying Operative zone rules, the minimum permitted height is 8 metres, with the exception of the rural production zone which allows for 12 metres. The coastal zone covers a large area of rural zoned land which has a functional need to establish sheds for machinery and general farm buildings which would easily exceed the 5m threshold. Enabling an 8m height restriction ensures most farm buildings are able to comply with the standard. The additional requirement to not exceed the height of the nearest ridgeline, headland or peninsula provides additional mitigation in comparison to the existing rule set.	Amend point 1 of Standard CE-S1 as follows: 1. The maximum height of any new building or structure above ground level is <del>5</del> 8m and must not exceed the height of the nearest ridgeline, headland or peninsula.  In the event that an 8m height restriction is not accepted we seek further relief that a 6m height restriction be accepted as generally most single story houses would fit within this height restriction.  In the event the above relief is not accepted, we seek that the changes apply insofar as the Waitangi Estate.	Support in part	Support the change sought to amend the permitted height for buildings within the Coastal Environment to 8m to reflect the zoning provisions. This will enable a functional height for buildings within the Coastal Environment and will retain a consenting pathway for buildings which protrude above the nearest ridgeline, headland or peninsula.
502	019	Northland Planning and Development 2020 Limited	FS547.033	Reference to the BS5252 standard colour range has been removed. Many coloursteel colours, which have an LRV of less than 30% are not listed within the BS5252 standard colour palette. This results in consent being required for a large number of sheds/garages, dwelling roofs, which are constructed of coloursteel materials and have an LRV of less than 30%, but are not stated within the BS5252 standard colour palette range. The Resene BS5252 colour range was created in 2008 and is therefore very outdated. It also gives an unfair trade advantage to Resene where only their products can be utilised. It is considered that with the requirement of an LRV no greater than 30%, the intention of this rule will still be achieved, and will remove the need for consent for coloursteel products which have an LRV of less than 30% (as well as any other products which have the same issue). Furthermore, by deleting point 2, it enables natural wood products such as cedar to be utilised which are not painted or stained without requiring consent.	Amend CE-S2 The exterior surfaces of buildings or structures shall: 1. be constructed of materials and/or finished to achieve a <b>light</b> reflectance value no greater than 30%. <del>2. have an exterior finish within Groups A, B or C as defined within the BS5252 standard colour palette or if not accepted</del> 2. If <b>painted</b> have an exterior finish within Groups A, B or C as defined within the BS5252 standard colour palette <b>or equivalent product</b> .	Support	Support the decision sought.
<b>Provisions relating to Natural Features and Landscapes</b>							
167	031	Bentzen Farm	NFL-O2	By its nature, land use and subdivision cannot be	Amend Objective NFL-O2 as follows: Land use and	Support	The submitter supports the alternative amendment

FS547.034

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168	034	Limited Setar Thirty Six Limited	FS547.035	'consistent with' the characteristics and qualities of an ONL or ONF: those being defined by a current state. It can however not compromise their characteristics and values as have been identified by the higher order planning documents. The NRC Landscape Assessment Work Sheets refer to "values" not qualities.  In order for this objective to be the most appropriate way to achieve the requirements of the RMA and give effect to the NPS (ie allow a measurable assessment), it should use the same language as the Landscape Assessment methodology. "Identified" characteristics has been correctly used in policy NFL-P5, allowing a more measurable test of compliance with the policy. This should be consistently used thoroughly this objectives ad policy set. "Identified" characteristics has been correctly used in policy NFL-P5, allowing a more measurable test of compliance with the policy. This should be consistently used thoroughly this objectives ad policy set.	subdivision in ONL and ONF does not compromise the identified characteristics and values of that landscape or feature.  Or alternatively: The identified characteristics and values of ONLs and ONFs are protected from inappropriate subdivision, use and development.		sought by the submitters to Objective 2 - <i>The identified characteristics and values of ONLs and ONFs are protected from inappropriate subdivision, use and development.</i>
187	027	The Shooting Box Limited	FS547.036				
222	034	Wendover Two Limited	FS547.037				
243	049	Matauri Trustee Limited	FS547.038				
333	026	P S Yates Family Trust	FS547.039				
167	032	Bentzen Farm Limited	NFL-P2 FS547.040	By its nature, land use and subdivision cannot be 'consistent with' the characteristics and qualities of an ONL or ONF. It can however not compromise their characteristics and values as have been identified by the higher order planning documents. The NRC Landscape Assessment Work Sheets refer to "values" not qualities. In order for this objective to be the most appropriate way to achieve the requirements of the RMA and give effect to the NPS (ie allow a measurable assessment), it should use the same language as the Landscape Assessment methodology. "Identified" characteristics has been correctly used in policy NFL-P5, allowing a more measurable test of compliance with the policy. This should be consistently used thoroughly this objectives and policy set.	Amend Policy NFL-P2 as follows: Avoid adverse effects of land use and subdivision on the identified characteristics and values of ONL and ONF within the coastal environment.	Oppose in part	The submitter supports the amendments to the wording. The submitter considers that the policy should be revised to include provision to remedy or mitigate effects to account for circumstances where adverse effects on the characteristics and values of ONL or ONF cannot be avoided.  The suggested wording is: <i>Avoid, remedy or mitigate adverse effects of land use and subdivision on the identified characteristics and values of ONL and ONF within the coastal environment.</i>
168	035	Setar Thirty Six Limited	FS547.041				
187	028	The Shooting Box Limited	FS547.042				
222	035	Wendover Two Limited	FS547.043				
243	050	Matauri Trustee Limited	FS547.044				
333	027	P S Yates Family Trust	FS547.045				
167	033	Bentzen Farm Limited	NFL-P3 FS547.046	By its nature, land use and subdivision cannot be 'consistent with' the characteristics and qualities of an ONL or ONF. It can however not compromise their characteristics and values as have been identified by	Amend Policy NFL-P3 as follows: Avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of land use and subdivision on the identified characteristics and values of ONL and ONF outside the coastal	Support	The submitter supports the proposed amendments to Policy 3 subject to drafting.
168	036	Setar Thirty Six	FS547.047				

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187	098	Limited	FS547.048	the higher order planning documents. The NRC Landscape Assessment Work Sheets refer to "values" not qualities. In order for this objective to be the most appropriate way to achieve the requirements of the RMA and give effect to the NPS (ie allow a measurable assessment), it should use the same language as the Landscape Assessment methodology. "Identified" characteristics has been correctly used in policy NFL-P5, allowing a more measurable test of compliance with the policy. This should be consistently used thoroughly this objectives and policy set.	environment.		
187	029	The Shooting Box Limited	FS547.049				
222	036	Wendover Two Limited	FS547.050				
243	051	Matauri Trustee Limited	FS547.051				
333	028	P S Yates Family Trust	FS547.052				
167	037	Bentzen Farm Limited	NFL-P7 FS547.053	Some loss of 'characteristics and qualities' should be able to be sustained before those values are gone. The classification system used by the NRC uses a ranking within which the value should be able to move along before it is lost. In this context prohibiting 'any loss' is an unreasonable test.	Delete Policy NFL-P7.	Support	The submitter supports the decision sought.
168	040	Setar Thirty Six Limited	FS547.054				
187	032	The Shooting Box Limited	FS547.058				
222	040	Wendover Two Limited	FS547.057				
243	055	Matauri Trustee Limited	FS547.055				
333	032	P S Yates Family Trust	FS547.056				
167	038	Bentzen Farm Limited	NFL-P8 FS547.059	This is not a policy but a method of assessment, and therefore more appropriately an assessment criterion. Non complying and discretionary activity applications should be assessed against objectives and policies which should be a clear expression of a desired outcome	Delete Policy NFL-P8 (inferred).	Support	The submitter supports the decision sought.
168	041	Setar Thirty Six Limited	FS547.060				
187	033	The Shooting Box Limited	FS547.122				
222	041	Wendover Two Limited	missing				

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243	056	Matauri Trustee Limited	FS547.061				
333	033	P S Yates Family Trust	FS547.062				
<b>Residential Subdivision Provisions</b>							
9	002	Ken Lewis Limited	SUB-S1 FS547.063	Multiple.	Retain 600m <sup>2</sup> minimum lot size for the General Residential Zone as a controlled activity.	Support	Allow submission.,
26	001	Trent Simpkin	FS547.064				
257	020	Te Hiku Community Board	FS547.065				
357	020	Sean Frieling	FS547.066-.070				
358	020						
464	026	LJ King Ltd					
543	024						
547	024						
472	020	Michael Foy	FS547.071				
485	025	Elbury Holdings	FS547.072-.074				
519	025						
541	023						
257	020	Te Hiku Community Board	SUB-S1 FS547.075				
357	021	Sean Frieling	FS547.076				
378	021	missing					
464	027	LJ King Ltd	FS547.077				
543	025	FS547.079 x2					
547	025						
485	026	Elbury Holdings	FS547.080-.082				
519	026						
541	023						

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<b>General Residential Zone Provisions</b>							
554	013	Kiwi Orange Company Limited	Fresh GRZ-O2 FS547.083	KFO disagree with the "while reducing urban sprawl" section of the Objective. This objective should be reworded to address the demand for housing, rather than reducing urban sprawl. It may also state that extensions to the Residential zone to provide for growth should be located with consideration to achieving a well-functioning and quality urban environment.	Amend Objective GRZ-O2 as follows: "The General Residential zone consolidates urban residential development around available or programmed development infrastructure (including private infrastructure) to improve the function and resilience of the receiving residential environment while providing for urban growth in locations where the outcomes will achieve a quality well functioning urban environment."	Support	The amendments sought to Objective 2 are supported.
554	015	Kiwi Orange Company Limited	Fresh GRZ-O4 Fs547.084	Objective GRZ-O4 should recognise alternative means to addressing shortages in infrastructure capacity provided for by Council. There may be cases where private solutions can provide adequate capacity to support land use and subdivision in the General Residential Zone. There are also options for council to enter into Developer Agreements	Amend Objective GRZ-O4 as follows: Land use and subdivision in the General Residential zone is supported where there is adequacy and capacity of available, or programmed development infrastructure, or a private infrastructure solution.	Support	The amendments sought to Objective 4 are supported.
554	016	Kiwi Orange Company Limited	Fresh GRZ-O5 FS547.085	KFO supports Objective GRZ-O5 and its recognition of the importance of functional, high amenity environments.	Retain the objective as notified.	Support	This is supported.
554	017	Kiwi Orange Company Limited	Fresh GRZ-O6 FS547.086	KFO supports Objective GRZ-O6 as it recognises the importance of resilient communities.	Retain the objective as notified.	Support	This is supported.
554	018	Kiwi Orange Company Limited	Fresh GRZ-P1 FS547.087	Policy GRZ-P1, Policy GRZ-P2 and GRZ- P3 should also recognize alternative means to addressing shortages in infrastructure capacity provided for by Council. There may be cases where private solutions and Developer Agreements can facilitate or provide adequate capacity to support land use and subdivision in the General Residential Zone.  In this case, connections to the reticulated network may be made to the boundary but are unable to be connected until such time as there is an upgrade of the Council wastewater or potable water system. During this time, an interim onsite solution may be able to adequately address the infrastructure shortfall.	Amend Policy GRZ-P1 as follows: Enable land use and subdivision in the General Residential zone where: a) there is adequacy and capacity of available or programmed development infrastructure to support it; and b) it is consistent with the scale, character and amenity anticipated in the residential environment; or c) a private infrastructure solution exists.	Support	This is supported.
124	001	Lyley Newport	GRZ-P2 FS547.088	The policy is dictating how an urban dweller MUST receive their phone/telecommunications	Amend GRZ-P2 to read: Encourage all subdivision ..... leave a-d unchanged; add	Support in part	Support to the extent that Policy 2 should enable alternative delivery of infrastructure and servicing

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				connectivity and power connectivity, and its wastewater, water and stormwater reticulation. There should be scope for alternatives. Telecommunications no longer must be in ground fibre or copper wire; power no longer must be conventional nonrenewable means. Technology has moved on. If a site in this zone is large enough to sustainably cater for on-site wastewater then it should not be 'required' to connect up to a council service. If a property can sustainably provide for their own potable water supply, they should not be 'required' to connect and pay for a council service.	sentence at the end; And where it is proposed to rely on alternatives to the reticulated services outlined above, the alternative shall be capable of providing the same level of service as conventional reticulated services.		where there are capacity issues. The submitter supports the decision sought and amendments to Policy 2 as set out in Submission Point 554.019 below.
554	019	Kiwi Fresh Orange Company Limited	GRZ-P2  FS547.089	Policy GRZ-P1, Policy GRZ-P2 and GRZ- P3 should also recognize alternative means to addressing shortages in infrastructure capacity provided for by Council. There may be cases where private solutions and Developer Agreements can facilitate or provide adequate capacity to support land use and subdivision in the General Residential Zone. In this case, connections to the reticulated network may be made to the boundary but are unable to be connected until such time as there is an upgrade of the Council wastewater or potable water system. During this time, an interim onsite solution may be able to adequately address the infrastructure shortfall.	Amend Policy GRZ-P2 as follows: Require all subdivision in the General Residential zone to provide the following services to the boundary of each lot: a) telecommunications: i. fibre where it is available; or ii. copper where fibre is not available; b) local electricity distribution network; c) wastewater; and d) potable water and stormwater where it is available.	Support	The amendment sought to Policy 2 are supported.
165	010	Arvida Group Limited	GRZ-P3  Fs547.090	Policy GRZ-P3 appropriately seeks to enable "multi-unit developments within the General Residential Zone, including terraced housing and apartments, where there is adequacy and capacity of available or programmed development infrastructure." This enablement of a variety of different housing typologies is further reflected in Policy GRZ-P5 which specifically provides for retirement villages with four different criteria which are realistically capable of being achieved.	Retain Policy GRZ-P3.	Support	The decision sought is supported to the extent that Policy 3 acknowledges the importance of providing a mix of housing densities and typologies through the delivery of housing supply.
257	018	Te Hiku Community Board	GRZ-P3  FS547.091	Support a higher density of housing in the new multi-unit development rules and a higher density of housing in the residential zones.	Retain policy GRZ-P3, enabling multi-unit development.	Support	The decision sought is supported to the extent that Policy 3 acknowledges the importance of providing a mix of housing densities and typologies through the delivery of housing supply.
357	018	Sean Frieling	GRZ-P3	We support a higher density of housing in the new	Retain policy GRZ-P3, enabling multi-unit development.	Support	The decision sought is supported to the extent that



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				<p>multi-unit development rules.</p> <p>We support a higher density of housing in the residential zones.</p> <p>We support a higher density of subdivision as a restricted discretionary activity instead of a discretionary activity in the residential zone, as these areas should be encouraged for more housing and amenity value is of less of a concern to the provision of housing in these areas that do not have landscape or heritage overlays. We feel that it should be restricted discretionary to ensure that the assessment criteria that neighbours can have weighting over as an affected party is limited, to ensure that more housing can be provided with less likelihood of a hearing, as there should be a strong push to enable more housing in urban centres.</p> <p>The rules should only be allowed in areas where all infrastructure has been upgraded and maintained to allow for the maximum development potential under this rule and subdivision rules.</p>			Policy 3 acknowledges the importance of providing a mix of housing densities and typologies through the delivery of housing supply.
358	018	Leah Frieling	GRZ-P3 <b>FS547.093</b>	<p>We support a higher density of housing in the new multi-unit development rules.</p> <p>We support a higher density of housing in the residential zones.</p>	Retain policy GRZ-P3.	Support	The decision sought is supported to the extent that Policy 3 acknowledges the importance of providing a mix of housing densities and typologies through the delivery of housing supply.
464 543 547	024 022 022	LJ King Ltd	GRZ-P3 <b>FS547.094-096</b>	We support a higher density of housing in the new multi-unit development rules.	Retain policy GRZ-P3.	Support	The decision sought is supported to the extent that Policy 3 acknowledges the importance of providing a mix of housing densities and typologies through the delivery of housing supply.
472	018	Michael Foy	GRZ-P3 <b>FS547.097</b>	We support a higher density of housing in the new multi-unit development rules. We support a higher density of housing in the residential zones.	Retain policy GRZ-P3, enabling multi-unit development.	Support	The decision sought is supported to the extent that Policy 3 acknowledges the importance of providing a mix of housing densities and typologies through the delivery of housing supply.
485 519 541	023 023 021	Elbury Holdings	GRZ-P3 <b>FS547.098-0.99</b> <b>FS547.108</b>	We support a higher density of housing in the new multi-unit development rules. We support a higher density of housing in the residential zones.	Retain Policy GRZ-P3, enabling multi-unit development.	Support	The decision sought is supported to the extent that Policy 3 acknowledges the importance of providing a mix of housing densities and typologies through the delivery of housing supply.
554	020	Kiwi Fresh	GRZ-P3	Policy GRZ-P1, Policy GRZ-P2 and GRZ- P3 should also	Amend Policy GRZ-P3 as follows: Enable multi-unit	Support	The decision sought is supported.

**FS547.101**

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		Orange Company Limited		<p>recognize alternative means to addressing shortages in infrastructure capacity provided for by Council. There may be cases where private solutions and Developer Agreements can facilitate or provide adequate capacity to support land use and subdivision in the General Residential Zone.</p> <p>In this case, connections to the reticulated network may be made to the boundary but are unable to be connected until such time as there is an upgrade of the Council wastewater or potable water system. During this time, an interim onsite solution may be able to adequately address the infrastructure shortfall.</p>	developments within the General Residential zone, including terraced housing and apartments, where there is adequacy and capacity of available or programmed development infrastructure, or a private infrastructure solution.		FS547.101
554	022	Kiwi Orange Company Limited	Fresh GRZ-P6 FS547.102	KFO supports Policy GRZ-P6 as appropriately recognising that on-site water storage may be required in some cases.	Retain the policy as notified.	Support	The decision sought is supported. FS547.102
554	023	Kiwi Orange Company Limited	Fresh GRZ-P7 FS547.103	KFO supports Policy GRZ-P7 as it appropriately recognises that small-scale renewable energy generation can have benefits for residential development.	Retain the policy as notified.	Support	The decision sought is supported. FS547.103
328 400	002 003	Traverse Limited BR & R Davies	GRZ-R2 FS547.104-105	Given the 600m <sup>2</sup> minimum controlled activity and 300m <sup>2</sup> discretionary activity lot sizes, restricting impermeable surface coverage to 50% is likely to trigger a resource consent requirement more often than not. It is requested that this be increased to at least 60%.	Amend Rule GRZ-R2 to increase the threshold to at least 60%.	Neutral	The submitter has an interest in this submission point. In the instance where impervious surface allowances for the General Residential Zone are increased, the submitter considers that there should be provisions relating to the on-site management and disposal of stormwater for both reticulated and non-reticulated site to manage downstream environmental effects. FS547-104-105
561	071	Kainga Ora Hoes and Communities	GRZ-R2 Fs547.106	<p>Kāinga Ora considers that impermeable surface coverage is a development control that fits with other standards rather than as a rule in the activity status table.</p> <p>Kāinga Ora requests a higher permitted impermeable surface coverage to enable more efficient development of urban land while still managing stormwater runoff.</p>	Same as above, and requests that where a development is utilising more than one site, including for multi-unit development or retirement villages, the percentage coverage must be calculated over the gross site area of all affected sites.	Neutral	The submitter has an interest in this submission point. In the instance where impervious surface allowances for the General Residential Zone are increased, the submitter considers that there should be provisions relating to the on-site management and disposal of stormwater for both reticulated and non-reticulated site to manage downstream environmental effects.
<b>Site or Area Specific Zoning Changes</b>							
330 330	005 006	The Paihia Property	Planning Maps	The submitter generally supports the enabling intent of the General Residential zone however, when	Retain the General Residential zone as they apply to Paihia township with minimal overlays and restrictions.	Support	This decision sought is supported to the extent that the Proposed District Plan facilitates residential FS547.117 FS547.118

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565 565	006 007	Owners Group		considered alongside the other overlays which constrain development these must be appropriately considered and selected based on a higher degree of evidence and assessment, as they relate specifically to Paihia.			development within the Paihia settlement to facilitate the delivery of housing supply within Paihia. The overlays should be removed from all residential zoned land within the wider Paihia area including the land owned by Heron Point Limited.

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End of Submission