

Appendix 2 – Officer's Recommended Decisions on Submissions (Treaty Settlement Land overlay)

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Officer recommendation	Relevant section of S42A Report
S486.015	Te Rūnanga o Whaingaroa	General / Plan Content / Miscellaneous	Support in part	Treaty Settlements acknowledge that the Crown did not act in good faith and that they have breached the principles of Te Tiriti o Waitangi. In doing so this has restricted the claimants ability to act as kaitiaki over their taonga, wāhi tapu and whenua, and has undermined their traditional tikanga and rangatiratanga including being marginalised on their ancestral lands, and a loss of tribal authority, social cohesion, traditional knowledge, and ability to develop their well-beings. Even returned assets may have underlying caveats that continue to restrict opportunities for claimants and therefore the overlay should be considered on a site by site basis.	Retain the Treaty Settlement Land Overlay to give effect to the aspirations and provisions within Settlement Acts.	Accept	Section 5.2.4 Key Issue 4: General / Plan Content / Miscellaneous
S486.079	Te Rūnanga o Whaingaroa	General / Plan Content / Miscellaneous	Support	Te Rūnanga o Whaingaroa supports the Treaty Settlement Land Overlay in principle. It is agreed, as stated in the Tāngata Whenua s32 Report, that the TSL Overlay, "Assists to remove some of the constraints and barriers associated with developing Māori land or Treaty Settlement Land."	Retain the Treaty Settlement Land Overlay and related plan provisions, subject to amendments submitted.	Accept	Section 5.2.4 Key Issue 4: General / Plan Content / Miscellaneous
S339.033	Te Aupōuri Commercial Development Ltd	General / Plan Content / Miscellaneous	Support	TACDL supports the recognition of land returned to iwi and hapū through Treaty Settlements, acknowledging its economic and cultural purpose as redress. In particular, TACDL support the commitment FNDC has made to initiate further plan change processes	Retain Treaty Settlement Overlay	Accept	Section 5.2.4 Key Issue 4: General / Plan Content / Miscellaneous

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
				to apply to Treaty Settlement Land overlay (TSL) to the returned land.				
S339.001	Te Aupōuri Commercial Development Ltd	How the Plan Works / Note 3	Not Stated	TACDL support a well drafted and integrated plan. How the Plan Works is the location that outlines the context and provides the direction to plan users on how to read and interpret the PDP. It is noted, that the TSL provisions are intended to apply in addition to the underlying zone provisions, providing enable for particular activities and standards. However, the note that has been applied is the generic note that means the most restrictive provision that applies to the site prevails. In the context of the TSL and RPROZ, this means that the underlying zone rules will always prevail, and require resource consent when a conflict arises between the two sets of provisions. In TACDL's view, this ultimately renders the chapter and its utility to enable use and development on this land unusable. While the policy direction will provide a consenting pathway, the rules of the overlay cannot be utilised. While it is understood that other district-wide provisions are relevant the relation between the TSL and the underlying zone is unclear.	Amend 'How the Plan Works' to provide clear direction that the TSL Overlay and provisions prevail over the underlying zone provisions where an activity or standard is provided.		Accept in part	Section 5.2.6 Key Issue 6: Treaty Settlement Lane overlay – 'Notes' and 'Applications subject to Multiple Provisions' in Part 1 Introduction and General Provisions / How the Plan Works / General Approach
FS111.002	Pou Herenga Tai Twin Coast Cycle Trail Charitable Trust (PHTTCCT)		Support	PHTTCCT agree that the How the Plan Works Chapter should be amended to provide clear direction with respect to Overlays and provisions which prevail over underlying zones	Allow	amend the how the plan works chapter	Accept	Section 5.2.6 Key Issue 6: Treaty Settlement Lane overlay – 'Notes' and 'Applications subject to Multiple Provisions' in Part 1 Introduction and General Provisions / How the Plan Works / General Approach

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
FS369.003	Top Energy		Support	Top Energy agrees that the How the Plan Works Chapter should be amended to provide clear direction with respect to Overlays and provisions which prevail over underlying zones	Allow	allow original submission	Accept	Section 5.2.6 Key Issue 6: Treaty Settlement Lane overlay – ‘Notes’ and ‘Applications subject to Multiple Provisions’ in Part 1 Introduction and General Provisions / How the Plan Works / General Approach
FS403.014	Te Whatu Ora - Nga Tai Ora		Support	Te Whatu Ora agree that the How the Plan Works Chapter should be amended to provide clear direction with respect to Overlays and provisions which prevail over underlying zones.	Allow	Te Whatu Ora agree that the How the Plan Works Chapter should be amended to provide clear direction with respect to Overlays and provisions which prevail over underlying zones.	Accept	Section 5.2.6 Key Issue 6: Treaty Settlement Lane overlay – ‘Notes’ and ‘Applications subject to Multiple Provisions’ in Part 1 Introduction and General Provisions / How the Plan Works / General Approach
S511.106	Royal Forest and Bird Protection Society of New Zealand	General / Plan Content / Miscellaneous	Support	Support general concept of a Treaty settlement land overlay as a useful tool	Retain overlay approach		Accept	Section 5.2.4 Key Issue 4: General / Plan Content / Miscellaneous Section 5.2.6 Key Issue 6: Treaty Settlement Lane overlay – ‘Notes’ and ‘Applications subject to Multiple Provisions’ in Part 1 Introduction and General Provisions / How the Plan Works / General Approach

Proposed Far North District Plan – s42A Report Table

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FS164.106	Scrumptious Fruit Trust		Support	<p>Taupo Bay foreshore and surrounds (as well as most Northland beach areas) must be designated as a SNA. There needs to be greater recognition of beaches as primarily biodiversity habitats and secondly as passive recreational spaces, thereby recognising and ensuring stronger protections for wildlife. This will ensure various other instruments such as bylaws are adopted to meet higher standards of protection of wildlife. Dogs on leashes in beach areas will help support the Northland foreshore and biodiversity recovery.</p> <p>The submitter supports Taupo Bay being recognised as a high character area.</p>	Allow	Amend HNC overlay to include Taupo Bay; Amend provisions to require strong wildlife protection; Amend provisions to require dogs on leash in beach areas; Adopt SNA and HNC provisions (inferred).	Reject	<p>Section 5.2.4 Key Issue 4: General / Plan Content / Miscellaneous</p> <p>Section 5.2.6 Key Issue 6: Treaty Settlement Lane overlay – 'Notes' and 'Applications subject to Multiple Provisions' in Part 1 Introduction and General Provisions / How the Plan Works / General Approach</p>
FS570.1677	Vision Kerikeri 3		Support	Support to the extent the submission is consistent with our original submissions.	Allow	Allow to the extent that the submission is consistent with our original submission	Accept	<p>Section 5.2.4 Key Issue 4: General / Plan Content / Miscellaneous</p> <p>Section 5.2.6 Key Issue 6: Treaty Settlement Lane overlay – 'Notes' and 'Applications subject to Multiple Provisions' in Part 1 Introduction and General Provisions / How the Plan Works / General Approach</p>
FS566.1691	Kapiro Conservation Trust 2		Support	Support to the extent that the submission is consistent with our original submission	Allow	Allow to the extent that the submission is consistent with our original submission	Accept	Section 5.2.4 Key Issue 4: General / Plan Content / Miscellaneous

Proposed Far North District Plan – s42A Report Table

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								Section 5.2.6 Key Issue 6: Treaty Settlement Lane overlay – ‘Notes’ and ‘Applications subject to Multiple Provisions’ in Part 1 Introduction and General Provisions / How the Plan Works / General Approach
FS569.1713	Vision Kerikeri 2		Support	Support to the extent that the submission is consistent with our original submission	Allow	Allow to the extent that the submission is consistent with our original submission	Accept	Section 5.2.4 Key Issue 4: General / Plan Content / Miscellaneous Section 5.2.6 Key Issue 6: Treaty Settlement Lane overlay – ‘Notes’ and ‘Applications subject to Multiple Provisions’ in Part 1 Introduction and General Provisions / How the Plan Works / General Approach
S442.125	Kapiro Conservation Trust	General / Plan Content / Miscellaneous	Support	Support general concept of a Treaty settlement land overlay as a useful tool.	Retain overlay approach.		Accept	Section 5.2.4 Key Issue 4: General / Plan Content / Miscellaneous Section 5.2.6 Key Issue 6: Treaty Settlement Lane overlay – ‘Notes’ and ‘Applications

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
								subject to Multiple Provisions' in Part 1 Introduction and General Provisions / How the Plan Works / General Approach
FS346.736	Royal Forest and Bird Protection Society of New Zealand Inc.		Support	The amendments sought give effect to the NPS FM, the RPS and Part 2 of the RMA and the NPS IB. Forest & Bird supports the full submission other than where the relief sought would conflict with that sought in Forest & Birds submission.	Allow	Allow the original submission	Accept	Section 5.2.4 Key Issue 4: General / Plan Content / Miscellaneous Section 5.2.6 Key Issue 6: Treaty Settlement Lane overlay – 'Notes' and 'Applications subject to Multiple Provisions' in Part 1 Introduction and General Provisions / How the Plan Works / General Approach
S483.023	Top Energy Limited	Applications Subject to Multiple Provisions	Not Stated	Top Energy considers that there is a lack of clarity throughout the PDP in terms of how the Chapters interact with each other, and some consistency. The How the Plan Works Chapter is key in terms of providing the necessary clarity for plan users.	Amend the 'Applications Subject to Multiple Provisions' section of the How the Plan Works Chapter to provide clarity in terms of how the chapters within the plan interact.		Accept in part	Section 5.2.6 Key Issue 6: Treaty Settlement Lane overlay – 'Notes' and 'Applications subject to Multiple Provisions' in Part 1 Introduction and General Provisions / How the Plan Works / General Approach
FS67.33	The Shooting Box Limited		Support	Amending to provide for better clarity is supported, as it is clear from submissions that there are several	Allow		Accept	Section 5.2.6 Key Issue 6: Treaty Settlement Lane overlay – 'Notes' and 'Applications

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
				interpretation as to how the chapters interact.				subject to Multiple Provisions' in Part 1 Introduction and General Provisions / How the Plan Works / General Approach
FS67.34	The Shooting Box Limited		Support	Amending to provide for better clarity is supported, as it is clear from submissions that there are several interpretations as to how the chapters interact.	Allow		Accept	Section 5.2.6 Key Issue 6: Treaty Settlement Lane overlay – 'Notes' and 'Applications subject to Multiple Provisions' in Part 1 Introduction and General Provisions / How the Plan Works / General Approach
FS68.36	P S Yates Family Trust		Support	Amending to provide for better clarity is supported, as it is clear from submissions that there are several interpretations as to how the chapters interact.	Allow		Accept	Section 5.2.6 Key Issue 6: Treaty Settlement Lane overlay – 'Notes' and 'Applications subject to Multiple Provisions' in Part 1 Introduction and General Provisions / How the Plan Works / General Approach
FS69.35	Setar Thirty Six Limited		Support	Amending to provide for better clarity is supported, as it is clear from submissions that there are several interpretations as to how the chapters interact.	Allow		Accept	Section 5.2.6 Key Issue 6: Treaty Settlement Lane overlay – 'Notes' and 'Applications subject to Multiple Provisions' in Part 1 Introduction and General Provisions / How the Plan

Proposed Far North District Plan – s42A Report Table

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								Works / General Approach
FS66.54	Bentzen Farm Limited		Support	Amending to provide for better clarity is supported, as it is clear from submissions that there are several interpretations as to how the chapters interact.	Allow		Accept	Section 5.2.6 Key Issue 6: Treaty Settlement Lane overlay – 'Notes' and 'Applications subject to Multiple Provisions' in Part 1 Introduction and General Provisions / How the Plan Works / General Approach
FS78.032	Transpower New Zealand Limited		Support	The submitter supports this submission because it will improve the clarity of the proposed plan.	Allow	Allow the original submission.	Accept	Section 5.2.6 Key Issue 6: Treaty Settlement Lane overlay – 'Notes' and 'Applications subject to Multiple Provisions' in Part 1 Introduction and General Provisions / How the Plan Works / General Approach
FS351.006	A.W and D.M Simpson		Oppose	Provisions currently appear to assign or imply powers to override environmental standards and values.	Disallow	Amend to protect environmental standards and values.	Reject	Section 5.2.6 Key Issue 6: Treaty Settlement Lane overlay – 'Notes' and 'Applications subject to Multiple Provisions' in Part 1 Introduction and General Provisions / How the Plan Works / General Approach

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
FS371.006	Oromahoe 18R2B2B2 Trust and its associated Hapu, Ngati Kawa, Te Ngare Hauata, Te Matarahurahu, Te Whanaurara, Ngati Kaihoru, Ngati Rahiri		Oppose	Provisions currently appear to assign or imply powers to override environmental standards and values	Disallow	Amend to protect environmental standards and values.	Reject	Section 5.2.6 Key Issue 6: Treaty Settlement Lane overlay – ‘Notes’ and ‘Applications subject to Multiple Provisions’ in Part 1 Introduction and General Provisions / How the Plan Works / General Approach
FS111.011	Pou Herenga Tai Twin Coast Cycle Trail Charitable Trust (PHTTCCT)		Support	PHTTCCT agree that the relationship between provisions and rules in zone/district wide chapters should be clarified to improve effectiveness of the plan for plan users.	Allow	allow the original submission	Accept	Section 5.2.6 Key Issue 6: Treaty Settlement Lane overlay – ‘Notes’ and ‘Applications subject to Multiple Provisions’ in Part 1 Introduction and General Provisions / How the Plan Works / General Approach
FS111.014	Pou Herenga Tai Twin Coast Cycle Trail Charitable Trust (PHTTCCT)		Support	PHTTCCT agree that a portion of this provision should be deleted to address inconsistencies with respect to referencing rules for "activities not otherwise listed".	Allow	allow the original submission	Accept	Section 5.2.6 Key Issue 6: Treaty Settlement Lane overlay – ‘Notes’ and ‘Applications subject to Multiple Provisions’ in Part 1 Introduction and General Provisions / How the Plan Works / General Approach
FS449.006	The Proprietors of Tapuaetahi Incorporation		Oppose	Provisions currently appear to assign or imply powers to override environmental standards and values.	Disallow	Amend to protect environmental standards and values	Reject	Section 5.2.6 Key Issue 6: Treaty Settlement Lane overlay – ‘Notes’ and ‘Applications

Proposed Far North District Plan – s42A Report Table

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								subject to Multiple Provisions' in Part 1 Introduction and General Provisions / How the Plan Works / General Approach
FS403.046	Te Whatu Ora - Nga Tai Ora		Support in part	Te Whatu Ora agree that the relationship between provisions and rules in zone/district wide chapters should be clarified to improve effectiveness of the plan for plan users.	Allow in part	Te Whatu Ora agree that the relationship between provisions and rules in zone/district wide chapters should be clarified to improve effectiveness of the plan for plan users.	Accept	Section 5.2.6 Key Issue 6: Treaty Settlement Lane overlay – 'Notes' and 'Applications subject to Multiple Provisions' in Part 1 Introduction and General Provisions / How the Plan Works / General Approach
FS345.074	Ngawha Generation Limited		Support	NGL is a subsidiary of Top Energy Limited. NGL supports all submission points made by Top Energy.	Allow	Allow all of the relief sought by Top Energy Limited in its submission (S483).	Accept	Section 5.2.6 Key Issue 6: Treaty Settlement Lane overlay – 'Notes' and 'Applications subject to Multiple Provisions' in Part 1 Introduction and General Provisions / How the Plan Works / General Approach
S379.001	Kahukuraariki Trust	General / Plan Content / Miscellaneous	Oppose	The overall make up and intent of the District Plan attempts to pull numerous strands of strategic direction together. These strategic directions are important to note and are important for the District. However, the zoning and provisions which follow through, in particular with respect to what tangata whenua can do on their own whenua fail is extremely limiting. Many	Amend the District Plan to be more enabling for Treaty Settlement land and Maori land (inferred) as outlined in submission.		Reject	Section 5.2.4 Key Issue 4: General / Plan content / Miscellaneous

Proposed Far North District Plan – s42A Report Table

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				<p>objectives and policies seek to enable treaty settlement land and maori land, but this intent is quickly limited by overlays, rules and regulations which highlight that the existing Operative District Plan is far more favourable than that proposed. The new rules and provisions occur District Wide. They do not factor or provide for anything of significance or of importance to Kahukuraariki. They are not site specific or rohe specific. The rules that apply at Te Rerenga Wairua, apply at Towai. This lack of specificity impacts everyone. For a district plan there is a lack of specificity for many provisions. It is not clear why Council needs to control papakainga density, or exclusive use areas, why there are activity specific controls, bulk and location controls. The land is Treaty Settlement Land, and the right to consider what activities will go where is the right of Kahukuraariki Trust. The land is important to Kahukuraariki and it forms one of the key pillars for intergenerational transformation for future generations. The PDP takes an approach to Treaty Settlement Land that does not appreciate the significance of the land, or its potential contribution to realising the dreams and aspirations of an entire iwi. To this end the PDP does not appropriately support Kahukuraariki's section 6(e) requirements outlined in the RMA 1991 or the purpose of the RMA 1991. Kahukuraariki, in general oppose the contents of the PDP.</p>			
S379.003	Kahukuraariki Trust	General / Plan Content / Miscellaneous	Oppose	<p>The overall make up and intent of the District Plan attempts to pull numerous strands of strategic direction together. These strategic directions are</p>	<p>Amend the District Plan to be more enabling for Treaty Settlement land and Maori land (inferred) as outlined in submission.</p>	Reject	Section 5.2.4 Key Issue 4: General /

Proposed Far North District Plan – s42A Report Table

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				<p>important to note and are important for the District. However, the zoning and provisions which follow through, in particular with respect to what tangata whenua can do on their own whenua fail is extremely limiting. Many objectives and policies seek to enable treaty settlement land and maori land, but this intent is quickly limited by overlays, rules and regulations which highlight that the existing Operative District Plan is far more favourable than that proposed. The new rules and provisions occur District Wide. They do not factor or provide for anything of significance or of importance to Kahukuraariki. They are not site specific or rohe specific. The rules that apply at Te Rerenga Wairua, apply at Towai. This lack of specificity impacts everyone. For a district plan there is a lack of specificity for many provisions. It is not clear why Council needs to control papakainga density, or exclusive use areas, why there are activity specific controls, bulk and location controls. The land is Treaty Settlement Land, and the right to consider what activities will go where is the right of Kahukuraariki Trust. The land is important to Kahukuraariki and it forms one of the key pillars for intergenerational transformation for future generations. The PDP takes an approach to Treaty Settlement Land that does not appreciate the significance of the land, or its potential contribution to realising the dreams and aspirations of an entire iwi. To this end the PDP does not appropriately support Kahukuraariki's section 6(e) requirements outlined in the RMA 1991 or the purpose of the RMA 1991.</p>			Plan content / Miscellaneous

Proposed Far North District Plan – s42A Report Table

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				Kahukuraariki, in general oppose the contents of the PDP.				
S383.001	Trustees of Jet#2 Trust	General / Plan content / Miscellaneous	Supports in part	Refer to submission for detailed reasons for decision request which includes, but not limited to, the following: provisions and framework for the Treaty Settlement Lands Overlay potentially conflicts with objectives, risks creating sporadic use or development, and undermines a consistent approach; and exemptions for Treaty Settlement Lands require review to achieve a fair and consistent planning framework; preferable to adopt established planning concepts, such as Papakainga zones, settlement zones, special purpose zones, precincts.	Amend the provisions and planning framework in the PDP related to Treaty Settlement Lands Overlay, to address the concerns raised in the submission.		Reject	Section 5.2.4 Key Issue 4: General / Plan content / Miscellaneous
FS409.003	Te Aupouri Commerical Development Ltd		Oppose	The relief sought is unclear and cannot easily be attributed to a resource management issue or effect. The original submission seeks to provide a more 'fair' and 'consistent' planning framework to avoid sporadic development outcomes. However, this position does not recognise that the TSL requires flexibility to provide for commercial, social and cultural redress aspirations. This is appropriate, given land is returned for cultural and economic redress purposes. Each Post-Treaty Settlement Groups has varying aspirations to the support the economic, social and cultural aspiration.	Disallow	Retain TSL overlay.	Accept	Section 5.2.4 Key Issue 4: General / Plan content / Miscellaneous
S561.055	Kāinga Ora Homes and Communities	Objectives	Support in part	The objectives set out the outcomes to be achieved for the Treaty Settlement Land overlay. Tikanga Māori (Māori customary practices) and mātauranga Māori (Māori knowledge) are integral to achieving the housing and	Insert one additional objective that specifically includes providing for mana whenua to use and develop land that is consistent with tikanga Māori and mātauranga Māori, as follows: TSL-O5 Tangata Whenua have maximum		Reject	Section 5.2.1 Key Issue 1: Objectives

Proposed Far North District Plan – s42A Report Table

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				development outcomes for mana whenua on Treaty Settlement Land. Kāinga Ora seek the addition of one objective to explicitly include tikanga Māori and mātauranga Māori.	flexibility to occupy, develop and use Treaty Settlement Land, exercising their role as kaitiaki by:1. Incorporating mātauranga and tikanga Māori; and2. Ensuring the health, safety and wellbeing of people and communities is maintained. Amend to correct spelling in TSL-O3 Treaty Settlement Land returned as cultural redress provides for the on-going relationship tangata whenua has with their land.			
FS32.109	Jeff Kemp		Oppose	<p>The original submission seeks to amend the FNDC in a way which changes how the FNDC has previously managed the district's natural and physical resources. The nature and scale of the outcomes sought have no supporting documents which address the appropriateness of the changes such as the costs and benefits involved. As a minimum, the submitter should have provided a s32 analysis of the proposed changes.</p> <p>The amenity, values and character of the district's urban areas have developed over time through various district plans. The wider community and applicants have an understanding of and have appreciated the consenting process. The original submission seeks a completely different planning framework away from an effects-based district plan and is essentially reallocating the goal posts.</p> <p>The original submission heralds the application for a private plan change which would provide the opportunity for those most affected to be involved.</p>	Disallow	Disallow the original submission.	Accept	Section 5.2.1 Key Issue 1: Objectives
FS409.006	Te Aupouri Commerical		Support in part	TACDL supports the submission for the reasons outlined in their submission. The objectives set out the outcomes to	Allow in part	Allow the original submission in part.	Reject	Section 5.2.1 Key Issue 1: Objectives

Proposed Far North District Plan – s42A Report Table

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	Development Ltd			be achieved for the Treaty Settlement Land overlay. Tikanga Māori (Māori customary practices) and mātauranga Māori (Māori knowledge) are integral to achieving the housing and development outcomes for mana whenua on Treaty Settlement Land. Kāinga Ora seek the addition of one objective to explicitly include tikanga Māori and mātauranga Māori (inferred).				
FS23.327	Des and Lorraine Morrison		Support	Generally support for the reasons set out in the submission of Kāinga Ora. It is important that peoples' wellbeing, and in particular their ability to establish housing on their land is enabled. Also particularly support the changes proposed for recognition of and development on Māori land.	Allow	Allow the relief sought to the extent consistent with our primary submission	Reject	Section 5.2.1 Key Issue 1: Objectives
FS47.069	Our Kerikeri Community Charitable Trust		Oppose	The KO submission contravenes our original submission throughout, as we are seeking a shift from the permissive approach to a more prescriptive DP supported by Master Plans for central areas and Spatial Plans (still under preparation and long overdue), while KO suggests a considerably more permissive plan. Our submission states "We are concerned that the PDP, as currently drafted, would support development in the form that undermines character, amenity values and other aspects of the environment that our communities value", but KO's proposals would further reduce the limited opportunity for the public to have input into resource consent applications..... etc see FS document	Disallow	Disallow the entire original submission	Accept	Section 5.2.1 Key Issue 1: Objectives
FS348.142	Alec Brian Cox		Oppose	The submission was not made by the closing date	Disallow	I seek that the whole of the	Accept	Section 5.2.1 Key Issue 1: Objectives

Proposed Far North District Plan – s42A Report Table

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				and is therefore not a valid submission under RMA		submission be disallowed		
S339.034	Te Aupōuri Commercial Development Ltd	TSL-O1	Support	TACDL supports the intention of this objective	Retain Objective TSL-O1		Accept	Section 5.2.1 Key Issue 1: Objectives
S339.035	Te Aupōuri Commercial Development Ltd	TSL-O2	Support	TACDL supports the intention of this objective	Retain Objective TSL-O2		Accept	Section 5.2.1 Key Issue 1: Objectives
S390.067	Te Runanga o Ngai Takoto Trust	TSL-O2	Support	The submitter supports objective TSL-O2 but seeks to include environmental development as part of the objective.	Amend objective TSL-O2 to include and enable environmental development.		Accept	Section 5.2.1 Key Issue 1: Objectives
S498.068	Te Rūnanga Ā Iwi O Ngapuhi	TSL-O2	Support	The submitter supports objective TSL-O2 but seeks to include environmental development as part of the objective.	Amend objective TSL-O2 to include and enable environmental development.		Accept	Section 5.2.1 Key Issue 1: Objectives
FS151.114	Ngāi Tukairangi No.2 Trust		Support		Allow		Accept	Section 5.2.1 Key Issue 1: Objectives
FS23.236	Des and Lorraine Morrison		Support	It is important that provisions are consistent with Treaty principles and recognise and provide for Māori interests, including (but not limited to) appropriate economic development of their land.	Allow	Allow the relief sought to the extent consistent with our primary submission.	Accept	Section 5.2.1 Key Issue 1: Objectives
S486.081	Te Rūnanga o Whaingaroa	TSL-O2	Support	Te Rūnanga o Whaingaroa seeks to include environmental development as part of the objective to TSL-O2.	Amend Objective TSL-O2 to include and enable environmental development.		Accept	Section 5.2.1 Key Issue 1: Objectives
FS243.111	Kainga Ora Homes and Communities		Support	Kainga Ora seeks to enable Māori-led projects on whenua Māori land, particularly where it addresses the severe housing shortage in Te Tai Tokerau and supports the realisation of papakāinga	Allow	Delete sections a, b, c and e of Policy TSL-P3 Provide for development on Treaty Settlement Land where it is demonstrated that:	Accept	Section 5.2.1 Key Issue 1: Objectives
S368.038	Far North District Council	TSL-O3	Support in part	spelling error: Tangata	Amend TSL-O3 Treaty Settlement Land returned as cultural redress provides for the on-going relationship tangata tangata whenua has with		Accept	Section 5.2.1 Key Issue 1: Objectives

Proposed Far North District Plan – s42A Report Table

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					their land			
S339.036	Te Aupōuri Commercial Development Ltd	TSL-O3	Support	TACDL supports the intention of this objective	Retain Objective TSL-O3		Accept	Section 5.2.1 Key Issue 1: Objectives
S339.037	Te Aupōuri Commercial Development Ltd	TSL-O4	Support	TACDL supports the intention of this objective	Retain Objective TSL-O4		Accept	Section 5.2.1 Key Issue 1: Objectives
S498.069	Te Rūnanga Ā Iwi O Ngapuhi	TSL-O4	Oppose	The submitter opposes objective TSL-O4 as the term "sustainable carrying capacity" is uncertain and contestable. Interpretation could place additional constraints on development in this overlay. The amendment submitted is to make clear that the objective is to enable maximum development up to the sustainable carrying capacity of the land and surrounding environment. This is consistent with the enabling approach of related objectives. A separate submission seeks a definition for "sustainable carrying capacity." In the absence of a definition, the objective should be further clarified, by adding references to capacity criteria including the usable or developable area of a site, nature of the locality (urban, rural, coastal or overlay), access and infrastructure, and services available.	Amend objective TSL-O4 to read as follows: Use and development on Treaty Settlement Land can fully utilise reflects the sustainable carrying capacity of the land and surrounding environment'. AND Otherwise amend TSL-O4 to provide context and clarity.		Accept in part	Section 5.2.1 Key Issue 1: Objectives
FS151.115	Ngāi Tukairangi No.2 Trust		Support		Allow		Accept	Section 5.2.1 Key Issue 1: Objectives
FS23.237	Des and Lorraine Morrison		Support	It is important that provisions are consistent with Treaty principles and recognise and provide for Māori interests, including (but not limited to) appropriate economic development of their land.	Allow	Allow the relief sought to the extent consistent with our primary submission.	Accept	Section 5.2.1 Key Issue 1: Objectives

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
FS243.117	Kainga Ora Homes and Communities		Support	Kainga Ora seeks to enable Māori-led projects on whenua Māori land, particularly where it addresses the severe housing shortage in Te Tai Tokerau and supports the realisation of papakāinga	Allow	Amend objective TSL-O4 to read as follows:	Accept	Section 5.2.1 Key Issue 1: Objectives
S390.068	Te Runanga o Ngai Takoto Trust	TSL-O4	Oppose	The submitter opposes objective TSL-O4 as the term "sustainable carrying capacity" is uncertain and contestable. Interpretation could place additional constraints on development in this overlay. The amendment submitted is to make clear that the objective is to enable maximum development up to the sustainable carrying capacity of the land and surrounding environment. This is consistent with the enabling approach of related objectives. A separate submission seeks a definition for "sustainable carrying capacity." In the absence of a definition, the objective should be further clarified, by adding references to capacity criteria including the usable or developable area of a site, nature of the locality (urban, rural, coastal or overlay), access and infrastructure, and services available.	Amend objective TSL-O4 to read as follows: Use and development on Treaty Settlement Land can fully utilise reflects the sustainable carrying capacity of the land and surrounding environment'. AND Otherwise amend TSL-O4 to provide context and clarity.		Accept in part	Section 5.2.1 Key Issue 1: Objectives
FS243.102	Kainga Ora Homes and Communities		Support	Kainga Ora seeks to enable Māori-led projects on whenua Māori land, particularly where it addresses the severe housing shortage in Te Tai Tokerau and supports the realisation of papakāinga	Allow	Amend objective TSL-O4 to read as follows:	Accept	Section 5.2.1 Key Issue 1: Objectives
S486.082	Te Rūnanga o Whaingaroa	TSL-O4	Oppose	The term "sustainable carrying capacity" is uncertain and contestable. Interpretation could place additional constraints on development in this overlay. The amendment submitted is to make clear that the objective is to enable maximum development up to	Amend Objective TSL-O4 as follows: Use and development on Treaty Settlement Land can fully utilise reflects the sustainable carrying capacity of the land and surrounding environment. Otherwise amend Objective TSL-O4 to provide context and clarity		Accept in part	Section 5.2.1 Key Issue 1: Objectives

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
				<p>the sustainable carrying capacity of the land and surrounding environment. This is consistent with the enabling approach of related objectives. A separate submission seeks a definition for "sustainable carrying capacity." In the absence of a definition, the objective should be further clarified, by adding references to capacity criteria including the usable or developable area of a site, nature of the locality (urban, rural, coastal or overlay), access and infrastructure, and services available.</p>				
<p>FS243.109</p>	<p>Kainga Ora Homes and Communities</p>		<p>Support</p>	<p>Kainga Ora seeks to enable Māori-led projects on whenua Māori land, particularly where it addresses the severe housing shortage in Te Tai Tokerau and supports the realisation of papakāinga</p>	<p>Allow</p>	<p>Amend objective TSL-O4 to read as follows:</p>	<p>Accept</p>	<p>Section 5.2.1 Key Issue 1: Objectives</p>
<p>S486.080</p>	<p>Te Rūnanga o Whaingaroa</p>	<p>Policies</p>	<p>Oppose</p>	<p>Treaty Settlements acknowledge the Crown had breached their agreement to the Te Tiriti o Waitangi. Some returned assets have underlying caveats that continue to restrict opportunities and should be considered on a site-by-site basis.</p>	<p>Delete policies that are not enabling or that constrain development opportunities for iwi and hapū (inferred)</p>		<p>Reject</p>	<p>Section 5.2.1 Key Issue 1: Objectives</p>
<p>S498.011</p>	<p>Te Rūnanga Ā Iwi O Ngapuhi</p>	<p>Policies</p>	<p>Support in part</p>	<p>The submitter supports in part the inclusion of the Treaty Settlement Overlay to give effect to the aspirations and provisions within Settlement Acts. Treaty Settlements acknowledge that the Crown did not act in good faith and that they have breached the principles of Te Tiriti o Waitangi. In doing so this has restricted the claimants ability to act as kaitiaki over their taonga, wāhi tapu and whenua, and has undermined their traditional tikanga and rangatiratanga including being marginalised on their ancestral lands,</p>	<p>Amend Treaty Settlement Land overlay policies which are not enabling thereby limiting or constraining their development opportunities.</p>		<p>Reject</p>	<p>Section 5.2.1 Key Issue 1: Objectives</p>

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
				and a loss of tribal authority, social cohesion, traditional knowledge, and ability to develop their well-beings. Even returned assets may have underlying caveats that continue to restrict opportunities for claimants and therefore the overlay should be considered on a site by site basis.				
FS151.51	Ngāi Tukairangi No.2 Trust		Support		Allow		Reject	Section 5.2.1 Key Issue 1: Objectives
FS23.179	Des and Lorraine Morrison		Support	It is important that provisions are consistent with Treaty principles and recognise and provide for Māori interests, including (but not limited to) appropriate economic development of their land.	Allow	Allow the relief sought to the extent consistent with our primary submission.	Reject	Section 5.2.1 Key Issue 1: Objectives
FS243.114	Kainga Ora Homes and Communities		Support	Kainga Ora seeks to enable Māori-led projects on whenua Māori land, particularly where it addresses the severe housing shortage in Te Tai Tokerau and supports the realisation of papakāinga	Allow	Amend Treaty Settlement Land overlay policies which are not enabling thereby limiting or constraining their development opportunities.	Reject	Section 5.2.1 Key Issue 1: Objectives
S498.067	Te Rūnanga Ā Iwi O Ngapuhi	Policies	Oppose	The submitter opposes policies which are not enabling (inferred) as Treaty Settlements acknowledge the Crown had breached their agreement to the Te Tiriti o Waitangi but some returned assets have underlying caveats that continue to restrict opportunities and should be considered on a site-by-site basis.	Amend policies that are not enabling or that constrain development opportunities for iwi and hapū.		Reject	Section 5.2.1 Key Issue 1: Objectives
FS151.113	Ngāi Tukairangi No.2 Trust		Support		Allow		Reject	Section 5.2.1 Key Issue 1: Objectives
FS23.235	Des and Lorraine Morrison		Support	It is important that provisions are consistent with Treaty principles and recognise and provide for Māori interests, including (but not limited to)	Allow	Allow the relief sought to the extent consistent with our primary submission.	Reject	Section 5.2.1 Key Issue 1: Objectives

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
				appropriate economic development of their land.				
FS243.116	Kainga Ora Homes and Communities		Support	Kainga Ora seeks to enable Māori-led projects on whenua Māori land, particularly where it addresses the severe housing shortage in Te Tai Tokerau and supports the realisation of papakāinga	Allow	Amend policies that are not enabling or that constrain development opportunities for iwi and hapū.	Reject	Section 5.2.1 Key Issue 1: Objectives
S561.058	Kāinga Ora Homes and Communities	Policies	Support in part	A new policy should be provided that outline how the objectives are to be achieved.	Insert a new policy TSL-P5 as follows: Enable alternative approaches to site access and infrastructure provision where the occupation, use and development of Treaty Settlement Land is constrained by access or the availability of infrastructure.		Reject	Section 5.2.1 Key Issue 1: Objectives
FS36.068	Waka Kotahi NZ Transport Agency		Support in part	Supports the use and development of Treaty Settlement land and alternative infrastructure where appropriate. However, has concerns that the relief sought is unclear as to what "alternative approaches to site access and infrastructure provision" may include. As part of any development it is vital to provide safe site access and access to the transport network.	Allow in part	Clarify what is meant by "enable alternative approaches to site access and infrastructure provision."	Reject	Section 5.2.1 Key Issue 1: Objectives
FS32.112	Jeff Kemp		Oppose	The original submission seeks to amend the FNDC in a way which changes how the FNDC has previously managed the district's natural and physical resources. The nature and scale of the outcomes sought have no supporting documents which address the appropriateness of the changes such as the costs and benefits involved. As a minimum, the submitter should have provided a s32 analysis of the proposed changes. The amenity, values and character of the district's urban areas have developed over time through various district plans. The	Disallow	Disallow the original submission.	Accept	Section 5.2.1 Key Issue 1: Objectives

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
				wider community and applicants have an understanding of and have appreciated the consenting process. The original submission seeks a completely different planning framework away from an effects-based district plan and is essentially reallocating the goal posts. The original submission heralds the application for a private plan change which would provide the opportunity for those most affected to be involved.				
FS409.009	Te Aupouri Commerical Development Ltd		Support in part	TADCL supports the amendments sought by Kāinga Ora for the reasons outlined in their primary submission. A new policy should be provided that outlines how the objectives are to be achieved (inferred).	Allow in part	Allow the original submission in part.	Reject	Section 5.2.1 Key Issue 1: Objectives
FS23.330	Des and Lorraine Morrison		Support	Generally support for the reasons set out in the submission of Kāinga Ora. It is important that peoples' wellbeing, and in particular their ability to establish housing on their land is enabled. Also particularly support the changes proposed for recognition of and development on Māori land.	Allow	Allow the relief sought to the extent consistent with our primary submission	Reject	Section 5.2.1 Key Issue 1: Objectives
FS47.072	Our Kerikeri Community Charitable Trust		Oppose	The KO submission contravenes our original submission throughout, as we are seeking a shift from the permissive approach to a more prescriptive DP supported by Master Plans for central areas and Spatial Plans (still under preparation and long overdue), while KO suggests a considerably more permissive plan. Our submission states "We are concerned that the PDP, as currently drafted, would support development in the form that undermines character, amenity values and other aspects of	Disallow	Disallow the entire original submission	Accept	Section 5.2.1 Key Issue 1: Objectives

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
				the environment that our communities value", but KO's proposals would further reduce the limited opportunity for the public to have input into resource consent applications..... etc see FS document				
FS348.145	Alec Brian Cox		Oppose	The submission was not made by the closing date and is therefore not a valid submission under RMA	Disallow	I seek that the whole of the submission be disallowed	Accept	Section 5.2.1 Key Issue 1: Objectives
S390.010	Te Runanga o Ngai Takoto Trust	Policies	Support in part	The submitter supports in part the inclusion of the Treaty Settlement Overlay to give effect to the aspirations and provisions within Settlement Acts. Treaty Settlements acknowledge that the Crown did not act in good faith and that they have breached the principles of Te Tiriti o Waitangi. In doing so this has restricted the claimants ability to act as kaitiaki over their taonga, wāhi tapu and whenua, and has undermined their traditional tikanga and rangatiratanga including being marginalised on their ancestral lands, and a loss of tribal authority, social cohesion, traditional knowledge, and ability to develop their well-beings. Even returned assets may have underlying caveats that continue to restrict opportunities for claimants and therefore the overlay should be considered on a site by site basis.	Amend Treaty Settlement Land overlay policies which are not enabling thereby limiting or constraining their development opportunities.		Reject	Section 5.2.1 Key Issue 1: Objectives
FS243.0100	Kainga Ora Homes and Communities		Support	Kainga Ora seeks to enable Māori-led projects on whenua Māori land, particularly where it addresses the severe housing shortage in Te Tai Tokerau and supports the realisation of papakāinga	Allow	Amend Treaty Settlement Land overlay policies which are not enabling thereby limiting or constraining their development opportunities.	Reject	Section 5.2.1 Key Issue 1: Objectives

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
FS24here are3.106	Kainga Ora Homes and Communities		Support	Kainga Ora seeks to enable Māori-led projects on whenua Māori land, particularly where it addresses the severe housing shortage in Te Tai Tokerau and supports the realisation of papakāinga	Allow	Amend Treaty Settlement Land overlay policies which are not enabling thereby limiting or constraining their development opportunities.	Reject	Section 5.2.1 Key Issue 1: Objectives
S390.066	Te Runanga o Ngai Takoto Trust	Policies	Oppose	The submitter opposes policies which are not enabling (inferred) as Treaty Settlements acknowledge the Crown had breached their agreement to the Te Tiriti o Waitangi but some returned assets have underlying caveats that continue to restrict opportunities and should be considered on a site-by-site basis.	Amend policies that are not enabling or that constrain development opportunities for iwi and hapū.		Reject	Section 5.2.1 Key Issue 1: Objectives
FS243.101	Kainga Ora Homes and Communities		Support	Kainga Ora seeks to enable Māori-led projects on whenua Māori land, particularly where it addresses the severe housing shortage in Te Tai Tokerau and supports the realisation of papakāinga	Allow	Amend Treaty Settlement Land overlay policies which are not enabling thereby limiting or constraining their development opportunities.	Reject	Section 5.2.1 Key Issue 1: Objectives
FS243.107	Kainga Ora Homes and Communities		Support	Kainga Ora seeks to enable Māori-led projects on whenua Māori land, particularly where it addresses the severe housing shortage in Te Tai Tokerau and supports the realisation of papakāinga	Allow	Amend Treaty Settlement Land overlay policies which are not enabling thereby limiting or constraining their development opportunities.	Reject	Section 5.2.1 Key Issue 1: Objectives
S486.016	Te Rūnanga o Whaingaroa	Policies	Support in part	Treaty Settlements acknowledge that the Crown did not act in good faith and that they have breached the principles of Te Tiriti o Waitangi. In doing so this has restricted the claimants ability to act as kaitiaki over their taonga, wāhi tapu and whenua, and has undermined their traditional tikanga and rangatiratanga including being marginalised on their ancestral lands,	Delete (inferred) policies that are not enabling thereby limiting or constraining their development opportunities.		Reject	Section 5.2.1 Key Issue 1: Objectives

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
				and a loss of tribal authority, social cohesion, traditional knowledge, and ability to develop their well-beings. Even returned assets may have underlying caveats that continue to restrict opportunities for claimants and therefore the overlay should be considered on a site by site basis.				
FS243.108	Kainga Ora Homes and Communities		Support	Kainga Ora seeks to enable Māori-led projects on whenua Māori land, particularly where it addresses the severe housing shortage in Te Tai Tokerau and supports the realisation of papakāinga	Allow	Delete (inferred) policies that are not enabling thereby limiting or constraining their development opportunities.	Reject	Section 5.2.1 Key Issue 1: Objectives
S339.038	Te Aupōuri Commercial Development Ltd	TSL-P1	Support	TACDL supports the intention of this policy, however, considers this can be improved by align with the aspirations of whanau, hapū and iwi as outlined in any plans and strategies that have been prepared. Iwi authorities view the environment through a te ao Māori lens which means plans and strategies are developed looking 20, 50 and 100 years into the future to achieve their overarching aspirations for whenua, whanau and the taiao (land, people, and the environment).	Amend Policy TSL-P1 as follows: Provide for Enable the occupation , use and development of Treaty Settlement Land in accordance with iwi, hapū and whanau aspirations outlined in their environment, economic, cultural and social plans and strategies.		Reject	Section 5.2.1 Key Issue 1: Objectives
FS243.121	Kainga Ora Homes and Communities		Support	Kainga Ora seeks to enable Māori-led projects on whenua Māori land, particularly where it addresses the severe housing shortage in Te Tai Tokerau and supports the realisation of papakāinga	Allow	Amend Policy TSL-P1 as follows:	Reject	Section 5.2.1 Key Issue 1: Objectives
S339.039	Te Aupōuri Commercial Development Ltd	TSL-P2	Support	TACDL support the intention of this policy, however, do not consider it necessary to restrict the scale of commercial activities that may take place on these sites. The innate nature of the Treaty Settlement process limits the available land and assets that can be returned to iwi to those owned by	Amend Policy TSL-P2 as follows: Enable a range of activities on Treaty Settlement Land including marae, papakāinga, customary use, cultural and small-scale commercial activities where the adverse effects can be avoided, remedied or mitigated.		Accept	Section 5.2.1 Key Issue 1: Objectives

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
				the Crown. The available landholdings to return to iwi are typically rural farm or forestry holdings, and while these are still commercial assets, they're typically not enabled for commercial activities by district plans. For this reason, TACDL seek greater flexibility for the enablement of commercial activities within the TSL.				
FS243.122	Kainga Ora Homes and Communities		Support	Kainga Ora seeks to enable Māori-led projects on whenua Māori land, particularly where it addresses the severe housing shortage in Te Tai Tokerau and supports the realisation of papakāinga	Allow	Amend Policy TSL-P2 as follows:	Accept	Section 5.2.1 Key Issue 1: Objectives
FS354.186	Horticulture New Zealand		Oppose	TSL-P2 provides for small scale commercial activities but the submitter wants to delete 'small scale' and provide for larger scale commercial activities. HortNZ considers that provisions for commercial activities need to be consistent with the underlying zone.	Disallow	Disallow S339.039	Reject	Section 5.2.1 Key Issue 1: Objectives
S486.083	Te Rūnanga o Whaingaroa	TSL-P3	Oppose	Policy TSL-P3 places unnecessary constraints on development of Treaty Settlement Land. Paragraphs a), c) and e) deal repetitively with the issue of cross-boundary effects and c) and e) are therefore redundant. Paras b) and f) appear to be somewhat paternalistic, addressing matters that are properly the preserve of the landowners, when they are choosing development options.	Delete sections a, b, c and e of Policy TSL-P3		Reject	Section 5.2.1 Key Issue 1: Objectives
S498.070	Te Rūnanga Ā Iwi O Ngapuhi	TSL-P3	Oppose	The submitter opposes policy TSL-P3 as it places unnecessary constraints on development of Treaty Settlement Land. Paragraphs a), c) and e) deal repetitively with the issue of cross-boundary effects and c) and e) are therefore redundant. Paras b) and f)	Amend policy TSL-P3 by deleting paragraphs a), b), c), & e)		Reject	Section 5.2.1 Key Issue 1: Objectives

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
				appear to be somewhat paternalistic, addressing matters that are properly the preserve of the landowners, when they are choosing development options.				
FS151.116	Ngāi Tukairangi No.2 Trust		Support		Allow		Reject	Section 5.2.1 Key Issue 1: Objectives
FS23.238	Des and Lorraine Morrison		Support	It is important that provisions are consistent with Treaty principles and recognise and provide for Māori interests, including (but not limited to) appropriate economic development of their land.	Allow	Allow the relief sought to the extent consistent with our primary submission.	Reject	Section 5.2.1 Key Issue 1: Objectives
FS243.118	Kainga Ora Homes and Communities		Support	Kainga Ora seeks to enable Māori-led projects on whenua Māori land, particularly where it addresses the severe housing shortage in Te Tai Tokerau and supports the realisation of papakāinga	Allow	Delete sections a, b, c and e of Policy TSL-P3	Reject	Section 5.2.1 Key Issue 1: Objectives
S561.056	Kāinga Ora Homes and Communities	TSL-P3	Support in part	The amendments proposed to this policy are to ensure the policy remains supportive of use and development to achieve the objectives of this overlay.	Amend TSL-P3 as follows: Provide for development on Māori land where it is demonstrated: a. it is compatible with surrounding activities;b. it will not compromise occupation, development and use of Māori land;c. it will not compromise use of adjacent land or other zones to be efficiently and effectively used for their intended purpose;d. it maintains character and amenity of surrounding area;e. it provides for community wellbeing, health and safety;f. it can be serviced by onsite infrastructure or reticulated infrastructure where this is available; andg. that any adverse effects can be avoided, remedied or mitigated. Recognise and provide for mātauranga Māori, tikanga Māori and kaitiakitanga when determining the scale, intensity and compatibility of activities in the Māori purpose zone, including when		Reject	Section 5.2.1 Key Issue 1: Objectives

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
					considering measures to avoid, remedy or mitigate adverse effects.			
FS32.110	Jeff Kemp		Oppose	The original submission seeks to amend the FNDC in a way which changes how the FNDC has previously managed the district's natural and physical resources. The nature and scale of the outcomes sought have no supporting documents which address the appropriateness of the changes such as the costs and benefits involved. As a minimum, the submitter should have provided a s32 analysis of the proposed changes. The amenity, values and character of the district's urban areas have developed over time through various district plans. The wider community and applicants have an understanding of and have appreciated the consenting process. The original submission seeks a completely different planning framework away from an effects-based district plan and is essentially reallocating the goal posts. The original submission heralds the application for a private plan change which would provide the opportunity for those most affected to be involved.	Disallow	Disallow the original submission.	Accept	Section 5.2.1 Key Issue 1: Objectives
FS409.007	Te Aupouri Commerical Development Ltd		Support in part	TACDL supports Kāinga Ora's intentions to provide for the inclusion of kaitiakitanga, mātauranga and tikanga Māori. However, the amendments sought restrict the policy to land that is zoned MPZ and the TSL Overlay largely applies to land that is not MPZ.	Allow in part	Allow the original submission in part.	Reject	Section 5.2.1 Key Issue 1: Objectives
FS354.189	Horticulture New Zealand		Oppose	The submitter seeks to delete clauses in TSL-P3 which provide for TSL development that is consistent with the local environment and existing activities. This is not supported.	Disallow	Disallow S561.056	Accept	Section 5.2.1 Key Issue 1: Objectives

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
FS23.328	Des and Lorraine Morrison		Support	Generally support for the reasons set out in the submission of Kāinga Ora. It is important that peoples' wellbeing, and in particular their ability to establish housing on their land is enabled. Also particularly support the changes proposed for recognition of and development on Māori land.	Allow	Allow the relief sought to the extent consistent with our primary submission	Reject	Section 5.2.1 Key Issue 1: Objectives
FS47.070	Our Kerikeri Community Charitable Trust		Oppose	The KO submission contravenes our original submission throughout, as we are seeking a shift from the permissive approach to a more prescriptive DP supported by Master Plans for central areas and Spatial Plans (still under preparation and long overdue), while KO suggests a considerably more permissive plan. Our submission states "We are concerned that the PDP, as currently drafted, would support development in the form that undermines character, amenity values and other aspects of the environment that our communities value", but KO's proposals would further reduce the limited opportunity for the public to have input into resource consent applications..... etc see FS document	Disallow	Disallow the entire original submission	Accept	Section 5.2.1 Key Issue 1: Objectives
FS348.143	Alec Brian Cox		Oppose	The submission was not made by the closing date and is therefore not a valid submission under RMA	Disallow	I seek that the whole of the submission be disallowed	Accept	Section 5.2.1 Key Issue 1: Objectives
S511.107	Royal Forest and Bird Protection Society of New Zealand	TSL-P3	Oppose	Need to include more specific recognition of the importance of protecting and enhancing natural values, including protection of SNAs	Amend policy TSL-P3 to include more specific recognition of the importance of protecting and enhancing natural values including protection of SNAs.		Reject	Section 5.2.1 Key Issue 1: Objectives
FS164.107	Scrumptious Fruit Trust		Support	Taupo Bay foreshore and surrounds (as well as most Northland beach	Allow	Amend HNC overlay to include Taupo Bay;	Reject	Section 5.2.1 Key Issue 1: Objectives

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
				<p>areas) must be designated as a SNA. There needs to be greater recognition of beaches as primarily biodiversity habitats and secondly as passive recreational spaces, thereby recognising and ensuring stronger protections for wildlife. This will ensure various other instruments such as bylaws are adopted to meet higher standards of protection of wildlife. Dogs on leashes in beach areas will help support the Northland foreshore and biodiversity recovery.</p> <p>The submitter supports Taupo Bay being recognised as a high character area.</p>		<p>Amend provisions to require strong wildlife protection; Amend provisions to require dogs on leash in beach areas; Adopt SNA and HNC provisions (inferred).</p>		
FS570.1678	Vision Kerikeri 3		Support	Support to the extent the submission is consistent with our original submissions.	Allow	Allow to the extent that the submission is consistent with our original submission	Reject	Section 5.2.1 Key Issue 1: Objectives
FS566.1692	Kapiro Conservation Trust 2		Support	Support to the extent that the submission is consistent with our original submission	Allow	Allow to the extent that the submission is consistent with our original submission	Reject	Section 5.2.1 Key Issue 1: Objectives
FS569.1714	Vision Kerikeri 2		Support	Support to the extent that the submission is consistent with our original submission	Allow	Allow to the extent that the submission is consistent with our original submission	Reject	Section 5.2.1 Key Issue 1: Objectives
S442.126	Kapiro Conservation Trust	TSL-P3	Oppose	Need to include more specific recognition of the importance of protecting and enhancing natural values, including protection of SNAs	Amend to include more specific recognition of the importance of protecting and enhancing natural values, including protection of SNAs.		Reject	Section 5.2.1 Key Issue 1: Objectives
FS409.018	Te Aupouri Commerical Development Ltd		Oppose	TACDL considers that the management of SNA's is most efficiently managed in the relevant Natural Environment Chapter as opposed to within another overlay. This is considered to create unnecessary duplication.	Disallow	Disallow the original submission.	Accept	Section 5.2.1 Key Issue 1: Objectives

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
FS346.737	Royal Forest and Bird Protection Society of New Zealand Inc.		Support	The amendments sought give effect to the NPS FM, the RPS and Part 2 of the RMA and the NPS IB. Forest & Bird supports the full submission other than where the relief sought would conflict with that sought in Forest & Birds submission.	Allow	Allow the original submission	Reject	Section 5.2.1 Key Issue 1: Objectives
S390.069	Te Runanga o Ngai Takoto Trust	TSL-P3	Oppose	The submitter opposes policy TSL-P3 as it places unnecessary constraints on development of Treaty Settlement Land. Paragraphs a), c) and e) deal repetitively with the issue of cross-boundary effects and c) and e) are therefore redundant. Paras b) and f) appear to be somewhat paternalistic, addressing matters that are properly the preserve of the landowners, when they are choosing development options.	Amend policy TSL-P3 by deleting paragraphs a), b), c), & e)		Reject	Section 5.2.1 Key Issue 1: Objectives
FS243.103	Kainga Ora Homes and Communities		Support	Kāinga Ora supports this submission as far as it aligns with its primary submission.	Allow	Amend policy TSL-P3 by deleting paragraphs a), b), c), & e)	Reject	Section 5.2.1 Key Issue 1: Objectives
FS354.188	Horticulture New Zealand		Oppose	The submitter seeks to delete clauses in the policy that seek to ensure that development is compatible with surrounding activities and will not compromise the underlying zone, adjacent land or other zones to be efficiently or effectively used for their intended purpose. This would include primary production activities within the rural zones and mean that new development would not have to consider the effects on such activities. It is important that activities provided for in the underlying zone are not adversely affected by TSL developments.	Disallow	Disallow S390.069	Reject	Section 5.2.1 Key Issue 1: Objectives
S339.040	Te Aupōuri Commercial	TSL-P3	Not Stated	For the same reasons detailed in submission point 25, TACDL seek	Amend TSL-P3 as follows: Provide for the occupation, use and		Reject	Section 5.2.1 Key Issue 1: Objectives

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
	Development Ltd			maximum flexibility to develop TSL land in order to provide for the economic and social wellbeing of its members. Further, the bulk and location standards of either the underlying zone or the TSL provide sufficient separation distance, bulk, scale and size to manage onsite amenity of the surrounding sites.	development on Treaty Settlement Land where it is demonstrated that: a. it is compatible with surrounding activities; a. it will not compromise the occupation, development and use of Treaty Settlement Land; b. it will not compromise the underlying zone, adjacent land or other zones to be efficiently or effectively used for their intended purpose; c. any values identified through cultural redress are maintained; d. it maintains the character and amenity of surrounding area; e. it provides for community wellbeing, health and safety; f. it can be serviced by on site infrastructure or reticulated infrastructure where this is available; and g. any adverse effects can be avoided, remedied or mitigated.			
FS243.123	Kainga Ora Homes and Communities		Support in part	Kainga Ora seeks to enable Māori-led projects on whenua Māori land, particularly where it addresses the severe housing shortage in Te Tai Tokerau and supports the realisation of papakāinga	Allow	Amend TSL-P3 as follows:	Reject	Section 5.2.1 Key Issue 1: Objectives
FS354.187	Horticulture New Zealand		Oppose	The submitter seeks to delete clauses in the policy that seek to ensure that development is compatible with surrounding activities and will not compromise the underlying zone, adjacent land or other zones to be efficiently or effectively used for their intended purpose. This would include primary production activities within the rural zones and mean that new development would not have to consider the effects on such activities. It is important that activities provided for in the underlying zone are not adversely affected by TSL developments.	Disallow	Disallow S339.040	Accept	Section 5.2.1 Key Issue 1: Objectives

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
S486.084	Te Rūnanga o Whaingaroa	TSL-P4	Support	Consideration of positive effects of activities is essential to achieve the enabling objectives.	Retain section c of Policy TSL-P4, requiring consideration of positive effects of land use and subdivision.		Accept	Section 5.2.1 Key Issue 1: Objectives
S390.070	Te Runanga o Ngai Takoto Trust	TSL-P4	Support	The submitter supports TSL-P4 (c) (inferred) as consideration of positive effects of activities is essential to achieve the enabling objectives.	Retain TSL-P4 (c), requiring consideration of positive effects of land use and subdivision.		Accept	Section 5.2.1 Key Issue 1: Objectives
S498.071	Te Rūnanga Ā Iwi O Ngapuhi	TSL-P4	Support	The submitter supports TSL-P4 (c) (inferred) as consideration of positive effects of activities is essential to achieve the enabling objectives.	Retain TSL-P4 (c), requiring consideration of positive effects of land use and subdivision.		Accept	Section 5.2.1 Key Issue 1: Objectives
FS151.117	Ngāi Tukairangi No.2 Trust		Support		Allow		Accept	Section 5.2.1 Key Issue 1: Objectives
FS23.239	Des and Lorraine Morrison		Support	It is important that provisions are consistent with Treaty principles and recognise and provide for Māori interests, including (but not limited to) appropriate economic development of their land.	Allow	Allow the relief sought to the extent consistent with our primary submission	Accept	Section 5.2.1 Key Issue 1: Objectives
S561.057	Kāinga Ora Homes and Communities	TSL-P4	Support in part	This policy as it is written is more appropriate as matters of discretion required to be complied with for a Restricted Discretionary activity. New policies should be provided that outline how the objectives are to be achieved.	Amend Policy TSL-P4 as follows: Manage land use and subdivision to address the effects of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application: a. consistency with the scale, density, design and character of the environment and purpose of the zone; b. the location, scale and design of buildings and structures; c. the positive effects resulting from the economic, social and cultural wellbeing provided by the proposed activity; d. at zone interfaces: i. any setbacks, fencing, screening or landscaping required to address potential conflicts; ii. managing reverse sensitivity effects on adjacent land uses, including the ability of surrounding properties to undertake primary production activities in a rural environment; e. the adequacy and capacity of available or programmed development infrastructure to		Reject	Section 5.2.1 Key Issue 1: Objectives

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
					<p>accommodate the proposed activity; or the capacity of the site to cater for on-site infrastructure associated with the proposed activity; f. the adequacy of roading infrastructure to service the proposed activity; g. managing natural hazards; h. any loss of highly productive land; i. adverse effects on areas with historic heritage and cultural values, natural features and landscapes, natural character or indigenous biodiversity values; and j. any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6. Enable the occupation, use and development of Treaty Settlement Land in areas where there are natural and physical resources that have been scheduled in the District Plan in relation to heritage areas, historic heritage, sites and areas of significance to Māori by considering: a. the need to enable development, occupation and use of Treaty Settlement Land in accordance with mātauranga and tikanga to support the social, cultural and economic wellbeing of Mana Whenua; and b. that there may be no or limited alternative locations for whanau, hapū or iwi to occupy, manage and use their ancestral lands.</p>			
FS32.111	Jeff Kemp		Oppose	<p>The original submission seeks to amend the FNDC in a way which changes how the FNDC has previously managed the district's natural and physical resources. The nature and scale of the outcomes sought have no supporting documents which address the appropriateness of the changes such as the costs and benefits involved. As a minimum, the submitter should have provided a s32 analysis of the proposed changes.</p>	Disallow	<p>Disallow the original submission.</p>	Accept	Section 5.2.1 Key Issue 1: Objectives

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
				<p>The amenity, values and character of the district's urban areas have developed over time through various district plans. The wider community and applicants have an understanding of and have appreciated the consenting process. The original submission seeks a completely different planning framework away from an effects-based district plan and is essentially reallocating the goal posts.</p> <p>The original submission heralds the application for a private plan change which would provide the opportunity for those most affected to be involved.</p>				
FS409.008	Te Aupouri Commerical Development Ltd		Support in part	Supports intentions of submission, in particular, to enable the use and development of TSL land where it supports TACD's social, economic and cultural aspirations.	Allow in part	Allow the original submission in part.	Reject	Section 5.2.1 Key Issue 1: Objectives
FS354.190	Horticulture New Zealand		Oppose	The submitter seeks that the policy be included as matters of discretion. HortNZ considers that the policy provide direction as to how land use and subdivision will be managed and so the policy should be retained.	Disallow	Disallow S561.057	Accept	Section 5.2.1 Key Issue 1: Objectives
FS23.329	Des and Lorraine Morrison		Support	Generally support for the reasons set out in the submission of Kāinga Ora. It is important that peoples' wellbeing, and in particular their ability to establish housing on their land is enabled. Also particularly support the changes proposed for recognition of and development on Māori land.	Allow	Allow the relief sought to the extent consistent with our primary submission	Reject	Section 5.2.1 Key Issue 1: Objectives
FS47.071	Our Kerikeri Community Charitable Trust		Oppose	The KO submission contravenes our original submission throughout, as we are seeking a shift from the permissive approach to a more prescriptive DP supported by Master Plans for central	Disallow	Disallow the entire original submission	Accept	Section 5.2.1 Key Issue 1: Objectives

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
				<p>areas and Spatial Plans (still under preparation and long overdue), while KO suggests a considerably more permissive plan.</p> <p>Our submission states "We are concerned that the PDP, as currently drafted, would support development in the form that undermines character, amenity values and other aspects of the environment that our communities value", but KO's proposals would further reduce the limited opportunity for the public to have input into resource consent applications..... etc see FS document</p>				
FS348.144	Alec Brian Cox		Oppose	The submission was not made by the closing date and is therefore not a valid submission under RMA	Disallow	I seek that the whole of the submission be disallowed	Accept	Section 5.2.1 Key Issue 1: Objectives
S363.033	Foodstuffs North Island Limited	Rules	Not Stated	<p>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:</p> <ol style="list-style-type: none"> 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. <p>Applying an automatic permitted activity default could lead to unintentional consequences.</p>	Amend all relevant overlay chapters as necessary to insert rules for "Activities not otherwise listed in this chapter" consistent with zone chapters.	Accept in part	Section 5.2.2 Key Issue 2: Rules	

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
S159.094	Horticulture New Zealand	Rules	Not Stated	Rule TSL-R14 states that activities not otherwise listed in this chapter are discretionary activities. Rural production activities are not listed as a specific activity so need to be provided for as a permitted activity. The Overview states that the underlying zone provisions apply to Treaty Settlement Land overlay unless otherwise specific in the overlay provisions, but this is not included in the rules	Insert a new rule - TSL-RX Rural production activities Permitted All zones and Treaty Settlement Land overlays OR Include a rule that provides for underlying zone provisions to apply		Accept	Section 5.2.2 Key Issue 2: Rules
FS151.264	Ngāi Tukairangi No.2 Trust		Support		Allow		Accept	Section 5.2.2 Key Issue 2: Rules
FS570.256	Vision Kerikeri 3		Oppose	Oppose to the extent that the submission is inconsistent with our original submissions.	Disallow	Disallow to the extent that the submission is inconsistent with our original submission	Reject	Section 5.2.2 Key Issue 2: Rules
FS566.270	Kapiro Conservation Trust 2		Oppose	Oppose to the extent that the submission is inconsistent with our original submission	Disallow	Disallow to the extent that the submission is inconsistent with our original submission	Reject	Section 5.2.2 Key Issue 2: Rules
FS569.292	Vision Kerikeri 2		Oppose	Oppose to the extent that the submission is inconsistent with our original submission	Disallow	Disallow to the extent that the submission is inconsistent with our original submission	Reject	Section 5.2.2 Key Issue 2: Rules
S359.024	Northland Regional Council	Rules	Support in part	Fully support the identification of and specific zoning for Māori land (under Te Ture Whenua Act) and land returned through Treaty Settlement as cultural or commercial redress. However, we recommend that the provisions relating to the use and subdivision of these zones (eg. Policy NFL-P5) be reviewed to ensure that they do not unnecessarily restrict the intent for the use of such land (for example land returned as commercial redress should not be limited to 'ancestral' use where it is in an ONL or	Amend the provisions in the Treaty Settlement Land overlay to ensure they do not unnecessarily restrict the intent for the use of such land (for example land returned as commercial redress should not be limited to 'ancestral' use where it is in an ONL or ONF) especially as there is no definition of what constitutes 'ancestral' use.		Accept in part	Section 5.2.2 Key Issue 2: Rules

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
				ONF) especially as there is no definition of what constitutes 'ancestral' use.				
FS23.103	Des and Lorraine Morrison		Support	It is important that specific provision is made for Māori land and that these provisions do not inappropriately constrain the use to be made of this land - given the need to provide for positive economic usage by Māori not just preservation and conservation.	Allow	Allow the relief and make changes to ensure that economic relief can continue to be made of Māori land	Accept	Section 5.2.2 Key Issue 2: Rules
FS409.004	Te Aupouri Commercial Development Ltd		Support	TACDL supports Northland Regional Council's for the reasons outlined in the primary submission. In particular, the amendment of provisions that unduly and unnecessarily restrict Post-Treaty Settlement Groups using TSL land to will support their economic, cultural and social aspirations.	Allow	Allow the original submission.	Accept	Section 5.2.2 Key Issue 2: Rules
FS570.1060	Vision Kerikeri 3		Support	Support to the extent the submission is consistent with our original submissions.	Allow	Allow to the extent that the submission is consistent with our original submission	Accept	Section 5.2.2 Key Issue 2: Rules
FS346.485	Royal Forest and Bird Protection Society of New Zealand Inc.		Support	The amendments sought give effect to the NPS FM, the RPS and Part 2 of the RMA and the NPS IB. Forest & Bird supports the full submission other than where the relief sought would conflict with that sought in Forest & Birds submission	Allow	Allow the original submission	Accept	Section 5.2.2 Key Issue 2: Rules
FS566.1074	Kapiro Conservation Trust 2		Support	Support to the extent that the submission is consistent with our original submission	Allow	Allow to the extent that the submission is consistent with our original submission	Accept	Section 5.2.2 Key Issue 2: Rules
FS569.1096	Vision Kerikeri 2		Support	Support to the extent that the submission is consistent with our original submission	Allow	Allow to the extent that the submission is consistent with our original submission	Accept	Section 5.2.2 Key Issue 2: Rules

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
S516.009	Ngā Tai Ora - Public Health Northland	Rules	Not Stated	<p>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:</p> <ol style="list-style-type: none"> 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. <p>Applying an automatic permitted activity default could lead to unintentional consequences.</p>	Amend all relevant overlay chapters as necessary to insert rules for "Activities not otherwise listed in this chapter" consistent with zone chapters.		Accept in part	Section 5.2.2 Key Issue 2: Rules
FS409.019	Te Aupouri Commerical Development Ltd		Support in part	TACDL supports improvements to the overall plan structure that will provide clarity and consistency for how overlays / zones and other chapters will interact.	Allow in part	Allow the original submission in part.	Accept	Section 5.2.2 Key Issue 2: Rules
S344.041	Paihia Properties Holdings Corporate Trustee Limited and UP Management Ltd	Rules	Not Stated	<p>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:</p>	Amend all relevant overlay chapters as necessary to insert rules for "Activities not otherwise listed in this chapter" consistent with zone chapters.		Accept in part	Section 5.2.2 Key Issue 2: Rules

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
				<p>1. The overlay chapters do not include notes to this effect.</p> <p>2. Each overlay chapter has a different approach activity status default rules.</p> <p>3. Overlays and zone chapters use different terminology.</p> <p>Applying an automatic permitted activity default could lead to unintentional consequences.</p>				
FS396.062	Ed and Inge Amsler		Support	The submission seeks various changes in relation to the urban environment / coastal environment interface as well as specific provisions in the Mixed Use Zone. Additionally, the submission seeks better reflection of business land needs that should be reflected throughout the Plan.	Allow	Allow the original submission	Accept	Section 5.2.2 Key Issue 2: Rules
S368.039	Far North District Council	Notes	Support in part	Typo: Text correction	<p>Amend notes</p> <p>1. There may be rules in other District-Wide Matters that apply to a proposed activity, in addition to the rules in this chapter. These other rules may be more stringent than the rules in this chapter. Ensure that the other relevant District-Wide Matters chapters are also referred to, in addition to this chapter, to determine whether resource consent is required under other rules in the District Plan. Refer to Note 2 above, and the how the plan works chapter to determine the activity status of a proposed activity where resource consent is required under multiple rules.</p> <p>2. The following provisions apply to land identified by the Treaty Settlement land overlay. Applicants may need to provide documentation in the form of final deeds of settlement, associated settlement legislation and confirmation that the land is still held with the post-settlement governance entity.</p> <p>3. The provisions of the underlying zone apply to Treaty Settlement Land unless otherwise specified in this section. The rules</p>		Accept	Section 5.2.6 Key Issue 6: Treaty Settlement Lane overlay – 'Notes' and 'Applications subject to Multiple Provisions' in Part 1 Introduction and General Provisions / How the Plan Works / General Approach

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
					provide that where the activity for the relevant zone provides for the same activity, or where there is conflict between a rule or standard in the underlying zone chapter, the less restrictive rule applies.			
S148.041	Summit Forests New Zealand Limited	Notes	Not Stated	The note 1 to the Rules states "Refer to Note 2 above". There is no "note 2 above" in this section of the Plan. The notes to the rules of this section will be key to the reasonable interpretation of the rules and must be clear and unambiguous.	Amend Note 1 by ensuring the reference to "note 2" either references the relevant section of the plan note 2 can be found or, if "note 2" is with this section, amend the wording to read "Refer to Note 2 below".		Accept	Section 5.2.6 Key Issue 6: Treaty Settlement Lane overlay – 'Notes' and 'Applications subject to Multiple Provisions' in Part 1 Introduction and General Provisions / How the Plan Works / General Approach
FS346.547	Royal Forest and Bird Protection Society of New Zealand Inc.		Oppose	The amendments sought will result in a loss of indigenous biodiversity values which is inconsistent with council's functions and responsibilities under section 31(1)(b)(iii) and Section 6 the RMA and do not give effect to the RPS, NPSFM, NPSIB and the NZCPS. Loss of natural character, coastal environment values and the values of outstanding landscapes could also result.	Disallow	Disallow the original submission	Reject	Section 5.2.6 Key Issue 6: Treaty Settlement Lane overlay – 'Notes' and 'Applications subject to Multiple Provisions' in Part 1 Introduction and General Provisions / How the Plan Works / General Approach
FS566.153	Kapiro Conservation Trust 2		Oppose	Oppose to the extent that the submission is inconsistent with our original submission	Disallow	Disallow to the extent that the submission is inconsistent with our original submission	Reject	Section 5.2.6 Key Issue 6: Treaty Settlement Lane overlay – 'Notes' and 'Applications subject to Multiple Provisions' in Part 1 Introduction and General Provisions / How the Plan Works / General Approach

Proposed Far North District Plan – s42A Report Table

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S148.042	Summit Forests New Zealand Limited	Notes	Support	The notes to the rules of this section will be key to the reasonable interpretation of the rules and must be clear and unambiguous.	Retain note 3 as currently worded.		Accept	Section 5.2.6 Key Issue 6: Treaty Settlement Lane overlay – ‘Notes’ and ‘Applications subject to Multiple Provisions’ in Part 1 Introduction and General Provisions / How the Plan Works / General Approach
FS346.548	Royal Forest and Bird Protection Society of New Zealand Inc.		Oppose	The amendments sought will result in a loss of indigenous biodiversity values which is inconsistent with council's functions and responsibilities under section 31(1)(b)(iii) and Section 6 the RMA and do not give effect to the RPS, NPSFM, NPSIB and the NZCPS. Loss of natural character, coastal environment values and the values of outstanding landscapes could also result.	Disallow	Disallow the original submission	Reject	Section 5.2.6 Key Issue 6: Treaty Settlement Lane overlay – ‘Notes’ and ‘Applications subject to Multiple Provisions’ in Part 1 Introduction and General Provisions / How the Plan Works / General Approach
FS566.154	Kapiro Conservation Trust 2		Oppose	Oppose to the extent that the submission is inconsistent with our original submission	Disallow	Disallow to the extent that the submission is inconsistent with our original submission	Reject	Section 5.2.6 Key Issue 6: Treaty Settlement Lane overlay – ‘Notes’ and ‘Applications subject to Multiple Provisions’ in Part 1 Introduction and General Provisions / How the Plan Works / General Approach
S561.059	Kāinga Ora Homes and Communities	TSL-R1	Support in part	PER-1 determines that a new building or structure, or extension or alteration to an existing building or structure that will accommodate a permitted activity is a permitted activity, and where	Delete PER-1 from Rule TSL-P1, add proposed new standard MPZ-S7 (inferred) - Impermeable surfaces, and delete activity status related to PER-1, as follows: Activity status: Permitted		Reject	Section 5.2.2 Key Issue 2: Rules

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
				<p>compliance is not achieved with PER-1 it becomes a Discretionary activity. PER-2 lists the Standards that must be complied with included (but not limited to) maximum height, height in relation to boundary, and setback. The Rule (activity) intended for new buildings or structures, and extensions or alterations to existing buildings or structures will be assessed under that particular Rule (activity). Therefore, PER-1 is not relevant.</p>	<p>Where: PER-1 The new building or structure, or extension or alteration to an existing building or structure, will accommodate a permitted activity. PER-2 The building or structure, or extension or alteration to an existing building or structure complies with standards: MPZ-S1 - Maximum height; MPZ-S2 - Height in relation to boundary; MPZ-S3 - Setbacks (excluding from MHWS or wetland, lake and river margins); MPZ-S4 - Setback from MHWS; MPZ-S5 - Building or structure coverage; and MPZ-S6 - On-site services; and MPZ-S7 - Impermeable surfaces. Activity status where compliance not achieved with PER-2: Restricted Discretionary Matters of discretion are restricted to: a. the matters of discretion of any infringed standard Activity status where compliance not achieved with PER-1: Discretionary</p>			
<p>FS32.113</p>	<p>Jeff Kemp</p>		<p>Oppose</p>	<p>The original submission seeks to amend the FNDC in a way which changes how the FNDC has previously managed the district's natural and physical resources. The nature and scale of the outcomes sought have no supporting documents which address the appropriateness of the changes such as the costs and benefits involved. As a minimum, the submitter should have provided a s32 analysis of the proposed changes.</p> <p>The amenity, values and character of the district's urban areas have developed over time through various district plans. The wider community and applicants have an understanding of and have appreciated the consenting</p>	<p>Disallow</p>	<p>Disallow the original submission.</p>	<p>Accept</p>	<p>Section 5.2.2 Key Issue 2: Rules</p>

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
				<p>process. The original submission seeks a completely different planning framework away from an effects-based district plan and is essentially reallocating the goal posts.</p> <p>The original submission heralds the application for a private plan change which would provide the opportunity for those most affected to be involved.</p>				
FS23.331	Des and Lorraine Morrison		Support	Generally support for the reasons set out in the submission of Kāinga Ora. It is important that peoples' wellbeing, and in particular their ability to establish housing on their land is enabled. Also particularly support the changes proposed for recognition of and development on Māori land.	Allow	Allow the relief sought to the extent consistent with our primary submission	Reject	Section 5.2.2 Key Issue 2: Rules
FS47.073	Our Kerikeri Community Charitable Trust		Oppose	<p>The KO submission contravenes our original submission throughout, as we are seeking a shift from the permissive approach to a more prescriptive DP supported by Master Plans for central areas and Spatial Plans (still under preparation and long overdue), while KO suggests a considerably more permissive plan.</p> <p>Our submission states "We are concerned that the PDP, as currently drafted, would support development in the form that undermines character, amenity values and other aspects of the environment that our communities value", but KO's proposals would further reduce the limited opportunity for the public to have input into resource consent applications..... etc see FS document</p>	Disallow	Disallow the entire original submission	Accept	Section 5.2.2 Key Issue 2: Rules
FS348.146	Alec Brian Cox		Oppose	The submission was not made by the closing date	Disallow	I seek that the whole of the	Accept	Section 5.2.2 Key Issue 2: Rules

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
				and is therefore not a valid submission under RMA		submission be disallowed		
S431.120	John Andrew Riddell	TSL-R1	Not Stated	The amendment is necessary in order to achieve the purpose of the Act.	Amend the rule so that any proposal to set a building or structure less than 20 metres back from the coastal marine area, or from rivers and banks is a non-complying activity		Reject	Section 5.2.2 Key Issue 2: Rules
FS332.120	Russell Protection Society		Support	The original submission aligns with our values. The Russell Protection Society has a purpose of promoting wise and sustainable development that compliments the historic and special character of Russell and its surrounds.	Allow	Allow the original submission.	Reject	Section 5.2.2 Key Issue 2: Rules
S561.060	Kāinga Ora Homes and Communities	TSL-R2	Support in part	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. Rules which rely on compliance with bulk and location Standards for that Rule should include the Impermeable surfaces Standard.	Delete TSL-R2 Impermeable surfaces in its entirety from the Rules section and create a new Standard for Impermeable surfaces,		Reject	Section 5.2.2 Key Issue 2: Rules
FS32.114	Jeff Kemp		Oppose	<p>The original submission seeks to amend the FNDC in a way which changes how the FNDC has previously managed the district's natural and physical resources. The nature and scale of the outcomes sought have no supporting documents which address the appropriateness of the changes such as the costs and benefits involved. As a minimum, the submitter should have provided a s32 analysis of the proposed changes.</p> <p>The amenity, values and character of the district's urban areas have developed over time through various district plans. The wider community and applicants have an understanding of and have appreciated the consenting process. The original submission seeks a completely different planning</p>	Disallow	Disallow the original submission.	Accept	Section 5.2.2 Key Issue 2: Rules

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
				<p>framework away from an effects-based district plan and is essentially reallocating the goal posts.</p> <p>The original submission heralds the application for a private plan change which would provide the opportunity for those most affected to be involved.</p>				
FS23.332	Des and Lorraine Morrison		Support	Generally support for the reasons set out in the submission of Kāinga Ora. It is important that peoples' wellbeing, and in particular their ability to establish housing on their land is enabled. Also particularly support the changes proposed for recognition of and development on Māori land.	Allow	Allow the relief sought to the extent consistent with our primary submission	Reject	Section 5.2.2 Key Issue 2: Rules
FS47.074	Our Kerikeri Community Charitable Trust		Oppose	<p>The KO submission contravenes our original submission throughout, as we are seeking a shift from the permissive approach to a more prescriptive DP supported by Master Plans for central areas and Spatial Plans (still under preparation and long overdue), while KO suggests a considerably more permissive plan.</p> <p>Our submission states "We are concerned that the PDP, as currently drafted, would support development in the form that undermines character, amenity values and other aspects of the environment that our communities value", but KO's proposals would further reduce the limited opportunity for the public to have input into resource consent applications..... etc see FS document</p>	Disallow	Disallow the entire original submission	Accept	Section 5.2.2 Key Issue 2: Rules
FS348.147	Alec Brian Cox		Oppose	The submission was not made by the closing date and is therefore not a valid submission under RMA	Disallow	I seek that the whole of the submission be disallowed	Accept	Section 5.2.2 Key Issue 2: Rules

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
S481.001	Puketotara Lodge Ltd	TSL-R2	Not Stated	<p>The submitter seeks to ensure that the PDP adequately controls effects from stormwater discharge, particularly between sites or adjacent sites. The Operative Far North Plan contains a stormwater management rule in each zone, along with matters of discretion which Council can consider where the impermeable surface area exceeds what is allowed under the permitted activity rule.</p> <p>There is no specific "stormwater management" rule in the Rural Production zone in the PDP, however there is a rule relating to impermeable surface coverage.</p> <p>It is submitted that additional matters should be added to the list of relevant matters for discretion in the impermeable coverage rule in all zones, in order to better control effects between sites or adjacent sites,</p>	<p>Amend point c of the matters of discretion as follows:</p> <p>c. the availability of land for disposal of effluent and stormwater on site without adverse effects on adjoining adjacent waterbodies (including groundwater and aquifers) or on adjoining adjacent sites; Insert the following as additional matters of discretion:</p> <p>Avoiding nuisance or damage to adjacent or downstream properties;</p> <ul style="list-style-type: none"> • The extent to which the diversion and discharge maintains pre-development stormwater run-off flows and volumes; • The extent to which the diversion and discharge mimics natural run-off patterns. 		Accept in part	Section 5.2.2 Key Issue 2: Rules
FS409.002	Te Aupouri Commerical Development Ltd		Oppose	<p>Puketotara Lodge Ltd seeks to include additional matters of discretion that in TACDL's view is unclear, in particular the following 'avoiding nuisance or damage to adjacent or downstream properties'. The term 'nuisance' is considered subjective and inappropriate in this instance.</p>	Disallow	Disallow the original submission in part.	Reject in part	Section 5.2.2 Key Issue 2: Rules
S339.041	Te Aupōuri Commercial Development Ltd	TSL-R2	Oppose	<p>TACDL considers that stormwater management is adequately managed by TSL-S5 and TSL-S6.</p>	Delete Rule TSL-R2.		Reject	Section 5.2.2 Key Issue 2: Rules
FS243.124	Kainga Ora Homes and Communities		Support	<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>Rules for bulk and location should</p>	Allow	Delete Rule TSL-R2 - Impermeable Surfaces.	Reject	Section 5.2.2 Key Issue 2: Rules

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Officer recommendation	Relevant section of S42A Report
				include the Impermeable surfaces Standard.			
S427.038	Kapiro Residents Association	TSL-R3	Support in part	<p>We agree that multi-unit developments such as terraced housing and low rise apartment blocks can contribute to the greater vibrancy of Kerikeri, and allow for the construction of a greater variety of housing types and sizes. However, one of our concerns is that the rules around outdoor space are inadequate, and there is a danger that in the drive for higher density, the planning rules will not achieve the overall goal of protecting what is valued by the community. We believe that intensification in urban zones should be encouraged in the form of well-designed two or three storey buildings (e.g. apartment blocks) with permeable areas including garden/landscaped ground.</p> <p>In too many multi-unit developments in other districts, the only outdoor space is the concrete used to move and park cars. Especially where these developments take place alongside each other the importance of outdoor space increases. Outdoor spaces provide the opportunity for people to connect, to create a sense of community. When designed well, working within well designed rules, multi-unit developments could enhance the sense of community with Kerikeri and become a real asset.</p>	<p>Amend the PDP provisions for multi-unit developments to:</p> <ul style="list-style-type: none"> include requirements for outdoor space beyond the area needed to move and park vehicles private, including private and shared outdoor space on the north, east or west side of a building where multi-unit developments take place alongside each other, the rules for shared 'greenspace' reflects the greater density and the need for places for people to share and connect, pedestrian walkways and access to community facilities and amenities. 	Reject	Section 5.2.2 Key Issue 2: Rules
S561.062	Kāinga Ora Homes and Communities	TSL-R3	Oppose	Papakāinga includes residential activities. Therefore this activity is captured under TSL-R5 and the Rule TSL-R4 Residential Activity is not required.	Delete Rule TSL-R4 Residential Activity in its entirety, and re-number all the Rules that follow	Reject	Section 5.2.2 Key Issue 2: Rules

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
FS32.116	Jeff Kemp		Oppose	<p>The original submission seeks to amend the FNDC in a way which changes how the FNDC has previously managed the district's natural and physical resources. The nature and scale of the outcomes sought have no supporting documents which address the appropriateness of the changes such as the costs and benefits involved. As a minimum, the submitter should have provided a s32 analysis of the proposed changes.</p> <p>The amenity, values and character of the district's urban areas have developed over time through various district plans. The wider community and applicants have an understanding of and have appreciated the consenting process. The original submission seeks a completely different planning framework away from an effects-based district plan and is essentially reallocating the goal posts.</p> <p>The original submission heralds the application for a private plan change which would provide the opportunity for those most affected to be involved.</p>	Disallow	Disallow the original submission.	Accept	Section 5.2.2 Key Issue 2: Rules
FS409.011	Te Aupouri Commerical Development Ltd		Oppose	TACDL agrees that Papakāinga includes residential activities. However, not all housing developments undertaken on TSL land will be 'papakāinga'. For these reasons, TACDL considers the provision of residential and papakāinga activities is necessary.	Disallow in part	Disallow the original submission in part.	Accept	Section 5.2.2 Key Issue 2: Rules
FS23.334	Des and Lorraine Morrison		Support	Generally support for the reasons set out in the submission of Kāinga Ora. It is important that peoples' wellbeing, and in particular their ability to establish	Allow	Allow the relief sought to the extent consistent with our primary submission	Reject	Section 5.2.2 Key Issue 2: Rules

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
				housing on their land is enabled. Also particularly support the changes proposed for recognition of and development on Māori land.				
FS47.076	Our Kerikeri Community Charitable Trust		Oppose	The KO submission contravenes our original submission throughout, as we are seeking a shift from the permissive approach to a more prescriptive DP supported by Master Plans for central areas and Spatial Plans (still under preparation and long overdue), while KO suggests a considerably more permissive plan. Our submission states "We are concerned that the PDP, as currently drafted, would support development in the form that undermines character, amenity values and other aspects of the environment that our communities value", but KO's proposals would further reduce the limited opportunity for the public to have input into resource consent applications..... etc see FS document	Disallow	Disallow the entire original submission	Accept	Section 5.2.2 Key Issue 2: Rules
FS348.149	Alec Brian Cox		Oppose	The submission was not made by the closing date and is therefore not a valid submission under RMA	Disallow	I seek that the whole of the submission be disallowed	Accept	Section 5.2.2 Key Issue 2: Rules
S338.028	Our Kerikeri Community Charitable Trust	TSL-R3	Not Stated	We agree that multi-unit developments such as terraced housing and low rise apartment blocks can contribute to the greater vibrancy of Kerikeri, and allow for the construction of a greater variety of housing types and sizes. However, one of our concerns is that the rules around outdoor space are inadequate, and there is a danger that in the drive for higher density, the planning rules will not achieve the overall goal of protecting what is valued by the community. We believe that	Amend the PDP provisions for multi-unit developments to: <ul style="list-style-type: none"> include requirements for outdoor space beyond the area needed to move and park vehicles private, including private and shared outdoor space on the north, east or west side of a building where multi-unit developments take place alongside each other, the rules for shared 'greenspace' reflects the greater density and the 		Reject	Section 5.2.2 Key Issue 2: Rules

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
				<p>intensification in urban zones should be encouraged in the form of well-designed two or three storey buildings (e.g. apartment blocks) with permeable areas including garden/landscaped ground.</p> <p>In too many multi-unit developments in other districts, the only outdoor space is the concrete used to move and park cars. Especially where these developments take place alongside each other the importance of outdoor space increases. Outdoor spaces provide the opportunity for people to connect, to create a sense of community. When designed well, working within well designed rules, multi-unit developments could enhance the sense of community with Kerikeri and become a real asset.</p>	<p>need for places for people to share and connect, pedestrian walkways and access to community facilities and amenities.</p>			
FS409.001	Te Aupouri Commerical Development Ltd		Oppose	The original submission point generally applies to multi-unit development and does not take into account the purpose or intended outcomes of the TSL land. Importantly, it does not recognise that TSL land may be located in urban or rural areas and in TACDL's view, TSL provisions require flexibility to respond to site characteristics based on the carrying capacity of each site.	Disallow	Disallow the original submission.	Accept	Section 5.2.2 Key Issue 2: Rules
FS570.969	Vision Kerikeri 3		Support	Support to the extent the submission is consistent with our original submissions.	Allow	Allow the original submission	Reject	Section 5.2.2 Key Issue 2: Rules
FS566.983	Kapiro Conservation Trust 2		Support		Allow	Allow the original submission	Reject	Section 5.2.2 Key Issue 2: Rules
FS569.1005	Vision Kerikeri 2		Support		Allow	Allow the original submission	Reject	Section 5.2.2 Key Issue 2: Rules
S339.042	Te Aupōuri Commercial	TSL-R3	Support	TACDL has aspirations to develop a range of housing options to meet the	Delete PER-2 of Rule TSL-R3		Reject	Section 5.2.2 Key Issue 2: Rules

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
	Development Ltd			diverse needs of Te Aupōuri uri (members). The supply of housing is of great importance to TACDL and ensuring the district plan provides the greatest flexibility is required. Section 6 (e) requires Council's to recognise and provide for the relationship of Māori to lands, water and sites as a matter of national importance. Enablement of residential activities, including residential care, enables uri of Te Aupōuri to live and maintain their relationship to their lands and sites. PER-2 limits the number of residential units to a maximum of six per site irrespective of the carrying capacity of that land. In the case of TACDL, this would limit their significant landholding of over 3,000ha to 18 residential units as a permitted activity due to the record of title configuration. Further, the Section 32 does not provide analysis to justify these thresholds, for this reason, TACDL seek PER-2 to be deleted.				
FS243.125	Kainga Ora Homes and Communities		Support	Kainga Ora seeks to enable Māori-led projects on whenua Māori land, particularly where it addresses the severe housing shortage in Te Tai Tokerau and supports the realisation of papakāinga.	Allow	Delete PER-2 of Rule TSL-R3 which limits the number of residential units to a maximum of six per site irrespective of the carrying capacity of that land.	Reject	Section 5.2.2 Key Issue 2: Rules
S529.196	Carbon Neutral NZ Trust	TSL-R3	Support in part	We agree that multi-unit developments such as terraced housing and low rise apartment blocks can contribute to the greater vibrancy of Kerikeri, and allow for the construction of a greater variety of housing types and sizes. However, one of our concerns is that the rules around outdoor space are inadequate, and there is a danger that in the drive for higher density, the planning rules will not achieve the overall goal of	Amend the PDP provisions for multi-unit developments:	<ul style="list-style-type: none"> include requirements for outdoor space beyond the area needed to move and park vehicles private, including private and shared outdoor space on the north, east or west side of a building where multi-unit developments take place alongside each other, 	Reject	Section 5.2.2 Key Issue 2: Rules

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
				<p>protecting what is valued by the community. We believe that intensification in urban zones should be encouraged in the form of well-designed two or three storey buildings (e.g. apartment blocks) with permeable areas including garden/landscaped ground.</p> <p>In too many multi-unit developments in other districts, the only outdoor space is the concrete used to move and park cars. Especially where these developments take place alongside each other the importance of outdoor space increases. Outdoor spaces provide the opportunity for people to connect, to create a sense of community. When designed well, working within well designed rules, multi-unit developments could enhance the sense of community with Kerikeri and become a real asset.</p>	<p>the rules for shared 'greenspace' reflects the greater density and the need for places for people to share and connect, pedestrian walkways and access to community facilities and amenities.</p>			
FS570.2083	Vision Kerikeri 3		Support	Support to the extent the submission is consistent with our original submissions.	Allow	Allow the original submission	Reject	Section 5.2.2 Key Issue 2: Rules
FS566.2097	Kapiro Conservation Trust 2		Support		Allow	Allow the original submission	Reject	Section 5.2.2 Key Issue 2: Rules
FS569.2119	Vision Kerikeri 2		Support		Allow	Allow the original submission	Reject	Section 5.2.2 Key Issue 2: Rules
S522.052	Vision Kerikeri (Vision for Kerikeri and Environs, VKK)	TSL-R3	Support in part	We agree that multi-unit developments such as terraced housing and low rise apartment blocks can contribute to the greater vibrancy of Kerikeri, and allow for the construction of a greater variety of housing types and sizes. However, one of our concerns is that the rules around outdoor space are inadequate, and there is a danger that in the drive for higher density, the planning rules will not achieve the overall goal of	<p>Amend the PDP provisions for multi-unit developments to:</p> <ul style="list-style-type: none"> include requirements for outdoor space beyond the area needed to move and park vehicles private, including private and shared outdoor space on the north, east or west side of a building 		Reject	Section 5.2.2 Key Issue 2: Rules

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
				<p>protecting what is valued by the community. We believe that intensification in urban zones should be encouraged in the form of well-designed two or three storey buildings (e.g. apartment blocks) with permeable areas including garden/landscaped ground.</p> <p>In too many multi-unit developments in other districts, the only outdoor space is the concrete used to move and park cars. Especially where these developments take place alongside each other the importance of outdoor space increases. Outdoor spaces provide the opportunity for people to connect, to create a sense of community. When designed well, working within well designed rules, multi-unit developments could enhance the sense of community with Kerikeri and become a real asset.</p>	<ul style="list-style-type: none"> where multi-unit developments take place alongside each other, the rules for shared 'greenspace' reflects the greater density and the need for places for people to share and connect, pedestrian walkways and access to community facilities and amenities. 			
FS566.1791	Kapiro Conservation Trust 2		Support		Allow	Allow the original submission	Reject	Section 5.2.2 Key Issue 2: Rules
S498.072	Te Rūnanga Ā Iwi O Ngāpuhi	TSL-R4	Oppose	<p>The submitter opposes rule TSL-R4 as it permits limited numbers of houses, reflecting a cautious approach. Many sites could sustain more houses than these numbers. The option of obtaining resource consent for additional houses is largely impracticable for tāngata whenua in need of social housing. The amendment seeks permitted status for greater numbers of houses. This would better implement Objective MPZ-O3, which calls for use and development to reflect sustainable carrying capacity. The criteria to quantify carrying capacity should include the developable area of a site,</p>	<p>Amend rule TSL-R4 to permit residential units on sites in addition to the numbers permitted in the notified rule. Quantify additional units by reference to the sustainable carrying capacity of the site, referencing the developable site area, nature of the locality (urban, rural, coastal or overlay) access and the available services.</p>		Reject	Section 5.2.2 Key Issue 2: Rules

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
				nature of the locality (urban, rural, coastal or in an overlay) access and the services provided.				
FS151.118	Ngāi Tukairangi No.2 Trust		Support		Allow		Reject	Section 5.2.2 Key Issue 2: Rules
FS23.240	Des and Lorraine Morrison		Support	It is important that provisions are consistent with Treaty principles and recognise and provide for Māori interests, including (but not limited to) appropriate economic development of their land.	Allow	Allow the relief sought to the extent consistent with our primary submission	Reject	Section 5.2.2 Key Issue 2: Rules
FS409.015	Te Aupouri Commerical Development Ltd		Support in part	Support the removal of density threshold that restricts the number of dwellings on a site. TACDL agrees that the number of dwellings can be suitably managed by the carrying capacity (infrastructure constraints) of the land.	Allow in part	Allow the original submission in part.	Reject	Section 5.2.2 Key Issue 2: Rules
FS243.119	Kainga Ora Homes and Communities		Support	Kainga Ora seeks to enable Māori-led projects on whenua Māori land, particularly where it addresses the severe housing shortage in Te Tai Tokerau and supports the realisation of papakāinga	Allow	Amend rule TSL-R4 to permit residential units	Reject	Section 5.2.2 Key Issue 2: Rules
S498.073	Te Rūnanga Ā Iwi O Ngapuhi	TSL-R4	Support	The submitter supports TSL-R4 insofar as the permitted activity status of papakāinga is supported however, we believe the predetermined number of residential units and commercial activity allowable is not enabling.	Amend rule TSL-R4 to provide for a more enabling development for papakāinga.		Reject	Section 5.2.2 Key Issue 2: Rules
FS151.119	Ngāi Tukairangi No.2 Trust		Support		Allow		Reject	Section 5.2.2 Key Issue 2: Rules
FS23.241	Des and Lorraine Morrison		Support	It is important that provisions are consistent with Treaty principles and recognise and provide for Māori interests, including (but not limited to) appropriate economic development of their land.	Allow	Allow the relief sought to the extent consistent with our primary submission	Reject	Section 5.2.2 Key Issue 2: Rules

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
FS409.016	Te Aupouri Commerical Development Ltd		Support in part	TACDL supports for the reasons outlined in the primary submission. Supports the permitted activity status of papakāinga however, believe the predetermined number of residential units and commercial activity allowable is not enabling (inferred).	Allow in part	Allow the original submission in part.	Reject	Section 5.2.2 Key Issue 2: Rules
FS243.120	Kainga Ora Homes and Communities		Support	Kainga Ora seeks to enable Māori-led projects on whenua Māori land, particularly where it addresses the severe housing shortage in Te Tai Tokerau and supports the realisation of papakāinga	Allow	Amend rule TSL-R4 to provide for a more enabling development for papakāinga.	Reject	Section 5.2.2 Key Issue 2: Rules
S561.063	Kāinga Ora Homes and Communities	TSL-R4	Support in part	The matters of discretion have been adopted from the proposed Policy TSL-P4 with amendments.	<p>Amend PER-1 and where compliance with PER-1 or PER-2 is not achieved, this activity becomes Restricted Discretionary with specific matters of discretion as follows:</p> <p>Activity Status: Permitted</p> <p>Where:</p> <p>PER-1 The number of residential units does not exceed the greater of: a. 10 residential units per site; or b. one residential unit per 40ha of site area. Use and development can be adequately serviced in terms of stormwater, wastewater and potable water infrastructure.</p> <p>PER-2</p> <p>Any commercial activity associated with the papakāinga does not exceed a GBA of 250m².</p> <p>Activity status where compliance not achieved with PER-1 or PER-2: Restricted Discretionary</p> <p>Matters of discretion are restricted to: a. The matters set out in policy TSL-P4. a. consistency with the scale, density, design and character of the planned environment and purpose of the zone; b. the location, scale and design of buildings and structures; c. at zone interfaces: i. any setbacks, fencing, screening or landscaping required to</p>		Reject	Section 5.2.2 Key Issue 2: Rules

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
					<p>address potential conflicts;ii. managing reverse sensitivity effects on adjacent land uses, including the ability of surrounding properties to undertake primary production activities in a rural environment;d. the adequacy and capacity of available or programmed development infrastructure to accommodate the proposed activity; or the capacity of the site to cater for onsite infrastructure associated with the proposed activity;e. the adequacy of roading infrastructure to service the proposed activity;f. effects on areas with historic heritage and cultural values, natural features and landscapes, natural character or indigenous biodiversity values; andg. any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.</p>			
FS36.069	Waka Kotahi NZ Transport Agency		Support in part	Supports the use and development of Treaty Settlement land and alternative infrastructure where appropriate. However, Waka Kotahi is concerned that the removal of PER-1 triggers and proposed relief does not require consideration of necessary transport infrastructure and safety of the transport system and its community.	Allow in part	Amend TSL-R4 to include the requirement for consideration and provision of appropriate crossing place, associated transport infrastructure and safety of the transport system. (inferred).	Reject	Section 5.2.2 Key Issue 2: Rules
FS32.117	Jeff Kemp		Oppose	The original submission seeks to amend the FNDC in a way which changes how the FNDC has previously managed the district's natural and physical resources. The nature and scale of the outcomes sought have no supporting documents which address the appropriateness of the changes such as the costs and benefits involved. As a minimum, the submitter should have provided a s32 analysis of the proposed changes.	Disallow	Disallow the original submission.	Reject	Section 5.2.2 Key Issue 2: Rules

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
				<p>The amenity, values and character of the district's urban areas have developed over time through various district plans. The wider community and applicants have an understanding of and have appreciated the consenting process. The original submission seeks a completely different planning framework away from an effects-based district plan and is essentially reallocating the goal posts.</p> <p>The original submission heralds the application for a private plan change which would provide the opportunity for those most affected to be involved.</p>				
FS409.012	Te Aupouri Commerical Development Ltd		Support in part	TACDL supports the deletion of TSL-R4 PER-1.	Allow in part	Allow the original submission in part.	Reject	Section 5.2.2 Key Issue 2: Rules
FS354.191	Horticulture New Zealand		Support in part	The submitter seeks to amend TSL-R4 by including specific matters of discretion adapted from TSL-P4. Recognition of the need to manage reverse sensitivity and the ability of surrounding properties to undertake primary production activities in the rural environment is supported. However TSL-P4 should still be retained.	Allow	Allow S561.063 to include matters of discretion.	Reject	Section 5.2.2 Key Issue 2: Rules
FS23.335	Des and Lorraine Morrison		Support	Generally support for the reasons set out in the submission of Kāinga Ora. It is important that peoples' wellbeing, and in particular their ability to establish housing on their land is enabled. Also particularly support the changes proposed for recognition of and development on Māori land.	Allow	Allow the relief sought to the extent consistent with our primary submission	Reject	Section 5.2.2 Key Issue 2: Rules

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
FS47.077	Our Kerikeri Community Charitable Trust		Oppose	The KO submission contravenes our original submission throughout, as we are seeking a shift from the permissive approach to a more prescriptive DP supported by Master Plans for central areas and Spatial Plans (still under preparation and long overdue), while KO suggests a considerably more permissive plan. Our submission states "We are concerned that the PDP, as currently drafted, would support development in the form that undermines character, amenity values and other aspects of the environment that our communities value", but KO's proposals would further reduce the limited opportunity for the public to have input into resource consent applications..... etc see FS document	Disallow	Disallow the entire original submission	Reject	Section 5.2.2 Key Issue 2: Rules
FS348.150	Alec Brian Cox		Oppose	The submission was not made by the closing date and is therefore not a valid submission under RMA	Disallow	I seek that the whole of the submission be disallowed	Reject	Section 5.2.2 Key Issue 2: Rules
S390.071	Te Runanga o Ngai Takoto Trust	TSL-R4	Oppose	The submitter opposes rule TSL-R4 as it permits limited numbers of houses, reflecting a cautious approach. Many sites could sustain more houses than these numbers. The option of obtaining resource consent for additional houses is largely impracticable for tāngata whenua in need of social housing. The amendment seeks permitted status for greater numbers of houses. This would better implement Objective MPZ-O3, which calls for use and development to reflect sustainable carrying capacity. The criteria to quantify carrying capacity should include the developable area of a site, nature of the locality (urban, rural, coastal or in	Amend rule TSL-R4 to permit residential units on sites in addition to the numbers permitted in the notified rule. Quantify additional units by reference to the sustainable carrying capacity of the site, referencing the developable site area, nature of the locality (urban, rural, coastal or overlay) access and the available services.		Reject	Section 5.2.2 Key Issue 2: Rules

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
				an overlay) access and the services provided.				
FS243.104	Kainga Ora Homes and Communities		Support	Kainga Ora seeks to enable Māori-led projects on whenua Māori land, particularly where it addresses the severe housing shortage in Te Tai Tokerau and supports the realisation of papakāinga	Allow	Amend rule TSL-R4 to permit residential units	Reject	Section 5.2.2 Key Issue 2: Rules
S390.072	Te Runanga o Ngai Takoto Trust	TSL-R4	Support	The submitter supports TSL-R4 insofar as the permitted activity status of papakāinga is supported however, we believe the predetermined number of residential units and commercial activity allowable is not enabling.	Amend rule TSL-R4 to provide for a more enabling development for papakāinga.		Reject	Section 5.2.2 Key Issue 2: Rules
FS243.105	Kainga Ora Homes and Communities		Support	Kainga Ora seeks to enable Māori-led projects on whenua Māori land, particularly where it addresses the severe housing shortage in Te Tai Tokerau and supports the realisation of papakāinga	Allow	Amend rule TSL-R4 to provide for a more enabling development for papakāinga	Reject	Section 5.2.2 Key Issue 2: Rules
S486.085	Te Rūnanga o Whaingaroa	TSL-R4	Oppose	The proposed rule permits limited numbers of houses, reflecting a cautious approach. Many sites could sustain more houses than these numbers. The option of obtaining resource consent for additional houses is largely impracticable for tāngata whenua in need of social housing. The amendment seeks permitted status for greater numbers of houses. This would better implement Objective MPZ-O3, which calls for use and development to reflect sustainable carrying capacity. The criteria to quantify carrying capacity should include the developable area of a site, nature of the locality (urban, rural, coastal or in an overlay) access and the services provided.	Amend Rule TSL-R4 to permit residential units on sites in addition to the numbers permitted in the notified rule. Quantify additional units by reference to the sustainable carrying capacity of the site, referencing the developable site area, nature of the locality (urban, rural, coastal or overlay) access and the available services.		Reject	Section 5.2.2 Key Issue 2: Rules

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
FS243.112	Kainga Ora Homes and Communities		Support	Kainga Ora seeks to enable Māori-led projects on whenua Māori land, particularly where it addresses the severe housing shortage in Te Tai Tokerau and supports the realisation of papakāinga	Allow	Amend rule TSL-R4 to permit residential units on sites	Reject	Section 5.2.2 Key Issue 2: Rules
S486.086	Te Rūnanga o Whaingaroa	TSL-R4	Support	Permitted activity of papakāinga is supported however, we believe the predetermined number of residential units and commercial activity allowable is not enabling.	Retain Rule TSL-R4 but implement a more enabling development for papakāinga.		Reject	Section 5.2.2 Key Issue 2: Rules
FS243.113	Kainga Ora Homes and Communities		Support	Kainga Ora seeks to enable Māori-led projects on whenua Māori land, particularly where it addresses the severe housing shortage in Te Tai Tokerau and supports the realisation of papakāinga	Allow	Amend rule TSL-R4 to provide for a more enabling development for papakāinga.	Reject	Section 5.2.2 Key Issue 2: Rules
S339.043	Te Aupōuri Commercial Development Ltd	TSL-R4	Support	Subject to the amendment of the definition of papakāinga as sought in submission 4 and 5, TACDL generally supports these provisions. However, as no analysis has been provided in the section 32 report, TACDL do not understand or support the thresholds proposed in PER-1. In TACDL's view, these provisions do not acknowledge the carrying capacity of land and arbitrarily limit the number of residential units to 10 irrespective of the land area available. In the case of TACDL, they have three landholdings that range in size between 500ha and 1,500ha which can have sufficient area to easily absorb 10 residential units. Further, it is unclear why PER-1 limits rather than enables the maximum number of residential units that could be achieved via (a) or (b). Finally, as proposed these provisions are even more restrictive than those provided by the ODP, which is considered to better	Amend Rule TSL-R4 as follows: <ul style="list-style-type: none"> Delete PER-1; Amend PER-2 to increase the GBA to align with the permitted impermeable surface coverage provided by Standard TSL-S2. 		Reject	Section 5.2.2 Key Issue 2: Rules

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
				recognise the carrying capacity of land with respect to on-site servicing requirements. For these reasons, TACDL seek amendments to these provisions. Furthermore, the 250m ² GBA imposed in PER-2 for commercial activities inadequately provides for the development aspirations of TACDL and considers greater flexibility for the size of commercial activities is required. It is considered that this should be managed through the scale of activities which is already provided for by TSL-S2.				
FS243.115	Kainga Ora Homes and Communities		Support	Kainga Ora seeks to enable Māori-led projects on whenua Māori land, particularly where it addresses the severe housing shortage in Te Tai Tokerau and supports the realisation of papakāinga	Allow	Amend Rule TSL-R4 as follows:	Reject	Section 5.2.2 Key Issue 2: Rules
S561.064	Kāinga Ora Homes and Communities	TSL-R5	Support in part	The activity status where compliance is not achieved with PER-1 is a Discretionary activity. The proposed Discretionary activity status for noncompliance with PER-1 is not in line with the objectives and policies for the overlay. Kāinga Ora considers that a more appropriate activity status for infringements to PER-1 is a Restricted Discretionary activity.	Amend PER-1 and where compliance with PER-1 is not achieved, this activity becomes Restricted Discretionary with specific matters of discretion as follows: Activity status: Permitted Where: PER-1The occupancy does not exceed six guests per night. Use and development can be adequately serviced in terms of stormwater, wastewater and potable water infrastructure. Note: PER-1 does not apply to marae provided for under TSL-R6 Activity status where compliance not achieved with PER-1: Discretionary Restricted Discretionary Matters of discretion are restricted to: a. consistency with the scale, density, design and character of the planned environment and purpose of the zone; b. the location, scale		Reject	Section 5.2.2 Key Issue 2: Rules

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
					<p>and design of buildings and structures;c. at zone interfaces:i. any setbacks, fencing, screening or landscaping required to address potential conflicts;ii. managing reverse sensitivity effects on adjacent land uses, including the ability of surrounding properties to undertake primary production activities in a rural environment;d. the adequacy and capacity of available or programmed development infrastructure to accommodate the proposed activity; or the capacity of the site to cater for onsite infrastructure associated with the proposed activity;e. the adequacy of roading infrastructure to service the proposed activity;f. any loss of highly productive land;g. effects on areas with historic heritage and cultural values, natural features and landscapes, natural character or indigenous biodiversity values; andh. any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.</p>			
<p>FS36.070</p>	<p>Waka Kotahi NZ Transport Agency</p>		<p>Support in part</p>	<p>Supports the use and development of Treaty Settlement land and alternative infrastructure where appropriate. However, Waka Kotahi is concerned that the removal of PER-1 triggers and proposed relief does not require consideration of necessary transport infrastructure and safety of the transport system and its community.</p>	<p>Allow in part</p>	<p>Amend TSL-R5 to include the requirement for consideration and provision of appropriate crossing place, associated transport infrastructure and safety of the transport system (inferred).</p>	<p>Reject</p>	<p>Section 5.2.2 Key Issue 2: Rules</p>
<p>FS32.118</p>	<p>Jeff Kemp</p>		<p>Oppose</p>	<p>The original submission seeks to amend the FNDC in a way which changes how the FNDC has previously managed the district's natural and physical resources. The nature and scale of the outcomes sought have no supporting documents which address the appropriateness of the changes</p>	<p>Disallow</p>	<p>Disallow the original submission.</p>	<p>Accept</p>	<p>Section 5.2.2 Key Issue 2: Rules</p>

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
				<p>such as the costs and benefits involved. As a minimum, the submitter should have provided a s32 analysis of the proposed changes.</p> <p>The amenity, values and character of the district's urban areas have developed over time through various district plans. The wider community and applicants have an understanding of and have appreciated the consenting process. The original submission seeks a completely different planning framework away from an effects-based district plan and is essentially reallocating the goal posts.</p> <p>The original submission heralds the application for a private plan change which would provide the opportunity for those most affected to be involved.</p>				
FS409.013	Te Aupouri Commerical Development Ltd		Support in part	TACDL supports the deletion of TSL-R5 PER-1.	Allow in part	Allow the original submission in part.	Reject	Section 5.2.2 Key Issue 2: Rules
FS354.192	Horticulture New Zealand		Oppose	HortNZ considers that visitor accommodation activity status should be the same as the underlying zone. In the Rural Production Zone it is Discretionary for over 10 guests per night. The same standard should apply in the TSL where located in the Rural Production Zone.	Disallow	Disallow S561.064	Accept	Section 5.2.2 Key Issue 2: Rules
FS23.336	Des and Lorraine Morrison		Support	Generally support for the reasons set out in the submission of Kāinga Ora. It is important that peoples' wellbeing, and in particular their ability to establish housing on their land is enabled. Also particularly support the changes	Allow	Allow the relief sought to the extent consistent with our primary submission	Reject	Section 5.2.2 Key Issue 2: Rules

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
				proposed for recognition of and development on Māori land.				
FS47.078	Our Kerikeri Community Charitable Trust		Oppose	The KO submission contravenes our original submission throughout, as we are seeking a shift from the permissive approach to a more prescriptive DP supported by Master Plans for central areas and Spatial Plans (still under preparation and long overdue), while KO suggests a considerably more permissive plan. Our submission states "We are concerned that the PDP, as currently drafted, would support development in the form that undermines character, amenity values and other aspects of the environment that our communities value", but KO's proposals would further reduce the limited opportunity for the public to have input into resource consent applications..... etc see FS document	Disallow	Disallow the entire original submission	Accept	Section 5.2.2 Key Issue 2: Rules
FS348.151	Alec Brian Cox		Oppose	The submission was not made by the closing date and is therefore not a valid submission under RMA	Disallow	I seek that the whole of the submission be disallowed	Accept	Section 5.2.2 Key Issue 2: Rules
S339.044	Te Aupōuri Commercial Development Ltd	TSL-R6	Support	TACDL supports the enablement of Marae activities in the TSL as permitted activities.	Retain Rule TSL-R6		Accept	Section 5.2.2 Key Issue 2: Rules
S339.045	Te Aupōuri Commercial Development Ltd	TSL-R10	Support	TACDL supports the enablement of these activities as permitted activities in the TSL.	Retain Rule TSL-R10		Accept	Section 5.2.2 Key Issue 2: Rules
S486.087	Te Rūnanga o Whaingaroa	TSL-R11	Oppose	Rule TSL-R11 permits kōhanga reo without restriction, which is supported. However, the rule requires resource consent for occupational and outdoor training. Training activities, like wānanga, provide an invaluable	Amend the last sentence of Rule TSL-R11 as follows: These standards do not apply to: Kōhanga reo, Kura Kaupapa, Whare Wānanga and/or to occupational and outdoor training activities.		Accept	Section 5.2.2 Key Issue 2: Rules

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Officer recommendation	Relevant section of S42A Report
				contribution to the wellbeing of tāngata whenua. Other training in outdoor occupations such as farming and forestry in rural areas is unlikely to generate adverse effects more than minor.			
S339.046	Te Aupōuri Commercial Development Ltd	TSL-R11	Support	TACDL supports the provision of education facilities in the TSL. However, TACDL are concerned that these provisions do not allow for the establishment of kōhanga reo or kura as a permitted activity. While TACDL does not currently have development plans to establish any educational facilities, access to Te Ao Māori education is of the utmost importance to TACDL. As there is no section 32 analysis to support these thresholds, TACDL seek that they are amended to provide allow for kōhanga reo or kura as permitted activities. It is noted that these provisions do not apply to kōhanga reo, however, they are not provided for elsewhere in the chapter.	Amend Rule TSL-R11 to provide for Kōhanga Reo and Kura as a permitted activity.	Accept	Section 5.2.2 Key Issue 2: Rules
S390.073	Te Runanga o Ngai Takoto Trust	TSL-R11	Oppose	The submitter opposes rule TSL-R11 but supports that the standard permits kōhanga reo without restriction. However, the rule requires resource consent for occupational and outdoor training. Training activities, like wānanga, provide an invaluable contribution to the wellbeing of tāngata whenua. Other training in outdoor occupations such as farming and forestry in rural areas is unlikely to generate adverse effects more than minor.	Amend rule TSL-R11 to add the following: These standards do not apply to: Kōhanga reo, Kura Kaupapa, Whare Wānanga and/or to occupational and outdoor training activities.	Accept	Section 5.2.2 Key Issue 2: Rules
S498.074	Te Rūnanga Ā Iwi O Ngapuhi	TSL-R11	Oppose	The submitter opposes rule TSL-R11 but supports that the standard permits kōhanga reo without restriction. However, the rule requires resource	Amend rule TSL-R11 to add the following: These standards do not apply to: Kōhanga reo, Kura Kaupapa, Whare Wānanga	Accept	Section 5.2.2 Key Issue 2: Rules

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
				consent for occupational and outdoor training. Training activities, like wānanga, provide an invaluable contribution to the wellbeing of tāngata whenua. Other training in outdoor occupations such as farming and forestry in rural areas is unlikely to generate adverse effects more than minor.	and/or to occupational and outdoor training activities.			
FS151.120	Ngāi Tukairangi No.2 Trust		Support		Allow		Accept	Section 5.2.2 Key Issue 2: Rules
FS23.242	Des and Lorraine Morrison		Support	It is important that provisions are consistent with Treaty principles and recognise and provide for Māori interests, including (but not limited to) appropriate economic development of their land.	Allow	Allow the relief sought to the extent consistent with our primary submission	Accept	Section 5.2.2 Key Issue 2: Rules
FS409.017	Te Aupouri Commerical Development Ltd		Support in part	TACDL agrees that restrictions should not apply to education activities such as kohanga reo, kura kaupapa and whare wānanga on TSL land.	Allow in part	Allow the original submission in part.	Accept	Section 5.2.2 Key Issue 2: Rules
S561.065	Kāinga Ora Homes and Communities	TSL-R11	Support in part	The activity status where compliance is not achieved with PER-1 or PER-2 is a Discretionary activity. The proposed Discretionary activity status for non-compliance with PER-1 is not in line with the objectives and policies for the overlay. In addition, Kāinga Ora seeks that PER-2 restricting the number of persons engaged in this activity residing off-site is deleted.	Delete PER-2. Amend PER-1 and where compliance with PER-1 is not achieved, this activity becomes Restricted Discretionary with specific matters of discretion as follows: Activity status: Permitted Where: PER-1The educational facility is within a residential unit or accessory building. PER-2The number of persons attending at any one time does not exceed four, excluding those who reside on site. Use and development can be adequately serviced in terms of stormwater, wastewater and potable water infrastructure. These standards do. This Rule does not apply to: Kōhanga reo activities. Activity status where compliance not achieved with PER-1 or PER-2: Discretionary Restricted		Reject	Section 5.2.2 Key Issue 2: Rules

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
					<p>DiscretionaryMatters of discretion are restricted to:a. consistency with the scale, density, design and character of the planned environment and purpose of the zone;b. the location, scale and design of buildings and structures;c. at zone interfaces:i. any setbacks, fencing, screening or landscaping required to address potential conflicts;ii. managing reverse sensitivity effects on adjacent land uses, including the ability of surrounding properties to undertake primary production activities in a rural environment;d. the adequacy and capacity of available or programmed development infrastructure to accommodate the proposed activity; or the capacity of the site to cater for onsite infrastructure associated with the proposed activity;e. the adequacy of roading infrastructure to service the proposed activity;f. any loss of highly productive land;g. effects on areas with historic heritage and cultural values, natural features and landscapes, natural character or indigenous biodiversity values; andh. any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.</p>			
FS36.071	Waka Kotahi NZ Transport Agency		Support in part	Supports the use and development of Treaty Settlement land and alternative infrastructure where appropriate. However, Waka Kotahi is concerned that the removal of PER-1 triggers and proposed relief does not require consideration of necessary transport infrastructure and safety of the transport system and its community.	Allow in part	Amend TSL-R11 to include the requirement for consideration and provision of appropriate crossing place, associated transport infrastructure and safety of the transport system (inferred).	Reject	Section 5.2.2 Key Issue 2: Rules
FS32.119	Jeff Kemp		Oppose	The original submission seeks to amend the FNDC in a way which changes how the FNDC has previously	Disallow	Disallow the original submission.	Accept	Section 5.2.2 Key Issue 2: Rules

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
				<p>managed the district's natural and physical resources. The nature and scale of the outcomes sought have no supporting documents which address the appropriateness of the changes such as the costs and benefits involved. As a minimum, the submitter should have provided a s32 analysis of the proposed changes.</p> <p>The amenity, values and character of the district's urban areas have developed over time through various district plans. The wider community and applicants have an understanding of and have appreciated the consenting process. The original submission seeks a completely different planning framework away from an effects-based district plan and is essentially reallocating the goal posts.</p> <p>The original submission heralds the application for a private plan change which would provide the opportunity for those most affected to be involved.</p>				
FS409.014	Te Aupouri Commerical Development Ltd		Support in part	Supports the provision of kohanga as being exempt and that the overall activity status of discretionary is not needed in this case. The objectives of TSL Overlay seek to provide for the occupation, use and development of the land in a manner that supports redress and can be appropriately serviced by infrastructure. This is considered to include education facilities such as kura and kohanga.	Allow in part	Allow the original submission in part.	Reject	Section 5.2.2 Key Issue 2: Rules
FS23.337	Des and Lorraine Morrison		Support	Generally support for the reasons set out in the submission of Kāinga Ora. It is important that peoples' wellbeing, and in particular their ability to establish	Allow	Allow the relief sought to the extent consistent with our primary submission	Reject	Section 5.2.2 Key Issue 2: Rules

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
				housing on their land is enabled. Also particularly support the changes proposed for recognition of and development on Māori land.				
FS47.079	Our Kerikeri Community Charitable Trust		Oppose	The KO submission contravenes our original submission throughout, as we are seeking a shift from the permissive approach to a more prescriptive DP supported by Master Plans for central areas and Spatial Plans (still under preparation and long overdue), while KO suggests a considerably more permissive plan. Our submission states "We are concerned that the PDP, as currently drafted, would support development in the form that undermines character, amenity values and other aspects of the environment that our communities value", but KO's proposals would further reduce the limited opportunity for the public to have input into resource consent applications..... etc see FS document	Disallow	Disallow the entire original submission	Accept	Section 5.2.2 Key Issue 2: Rules
FS348.152	Alec Brian Cox		Oppose	The submission was not made by the closing date and is therefore not a valid submission under RMA	Disallow	I seek that the whole of the submission be disallowed	Accept	Section 5.2.2 Key Issue 2: Rules
S339.047	Te Aupōuri Commercial Development Ltd	TSL-R12	Not Stated	For the same reasons as outlined in submission point 24 and 26, TACDL seek increased commercial activity thresholds to align with their development aspirations to ensure that the PDP provides for the economic and social wellbeing of Te Aupōuri uri.	Amend Rule TSL-R12 to increase the GBA to align with the permitted impermeable surface coverage provided by Rule TSL-R2.		Reject	Section 5.2.2 Key Issue 2: Rules
FS354.193	Horticulture New Zealand		Oppose	The submitter is seeking that commercial development as a permitted activity could cover 35% of the site rather than the GBA of 250m2. HortNZ considers that such a threshold could lead to large developments with	Disallow	Disallow S339.047	Accept	Section 5.2.2 Key Issue 2: Rules

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Officer recommendation	Relevant section of S42A Report
				little or no controls or consideration of effects on adjoining land activities.			
S339.048	Te Aupōuri Commercial Development Ltd	TSL-R13	Not Stated	TACDL support the provision of rural tourism activities, particularly in light of their substantial landholdings conveniently located within 30 minutes of the east and west coasts of Te Hiku. Rural Tourism activities can include a range of natural experiences that have little or no GFA but take place over large extents of land, i.e., zip lining, where built form is unintrusive or is of small scale. For these reasons, TACDL seek that the GBA thresholds for Rural Tourism activities be deleted.	Delete PER-1 of Rule TSL-R13	Reject	Section 5.2.2 Key Issue 2: Rules
S483.192	Top Energy Limited	TSL-R14	Support	Top Energy considers that there is a lack of clarity throughout the PDP in terms of how the Chapters interact with each other, and some consistency. The Overlay chapters are one example and are inconsistent with respect to referencing rules for "activities not otherwise listed". The How the Plan Works chapter includes a statement that indicates some overlays will automatically default to a permitted activity, however 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). Some Chapters include notes which provide some clarity in this regard (e.g. Heritage Overlay) however this isn't consistently applied through the overlays or the District Wide Chapters generally. Some overlays include a catch all 'activities not otherwise specified' activity status (e.g. Treaty Settlement Land Overlay). Some overlays don't.	Amend all relevant overlay chapters as necessary to insert rules for "Activities not otherwise listed in this chapter", consistent with zone chapters.	Accept in part	Section 5.2.2 Key Issue 2: Rules

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
				This lack of consistency (coupled with inconsistent terminology) will cause confusion for Plan users and ultimately, impact the integrity of the plan. This is particularly relevant in the Overlay chapters where each Overlay chapter has a different approach to activity status default rules. With specific regard to the permitted activity default, it is noted that this could lead unintentional consequences.				
FS78.038	Transpower New Zealand Limited		Support	The submitter support this submission because it will improve the clarity of the proposed plan.	Allow	Allow the original submission.	Reject	Section 5.2.2 Key Issue 2: Rules
FS345.243	Ngawha Generation Limited		Support	NGL is a subsidiary of Top Energy Limited. NGL supports all submission points made by Top Energy.	Allow	Allow all of the relief sought by Top Energy Limited in its submission (S483).	Reject	Section 5.2.2 Key Issue 2: Rules
S561.061	Kāinga Ora Homes and Communities	Standards	Support in part	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. Rules which rely on compliance with bulk and location Standards for that Rule should include the Impermeable surfaces Standard.	Insert a new Standard for Impermeable surfaces, as follows: TSL-S7 Impermeable surfaces The impermeable surface coverage of any site is no more than 60%. Except that: On sites less than 5000m ² containing marae, the impermeable surface coverage is no more than 50%. Where the standard is not met, matters of discretion are restricted to: a. the extent to which landscaping or vegetation may reduce adverse effects of runoff; b. the effectiveness of the proposed method for controlling stormwater on site; c. the availability of land for disposal of effluent and stormwater on site without adverse effects on adjoining waterbodies (including groundwater and aquifers) or on adjoining sites; d. whether low impact design methods and green spaces can be used; e. any cumulative effects on total catchment		Reject	

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
					impermeability; andf. natural hazard mitigation and site constraints.			
FS32.115	Jeff Kemp		Oppose	<p>The original submission seeks to amend the FNDC in a way which changes how the FNDC has previously managed the district's natural and physical resources. The nature and scale of the outcomes sought have no supporting documents which address the appropriateness of the changes such as the costs and benefits involved. As a minimum, the submitter should have provided a s32 analysis of the proposed changes.</p> <p>The amenity, values and character of the district's urban areas have developed over time through various district plans. The wider community and applicants have an understanding of and have appreciated the consenting process. The original submission seeks a completely different planning framework away from an effects-based district plan and is essentially reallocating the goal posts.</p> <p>The original submission heralds the application for a private plan change which would provide the opportunity for those most affected to be involved.</p>	Disallow	Disallow the original submission.	Accept	Section 5.2.3 Key Issue 3: Standards
FS409.0010	Te Aupouri Commerical Development Ltd		Support in part	TACDL supports the amendments sought by Kāinga Ora.	Allow in part	Allow the original submission in part.	Reject	Section 5.2.3 Key Issue 3: Standards
FS354.194	Horticulture New Zealand		Oppose	The submitter seeks to delete TSL-R2 Impermeable surfaces and replace with a new standard. The rule provides for 35% cover while the new standard sought seeks 60%. This is a significant increase from the proposed rule and no	Disallow	Disallow S561.061	Accept	Section 5.2.3 Key Issue 3: Standards

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
				reasons are given for this increase. This is opposed.				
FS23.333	Des and Lorraine Morrison		Support	Generally support for the reasons set out in the submission of Kāinga Ora. It is important that peoples' wellbeing, and in particular their ability to establish housing on their land is enabled. Also particularly support the changes proposed for recognition of and development on Māori land.	Allow	Allow the relief sought to the extent consistent with our primary submission	Reject	Section 5.2.3 Key Issue 3: Standards
FS47.075	Our Kerikeri Community Charitable Trust		Oppose	The KO submission contravenes our original submission throughout, as we are seeking a shift from the permissive approach to a more prescriptive DP supported by Master Plans for central areas and Spatial Plans (still under preparation and long overdue), while KO suggests a considerably more permissive plan. Our submission states "We are concerned that the PDP, as currently drafted, would support development in the form that undermines character, amenity values and other aspects of the environment that our communities value", but KO's proposals would further reduce the limited opportunity for the public to have input into resource consent applications..... etc see FS document	Disallow	Disallow the entire original submission	Accept	Section 5.2.3 Key Issue 3: Standards
FS348.148	Alec Brian Cox		Oppose	The submission was not made by the closing date and is therefore not a valid submission under RMA	Disallow	I seek that the whole of the submission be disallowed	Accept	Section 5.2.3 Key Issue 3: Standards
S431.158	John Andrew Riddell	TSL-S2	Not Stated	Not stated	Retain the approach varying the required height to boundary depending on the orientation of the relevant boundary.		Reject	Section 5.2.3 Key Issue 3: Standards

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
FS332.158	Russell Protection Society		Support	The original submission aligns with our values. The Russell Protection Society has a purpose of promoting wise and sustainable development that compliments the historic and special character of Russell and its surrounds.	Allow	Allow the original submission.	Reject	Section 5.2.3 Key Issue 3: Standards
S339.049	Te Aupōuri Commercial Development Ltd	TSL-S6	Not Stated	<p>TACDL have aspirations to establish papakāinga housing to provide much needed housing supply for whānau, pakeke and kaumatua. TACDL seeks provisions that provide adequate design flexibility to meet the needs of Te Aupōuri uri different household structures. While TACDL recognises the need to ensure safe and efficient on-site servicing, they have concerns with the approach for the following reasons:</p> <ul style="list-style-type: none"> - Requiring a minimum exclusive use area is considered unnecessary, as there are already provisions in place to ensure there is sufficient area for onsite wastewater disposal in accordance with FNDC's Engineering Standards; - Requiring consent where exclusive use cannot be achieved would mean that any papakāinga housing developments that proposed a package treatment plant would require resource consent from both territorial and regional authorities. This is considered to be an unnecessary duplication and result in costly consenting processes; - TSL-S6-1(c)(i-iii) are considered to be an unnecessary duplication of regulation. The Building Act and Proposed Regional Plan for Northland already include provisions that manage the design requirements of wastewater disposal systems that do not need to be repeated here; and - It is unclear why these provisions 	Delete points 1 and of Standard TSL-S6		Accept in part	Section 5.2.3 Key Issue 3: Standards

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
				include minimum requirements for water supply. There are no provisions elsewhere in the PDP that require minimum potable supply. This is considered to be unnecessary and would be designed to respond to the needs of a particular household.				
S512.039	Fire and Emergency New Zealand	TSL-S6	Support in part	Support inclusion of firefighting water supply as well as potable (or drinking) water supply. Fire and Emergency request this framing is copied throughout the District Plan.	Amend TSL-S6 references to potable or drinking water throughout the plan to also make reference to firefighting water supply. Water 2. Where a connection to Council's reticulated water systems is not available, all residential units shall have access to potable (drinkable) water and access to water supplies for firefighting in accordance with the alternative firefighting water source provisions of SNZ PAS 4509:2008. from a community water scheme or private water bore or shall be able to store 45,000 litres of potable water from another source.		Reject	Section 5.2.3 Key Issue 3: Standards
FS409.005	Te Aupouri Commerical Development Ltd		Oppose	TACDL considers that the management of SNA's is most efficiently managed in the relevant Natural Environment Chapter as opposed to within another overlay. This is considered to create unnecessary duplication.	Disallow	Disallow the original submission.	Accept	Section 5.2.3 Key Issue 3: Standards
S390.065	Te Runanga o Ngai Takoto Trust	Mapping	Support	The submitter supports the Treaty Settlement Land Overlay in principle. It is agreed, as stated in the Tāngata Whenua s32 Report, that the TSL Overlay, "Assists to remove some of the constraints and barriers associated with developing Māori land or Treaty Settlement Land."	Retain the Treaty Settlement Land Overlay and related plan provisions, subject to amendments submitted.		Accept	Section 5.2.4 Key Issue 4: General / Plan content / Miscellaneous
S3.002	Ngamaia Farms Ltd	Mapping	Oppose	It is unclear why the PDP E-Maps consider the site subjected to the Treaty Settlement Land Overlay. The land under consideration has not been	amend the zoning of the following properties to exclude the treaty settlement land overlay - NA48C/1396 (Section 60 Block X Takahue Survey District);		Accept	Section 5.2.5 Key Issue 5: Treaty

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Officer recommendation	Relevant section of S42A Report
				returned through a Treaty Settlement process. We assume that the mapping system has identified an overlap at the margins of the site where some Treaty Settlement Land is located. Attributing this site with such an overlay will cause confusion should activities be carried out. This error should be removed.	- NA30A/294 (Section 52 and Part Section 32 Block X Takahue Survey District) - NA1034/213 (Section 36 Block X Takahue Survey District; and - NA26A/1387 (Section 35 and Section 40 Block X Takahue Survey District).		Settlement Land Overlay Mapping
S178.002	Reuben Wright	Mapping	Oppose	The Treaty Settlement Land overlay identified on Section 1 SO 65376 should not apply as the land was sold by local hapu who received the land as part of a Treaty settlement to the current owner over 12 months ago. The land is therefore no longer subject to any claim or currently owed by hapu/iwi as part of any Treaty settlement.	Amend to remove the Treaty Settlement Land Overlay as it affects Section 1 SO 65376.	Accept	Section 5.2.5 Key Issue 5: Treaty Settlement Land Overlay Mapping
S339.058	Te Aupōuri Commercial Development Ltd	Mapping	Not Stated	TACDL note that their site of interest as shown in Figure 1 has not been mapped as TSL. TACDL seek that the TSL be applied to this site of interest for the following reasons: -The land is owned and managed by TACDLand there is no intention for this land to be sold or disposed of; and -This land was purchased by Te Aupōuriutilising their financial redress as part oftheir Treaty Settlement therefore meetingthe criteria for its identification.	Amend the mapping of the Treaty Settlement land overlay to include identify 5891 held in Record of Title NA75B/196 (refer to Figure 1 of the submission), being 5891 Far North Road, Ngataki.	Reject	Section 5.2.5 Key Issue 5: Treaty Settlement Land Overlay Mapping
S498.066	Te Rūnanga Ā Iwi O Ngapuhi	General / Plan content / Miscellaneous	Support	The submitter supports the Treaty Settlement Land Overlay in principle. It is agreed, as stated in the Tāngata Whenua s32 Report, that the TSL Overlay, "Assists to remove some of the constraints and barriers associated with developing Māori land or Treaty Settlement Land."	Retain the Treaty Settlement Land Overlay and related plan provisions, subject to amendments submitted.	Accept	Section 5.2.4 Key Issue 4: General / Plan content / Miscellaneous
FS151.112	Ngāi Tukairangi No.2 Trust		Support		Allow	Accept	Section 5.2.4 Key Issue 4: General /

Proposed Far North District Plan – s42A Report Table

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested		Officer recommendation	Relevant section of S42A Report
								Plan content / Miscellaneous
FS23.234	Des and Lorraine Morrison		Support	It is important that provisions are consistent with Treaty principles and recognise and provide for Māori interests, including (but not limited to) appropriate economic development of their land.	Allow	Allow the relief sought to the extent consistent with our primary submission.	Accept	Section 5.2.4 Key Issue 4: General / Plan content / Miscellaneous
S67.008	Michael John Winch	Mapping	Oppose	oppose the Treaty Settlement Overlay on my my land at Totara North (Allot 25 Parish of Totara). This would appear to be an error in the GIS mapping. My land is bordered to the north and east by Conservation land that may be subject to a Treaty Claim. My land is private and cannot be subject to any Treaty Claim	Delete Treaty Settlement Overlay on my my land at Totara North (Allot 25 Parish of Totara)		Reject	Section 5.2.5 Key Issue 5: Treaty Settlement Land Overlay Mapping
FS346.831	Royal Forest and Bird Protection Society of New Zealand Inc.		Support	The amendments sought give effect to the NPS FM, the RPS, Part 2 of the RMA, and the NPSIB. Forest & Bird supports the full submission than where the relief sought would conflict with that sought in Forest & Birds submission.	Allow	Allow the original submission	Reject	Section 5.2.5 Key Issue 5: Treaty Settlement Land Overlay Mapping
FS566.057	Kapiro Conservation Trust 2		Oppose	Oppose to the extent that the submission is inconsistent with our original submission	Disallow	Disallow to the extent that the submission is inconsistent with our original submission	Reject	Section 5.2.5 Key Issue 5: Treaty Settlement Land Overlay Mapping