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## 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:** 21/10/2022

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

**Address for service:**

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**I wish to be heard:** No

**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

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**Point 52.1**    **S256.001**

**Section:** Mixed use

**Sub-section:** Policies

**Provision:**

**MUZ-P5**    Restrict activities that are likely to have an adverse effect on the function, role, sense of place and amenity of the Mixed Use zone, including:

- a. residential activity, retirement facilities and visitor accommodation on the ground floor of buildings, except where a site adjoins an Open Space zone;

- b. light or heavy industrial activity;
- c. storage and warehousing;
- d. large format retail activity over 400 m<sup>2</sup>; and
- e. waste management activity.

**Sentiment:** Oppose

**Submission:**

If the dwelling is only residential, i see no reason to have residential activity on the ground floor.

Also where the building is limited to only 5 metres high, so only one storey, the residential activity would have to be on the ground floor. Or is it the FNDC intention to have ALL of the Environmental area as commercial activity only?? (If residential activity only allowed on first floor.

**Relief sought**

Change policy to allow for residential activity on ground floor of new buildings, where there is only residential activity on the site.

**Point 52.2**      **\$256.002**

**Section:** Mixed use

**Sub-section:** Standards

**Provision:**

MUZ-S3	Setback (excluding from MHWS or wetland, lake and river margins)	
<b>Mixed Use zone</b>	<p>The building or structure, or extension or alteration to an existing building or structure must be setback at least 3m from the boundary of any site zoned General Residential, Rural Residential, Rural Lifestyle, Māori Purpose - Urban, Open Space, Natural Open Space, or Sport and Recreation.</p> <p><b>This standard does not apply to:</b></p> <ul style="list-style-type: none"> <li>i. solar and water heating components not exceeding 0.5m in height above the building envelope on any elevation;</li> <li>ii. fences or walls no more than 2m in height above ground level; and</li> <li>iii. uncovered decks no more than 1m above ground level. .</li> </ul>	<p><b>Where the standard is not met, matters of discretion are restricted to:</b></p> <ul style="list-style-type: none"> <li>a. the natural character of the coastal environment;</li> <li>b. screening, planting and landscaping on the site;</li> <li>c. the design and siting of the building or structure with respect to privacy and shading;</li> <li>d. natural hazard mitigation and site constraints;</li> <li>e. the effectiveness of the proposed method for controlling stormwater;</li> <li>f. the safety and efficiency of the current or future roading network; and</li> <li>g. the impacts on existing and planned public walkways.</li> </ul>

**Sentiment:** Oppose

**Submission:**

We do not support this standard because we do not believe such large setbacks are necessary, as may lose significant areas of buildable land.

**Relief sought**

Change standard to minimum setback of 1.2 metres

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**Point 52.3**     **S256.003**

**Section:** Coastal environment

**Sub-section:** Standards

**Provision:**

<b>CE-S1</b>	<b>Maximum height</b>	
<b>Coastal environment</b>	<ol style="list-style-type: none"><li>1. The maximum height of any new building or structure above ground level is 5m and must not exceed the height of the nearest ridgeline, headland or peninsula.</li><li>2. Any extension to a building or structure must not exceed the height of the existing building above ground level or exceed the height of the nearest ridgeline, headland or peninsula.</li></ol> <p><b>This standard does not apply to:</b></p> <ol style="list-style-type: none"><li>i. The Orongo Bay zone</li></ol>	<b>Where the standard is not met, matters of discretion are restricted to: Not applicable</b>

**Sentiment:** Oppose

**Submission:**

The permitted height under the Mixed Use area is 8.5 metres.

The 5m proposed height under the Coastal Environment zone allows for only 1 level. On steep sites, this is not practical, and much of Paihia is on steep sites.

**Relief sought**

Change this standard to be in line with the Mixed Use zone rule of 8.5 Metres

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**Point 52.4**     **S256.004**

**Section:** Mixed use

**Sub-section:** Rules

**Provision:**

<b>MUZ-R4</b>	<b>Residential activity</b>	
<b>Mixed Use zone</b>	<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b></p>	<b>Activity status where compliance not achieved with PER-1: Discretionary</b>

The residential activity is within a residential unit that is located above the ground floor level of a building unless the residential unit existed at 27 July 2022.

**Sentiment:** Oppose

**Submission:**

If the site is also in the coastal environment zone, then you can only build to 5 metres high (one level)

This rule then doesn't make any sense as there is no second level to have the residential activity on

**Relief sought**

Change the standard to allow for 1) residential activity on ground floor and 2) as above increase permitted height to 8.5 metres in this zone