

FORM 6

**FURTHER SUBMISSION IN SUPPORT OF, OR IN OPPOSITION TO,
SUBMISSION ON NOTIFIED PROPOSED POLICY STATEMENT
OR PLAN, CHANGE OR VARIATION**

Clause 8 of Schedule 1, Resource Management Act 1991

To Far North District Council

Name Waiaua Bay Farm Limited (**WBFL**)

1. This is a further submission in support of, and in opposition to, submissions on the Proposed Far North District Plan (**Proposed Plan**). Waiaua Bay Farm Limited's original submissions on the Proposed Plan have been allocated submission number 463.

2. WBFL has an interest in the proposal that is greater than the interest the general public has on the following grounds.

As outlined in its original submission, WBFL has significant assets and operational interests at its Kauri Cliffs landholding at Tepene Tablelands Road. Kauri Cliffs is economically significant to the Far North District. The Proposed Plan applies a range of planning controls, including the Kauri Cliffs Special Purpose Zone, to WBFL's landholdings. Consequently, WBFL wishes to ensure that the Proposed Plan appropriately recognises and provides for the site's continued operation and its associated effects.

3. WBFL's further submissions are set out in the table **attached**.

4. WBFL **does** wish to be heard in support of its further submission. If others make a similar submission, WBFL will consider presenting a joint case with them at a hearing.

Signature:

WAIUAU BAY FARM LIMITED

by its authorised agents Mitchell Daysh Limited



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Note to submitter

A copy of your further submission must be served on the original submitter within 5 working days after it is served on the local authority.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):

- it is frivolous or vexatious:
- it discloses no reasonable or relevant case:
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
- it contains offensive language:
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

If you are making a submission to the Environmental Protection Authority, you should use Form 16C.

Submitter	Submission point	Provision	Original Submission Summary	Support / Oppose	Reason	Decision Sought
General						
Transpower New Zealand Ltd (S454)	S454.135	General / Plan Content / Miscellaneous	<p>Amend the provisions in the Kauri Cliffs Special Purpose Zone to ensure that critical infrastructure, such as transmission facilities, is provided for.</p> <p>Due to its linear nature and the requirement to connect new electricity generation to the National Grid, regardless of where the new generation facilities are located, transmission lines may need to traverse any zone within the Far North District. None of the Special Purpose zones have objectives, policies or rules that provide for critical infrastructure such as transmission facilities that may be located, or need to be located, within these zones to support the activities that occur there.</p>	Oppose	<p>The Kauri Cliffs Special Purpose Zone (“KCZ”) is a small area set aside for a bespoke facility. The zone provisions reflect that the landscape values present are a significant characteristic of the KCZ.</p> <p>The KCZ’s values would likely be significantly adversely affected by the establishment of national grid infrastructure in the Kauri Cliffs Zone, to the extent that the purpose of the KCZ could be compromised.</p> <p>WBFL appreciates that infrastructure provision is key to the wellbeing of people and communities.</p> <p>However, the relief sought by Transpower NZ in relation to the KCZ appears unnecessary, given the rural location and small extent of the zone.</p>	<p>Reject</p> <p>FS534.001</p>

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					<p>If National Grid infrastructure is required in the Matauri Bay area, on the face of it the infrastructure would seem unlikely to have an operational or locational need to intersect the KCZ, given where the zone lies relative to surrounding settlements, the coast and road corridors.</p>	
					<p>While Transpower NZ's submission broadly outlines constraints on the national grid, it is not clear how these are relevant to the KCZ specifically.</p>	
					<p>Transpower's submission does not include an evaluation (in a RMA s32 sense) of the costs and benefits of, or alternatives to, the relief sought, with specific regard to the KCZ. WBFL considers it likely that the obvious alternative, of the National Grid avoiding the KCZ altogether, is likely to be the most appropriate.</p>	

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Introduction and General Provisions						
Te Rūnanga o Ngāti Rēhia (S559)	Uncoded (see s3.1 of submission)	General Provisions - Significant Resource Management Issues	(uncoded) This section identifies 10 significant issues. While we agree with all the issues raise in this section, we note that water resilience and reliable water supply is missing from the list of significant issues and needs to be incorporated into this section.	Support	WBFL agrees that water security and the enablement of water storage facilities is a significant resource management issue for the district.	Allow
	S559.010		(S559.010) Water resilience is of great concern for Ngāti Rēhia, after the last draught and the impacts that had on available water supply, especially those that rely on surface water. We recommend this being included in the strategic direction chapter.		Recognition of this in the Significant Resource Management Issues sub-section (potentially as part of Issues 3 and 6) and the provision of guidance in the Strategic Directions section of the Proposed Plan would therefore be appropriate.	will need to code once errata complete
Definitions						
Kapiro Conservation Trust (S442)	S442.147	Remnant Forest	Amend the definition of "remnant forest" (from "means any indigenous natural area which has never been clear-felled") to recognise a wider range of relevant natural areas,	Oppose	WBFL prefers the more focussed definition of this term as notified. WBFL is conscious that an overly broad revision of the definition could produce inadvertent outcomes, such as mature indigenous landscaping	Reject FS534.003

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			including indigenous forest that has been in place for a minimum number of years. The current definition could include indigenous natural areas of duneland, or coastal cliff vegetation.		being classed as 'remnant forest' and consequently being made subject to more restrictive vegetation clearance requirements e.g., Rule IB-R4(2)(i).	
Horticulture New Zealand (S159)	S159.021	Sensitive environment	The definition includes an area within 100m setback from the edge of a surface water body. The margins of wetlands, rivers and lakes is set at 30m so the 100m is inconsistent with that approach when applied for natural character purposes.	Support	WBFL agrees with Horticulture NZ that the inconsistency noted needs to be resolved.	Allow FS534.004
New Zealand Pork Industry Board (S55)	S55.004	[New definition] Farm workers' accommodation	Insert new definition to distinguish permanent worker accommodation from "minor residential units" include a policy and rule structure for this activity. <u>Farm Workers' accommodation</u> <u>Means a minor residential unit for people whose duties require them to live on-site, and in the rural zones for people who work on the site</u>	Support	As indicated by WBFL's original submission point no. S463.096 on RPROZ-R3, WBFL agrees that the development of a framework for staff accommodation activities in rural zones (and potentially, in industrial and in special purpose zones) would be beneficial. The notified framework is somewhat unwieldy in relation to these activities.	Allow FS534.005

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			<p><u>or in the surrounding rural area.</u></p> <p><u>Includes farm managers, workers and staff.</u></p>		<p>Rule RPROZ-R3 (Residential activities) is a poor fit for worker accommodation. The density limit of RPROZ-R3(PER-1) is obviously targeted at restricting ad-hoc rural lifestyle-type subdivision around rural dwellings and if PER-1 is not met, a discretionary status applies under RPROZ-R3(DIS-1).</p> <p>The rules for “minor residential units” are an uncomfortable fit for worker accommodation in the RPROZ. The requirements of RPROZ-R19 appear to be target towards a unit for a family member (unit GFA of <65m2 and a separation of no > 15 m between the minor and principal residential units. This is not adequate for staff accommodation.</p>	
McDonalds Restaurants NZ Limited (S385)	S385.001	Definitions	Insert definition nesting table	Support	WBFL agrees that definition nesting tables are a useful tool and suggests that the use of a nesting table warrants consideration for Council to comply with cl. 14(5) of the	Allow FS534.006

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					<i>Definitions</i> standard of the National Planning Standards.	
Strategic Directions						
Northland Regional Council (S359)	S359.010	Strategic direction chapter	<p>Water resilience is a particular concern for the Far North district, as was highlighted in the 2019/2020 drought that exposed the vulnerability of existing supplies, primarily those that rely on 'run of river' and are highly unreliable during extended dry periods. We suggest this be embedded in the relevant sections of strategic direction chapter.</p> <p>We note drought is included in the District Wide Matters section on Hazards and Risks but feel the significance of these issues could be more strongly highlighted.</p> <p>Droughts have been assessed to have economic impact six times higher than floods – this impact will only be compounded where development is enabled</p>	Support	<p>WBFL agrees that water security and the enablement of water storage facilities is a significant resource management issue for the district.</p> <p>Recognition of this in the Significant Resource Management Issues sub-section (potentially as part of Issues 3 and 6) and the provision of guidance in the Strategic Directions section of the Proposed Plan would therefore be appropriate.</p>	Allow
						FS534.007

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			without adequate water supply.			
Wendover Two Limited (S222)	S222.012	SD-SP-O3	Retain as notified.	Support	WBFL agrees that the direction of travel signalled by this objective (encouragement of community social, cultural and economic wellbeing) is appropriate.	Allow FS534.008
Wendover Two Limited (S222)	S222.014	SD-EC-O1	Retain as notified.	Support	WBFL agrees that the direction of travel signalled by this objective (economic diversity, resilience and sustainability) is appropriate.	Allow FS534.009
Horticulture New Zealand (S159)	S159.026	SD-EC-O2	Amend to refer to new activities as well as existing.	Support	WBFL agrees with Horticulture NZ that the district's economic and social wellbeing will rely on both existing and new industries. New activities will be key to realising the benefits sought by objectives in this sub-section of the plan.	Allow FS534.010
Waka Kotahi NZ Transport Agency (S356)	S356.018	SD-EP-O4	Amend to clarify the purpose of the objective and how it will be implemented.	Support	WBFL agrees with this submitter that this objective is unclear.	Allow FS534.011

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Natural hazards						
Northland Federated Farmers of New Zealand (S421)	S421.065	NH-01	Retain Objective NH-01 or ensure that amendments include similar wording that achieves the same intent	Support	WBFL agrees with retention of this objective, particularly the focus on “managing” natural hazard risk, rather than an outright avoidance approach.	Allow FS534.012
Northland Federated Farmers of New Zealand (S421)	S421.066	NH-02	Retain Objective NH-01 or ensure that amendments include similar wording that achieves the same intent	Support	WBFL agrees with retention of this objective, particularly the focus on “mitigating” natural hazard risk and reducing risk where practicable. These qualified directives are superior to an outright avoidance approach towards risk.	Allow FS534.013
Ngā Tai Ora - Public Health Northland (S516)	S516.046	NH-P8	Retain NH-P8 and introduce rules to implement the policy.	Support in part	WBFL agrees with retention of NH-P8 as notified and supports the provision in the policy for effects to be mitigated where they cannot be avoided.	Allow in part FS534.014
Historic Heritage						
Northland Federated Farmers of New Zealand (S421)	S421.112	HH-02	Amend to be consistent with s6(f) of the RMA to ensure that the objectives only capture inappropriate subdivision, use and	Support	The notified drafting of this objective suggests that any loss or degradation of a heritage resource is to be avoided – regardless of the severity of the adverse effect or	Allow FS534.015

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			development for that specific heritage area.		the merits of the proposal generating the effect.	
					WBFL agrees that s6(f) RMA is more circumspect and does not require all effects to be avoided. Policies HH-P2 and HH-P3 contemplate effects on historic heritage, so alignment of the objective is desirable.	
Northland Federated Farmers of New Zealand (S421)	S421.123	HH-P14	Retain Policy HH-P14 or ensure that amendments include similar wording that achieves the same intent	Oppose in part	<p>The word “Only” in the phrase “<i>Only allow subdivision of sites that contain a scheduled Heritage Resource where it can be demonstrated that: [...]</i>” in HH-P14 signifies that the subdivision of sites containing a scheduled heritage resource will be prohibited if the sub-clauses of HH-P14 are not met.</p> <p>However, Policy HH-P15 and Rules HH-R8 to HH-R10, provide consenting pathways for activities with adverse effects on a scheduled heritage site – i.e., it is possible for proposals that do not comply with HH-P14 to be consented.</p>	Reject

FS534.016

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					As such the HH-P14 direction to “Only allow...” appears misaligned with HH-P15 as well as the rules.	
					In WBFL’s view, the HH-P14 chapeau could be deleted, and the sub-clauses could be merged into HH-P15, which provides guidance on effects management measures to be considered.	
Heritage New Zealand Pouhere Taonga (S409)	S409.028	HH-R5	Amend Rule HH-R5 as follows (or words to that effect): PER-1 Any earthworks are setback a minimum of 20m from a scheduled Heritage Resource. The earthworks: 1. Do not exceed 100m ³ 2. Are not within 20m of a Scheduled Heritage Resource or an archaeological site	Oppose	WBFL suggests that sub-clause (1) of HNZ’s submission may need refinement if adopted. It is unclear whether HNZ’s 100 m ³ allowance: (a) is only intended to capture earthworks that are within 20 m of the scheduled site; or, (b) would capture all continuous earthworks with a volume of >100 m ³ , even if the portion of the earthworks	Reject FS534.017

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			<p><u>3. Comply with EW-S3 Accidental Discovery Protocol</u></p> <p><i>[remainder not shown here]</i></p>		located within 20 m of the scheduled site is < 100 m ³ .	
Sites and Areas of Significance to Māori						
Te Rūnanga o Whaingaroa (S486)	S486.077	SASM-O4	<p>Amend as follows:</p> <p>Sites and areas of significance to Māori are known to, appreciated by, and acknowledged as important to, the wider community, <u>where this is considered appropriate by tāngata whenua.</u></p>	Support	WBFL agrees that it is for mana whenua to determine when the locations of significant sites can be publicly disclosed.	<p>Allow</p> <p>FS534.018</p>
Waka Kotahi NZ Transport Agency (S356)	S356.059	SASM-P2	<p>Amend as follows:</p> <p>Protect sites and areas of significance to Māori by:</p> <p>a. ensuring that tangata whenua can actively participate in resource management processes which involve sites and areas of significance to Māori including those identified in Schedule 3 -</p>	Support	Given mana whenua do not always require a CIA to be prepared, this policy should provide flexibility around the production of CIAs, and not require CIA's as a foregone conclusion.	<p>Allow</p> <p>FS534.019</p>

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			<p>Sites and areas of significance to Māori;</p> <p>b. requiring cultural impact assessments for activities likely to result in adverse effects on scheduled sites and areas of significance to Māori, <u>where Manawhenua consider this appropriate;</u></p>			
Ecosystems and Indigenous Biodiversity						
Director-General of Conservation (S364)	S364.031	IB-O1	<p>Amend Objective IB-O1 as follows:</p> <p>Areas of significant indigenous vegetation and significant habitats of indigenous fauna (Significant Natural Areas) are identified and, protected, <u>and enhanced</u> for current and future generations.</p>	Oppose	The objective goes beyond the requirements of s6(c) RMA. A mandatory enhancement obligation leaves little scope for activities with a functional or operational need to intersect significant areas – as contemplated by IB-P5(b) – (d).	<p>Reject</p> <p>FS534.020</p>
Director-General of Conservation (S364)	S364.039	IB-P4	The Director General supports the intention of Policy IB-P4, however requests amendments to ensure the policy	Support in part	WBFL agrees that alignment with the NPSIB 2023 offsetting and compensation principles is desirable for regulatory consistency.	<p>Allow in part</p> <p>FS534.021</p>

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			incorporates the principles of the NPSIB exposure draft.		WBFL notes however that the distinction in IB-P4 (and IB-P2 and IB-P3) between areas <u>in</u> the coastal environment and areas <u>outside</u> the coastal environment differs to the NPSIB framework under clauses 3.10 (SNAs), 3.16 (Areas outside SNAs) and 3.20 (Highly mobile fauna). The framework will require reconsideration to align with the NPSIB.	
Ballance Agri-Nutrients Limited (S143)	S143.005	IB-P5	Retain as notified.	Support	WBFL agrees with Ballance that it is appropriate for the policy to specifically provide for existing primary production activities.	Allow FS534.022
Wendover Two Limited (S222)	S222.026	IB-P6	Amend Policy IB-P6 as follows: Encourage the protection, maintenance and restoration of indigenous biodiversity; with priority given to Significant Natural Areas, through both regulatory and non-regulatory methods including consideration of:	Support	WBFL agrees with the general proposition that developments that promote improved indigenous biodiversity outcomes should be supported, albeit “enabling” (which signals a permitted activity status) is not the most appropriate term to use in the context of subdivision proposals.	Allow FS534.023

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			<p>a. assisting landowners with physical assessments by suitably qualified ecologists to determine whether an area is a Significant Natural Area;</p> <p>a. <u>Enabling subdivision and land use where that results in the restoration or enhancement of indigenous biodiversity, including underrepresented ecosystems, and where biodiversity is increased and legally protected.</u></p>			
Horticulture New Zealand (S159)	S159.052	IB-P7	<p>Amend Policy IB-P7 as follows:</p> <p><u>Encourage and support active management of pest plants and pest animals. Provide for the active management of pest plants and pest animals including those identified in the Regional Pest Management Plan and unwanted organisms under the Biosecurity Act 1993</u></p>	Support	<p>It is appropriate to provide for active management of pests, particularly those that are identified in statutory instruments.</p> <p>WBFL considers that the proposed Plan should apply minimal regulatory friction to pest control activities.</p>	<p>Allow</p> <p>FS534.024</p>

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Natural character						
Matauri Trustee Limited (S243)	S243.035	NATC-P1	Amend references to “lake” in Policy NATC-P1 to NATC-P5, NATC-R1 and -R3 and NATC-S2 to exclude application to lakes with a bed less than 5ha in area and to exclude freshwater bodies impounded by a dam.	Support	WBFL agrees that the unqualified application of the natural character provisions to the margins of artificial waterbodies (i.e., water storages and farm dams that fall within the definition of “lakes”) is likely to be problematic.	Allow
	S243.036	NATC-P2				
	S243.037	NATC-P3				
	S243.038	NATC-P4				
	S243.039	NATC-P5				
	S243.040	NATC-R1				
	S243.042	NATC -R3				
	S243.043	NATC-S2	An exception for artificial waterbodies is an appropriate method to avoid this situation from arising.			
Northland Fish and Game Council (S436)	S436.037	NATC-R3	Insert a new point in PER-1 of Rule NATC-R3 as follows: <u>6. Wetland maintenance and restoration work</u>	Support	The relief sought will better align the Proposed Plan with regulations 38(1)(a) and (2)(a) of the NES-FW. These permit earthworks and vegetation clearance for wetland restoration or maintenance purposes.	Allow
Natural features and landscapes						
Northland Federated Farmers of New Zealand (S421)	S421.151	NFL-O1	Amend Objective NFL-O1 to be more aligned with	Oppose	WBFL prefers the notified wording. It considers that better aligns with s6(b) considerations, especially	Reject

FS534.025- 032

FS534.033

FS534.034

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			section 6(b) of the Resource Management Act 1991.		insofar as the term “management” provides flexibility to consider whether a proposal is “inappropriate” in a s6(b) sense.	
Bentzen Farm Limited (S167)	S167.031	NFL-O2	Amend as follows: Land use and subdivision in ONL and ONF is consistent with and does not compromise the <u>identified</u> characteristics and qualities values of that landscape or feature. Or alternatively: <u>The identified characteristics and values of ONLs and ONFs are protected from inappropriate subdivision, use and development.</u>	Support	WBFL agrees that the need to determine “consistency” in the notified policy may be too subjective to implement in a consent decision-making process. WBFL agrees with the proposition that an assessment of effects needs to be premised on “identified” characteristics and values and should not enable an open-ended consideration.	Allow FS534.035
Northland Federated Farmers of New Zealand (S421)	S421.153 S421.154 S421.155	NFL-P2 NFL-P3 NFL-P7	Amend Policy NFL-P2, Policy NFL-P3 and Policy NFL-P7 to achieve consistency with section 6 of the Resource	Support	WBFL agrees that the outright avoidance of effects required by these policies is inconsistent with the direction of RMA 6(b)	Allow FS534.036- 038

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			Management Act 1991 and to recognise the need to allow appropriate subdivision, use and development.		<p>in terms of differentiating “inappropriate” activities.</p> <p>WBFL anticipates that costs to the community will arise from this outright avoidance setting. The costs will be in the form of resource consent requirements for discretionary and non-complying activities arising from breaches of NFL-R3(PER-2) and NFL-R3(PER-3) in respect of NFL-S3(1) in particular.</p> <p>Section 8.3.3 of the NFL s32 report simply states: <i>“Potentially additional costs and complexity to justify subdivision, use and development affecting ONL and ONF where located within the coastal environment. It may be that the threshold of no adverse effects cannot be met”</i> (emphasis added).</p> <p>In the context of a resource consent application, a management threshold of “no</p>	

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					adverse effects” almost certainly will not be met, in most cases (the fact that a resource consent requirement arises in itself indicates the potential for an effect).	
					As such, the above comment from the s32 report signals the impracticality of NFL-P2 and the unduly restrictive rules and standards that flow from it.	
Bentzen Farm Limited (S167)	S167.038	NFL-P8	Delete Policy NFL-P8 (inferred)	Support	WBFL agrees that NFL-P8 more closely resembles assessment criteria than a policy.	Allow FS534.039
					This policy will largely be redundant if the amendments to NFL-P2, -P3 and -P7 sought by Northland Federated Farmers of New Zealand (S421) are carried through. Those amendments will adequately articulate the “management” directive of NFL-P8.	
Horticulture New Zealand (S159)	S159.061	NFL-R1	Amend subsection 2 of PER-1 of Rule NFL-R1 as follows:	Support	WBFL agrees that NFL-R1(PER-1)(2) is unduly limiting and likely to generate numerous, low-value (in a resource	Allow FS534.040

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			(2) no greater than 25m ² <u>100m²</u>		management sense) resource consent applications. A more practicable allowance than 25 m ² is appropriate. WBFL draws Council's attention to the more nuanced framework provided by Rule NFL-R1 and Standard NFL-S4 of the proposed Timaru District Plan. It provides an example of an alternative way to address the matter, albeit WBFL is not suggesting Council should simply replicate those provisions.	
Northland Federated Farmers of New Zealand (S421)	S421.158	NFL-R3	Amend PER-1 of Rule NFL-R3 to include additional activities, being farming activities, emergency services work, and works required for access.	Support in part	WBFL supports increased flexibility for landowners to carry out earthworks or indigenous vegetation clearance as proposed by Northland Federated Farmers of New Zealand.	Allow FS534.041
Bentzen Farm Limited (S167)	S167.047	NFL-S3	Amend rule NFL-S3 (inferred) to apply a yearly timeframe rather than the "over the life of the District	Support in part	WBFL shares this submitter's concern that limiting earthworks to an area of 50 m ² "over the life of the District	Allow FS534.042

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			Plan” compliance measure specified in the notified text.		Plan” is a very onerous compliance measure. In WBFL’s view, the restrictive criteria combined with the default under PER-3 to a non-complying activity status present a very onerous regulatory framework. WBFL questions whether the implications of this – in terms of costs and benefits – have been appropriately assessed in a s32 sense, with reference to the overarching ‘avoidance’ policy at NFL-P2.	
Coastal Environment						
Northland Federated Farmers of New Zealand (S421)	S421.183	CE-P2	Amend Objective CE-P2 as follows: Avoid adverse effects of <u>inappropriate development</u> , land use and subdivision on the characteristics and qualities of the coastal environment identified as: ... or wording with similar intent.	Support	WBFL agrees that the notified drafting of this policy does not accurately reflect the more qualified obligation that appears in RMA s6(a) and NZCPS Policy 13(1)(a) and (1)(b) and Policy 15(a) and (b) to manage inappropriate activities, rather than avoiding all adverse effects.	Allow FS534.043

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Northland Regional Council (S359)	S359.031	New - Rule	Amend the rules to expand the permitted activity rule to allow for fencing within natural character areas, ONLs and ONFs where fencing is required for protection or enhancement of soil conservation treatments, water bodies and wetlands and in line with the Stock Exclusion Regulations and/or regional plan rules. There is potential for unintended consequences of the rules in the Coastal Environment as new fencing requires resource consent.	Support	Agree with the reasons given by NRC as to unintended consequences.	Allow FS534.044
Noise						
Horticulture New Zealand (S159)	S159.084	NOISE-O1	Retain as notified.	Support	WBFL agrees that the policy framework for noise should reflect the underlying zoning.	Allow FS534.045
Horticulture New Zealand (S159)	S159.086	NOISE-P3	Retain as notified.	Support	WBFL agrees that the policy framework for noise should reflect the underlying zoning.	Allow FS534.046

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KiwiRail Holdings Limited (S416)	S416.041	NOISE-S5	Insert a standard (as outlined in the submission) to apply in all zones to build development at any point within 100 metres from the legal boundary of any railway network	Oppose	WBFL appreciates the intent of the relief sought but considers it irrelevant to the Kauri Cliffs Special Purpose Zone, given the location and discrete extent of the zone and the absence of rail designations in the area.	Reject FS534.047
Rural Production Zone						
Ballance Agri-Nutrients Limited (S143)	S143.013	RPROZ-O3	Retain as notified.	Support	WBFL supports this objective's alignment with the NPS-HPL	Allow FS534.048
Bentzen Farm Limited (S167)	S167.093	RPROZ-O4	Delete Objective RPROZ-O4 and replace with the following: Subdivision, use and development in the Rural Area maintain the rural character and amenity of the zone	Oppose	The National Planning Standards describe the RPROZ as a zone focused on primary production activities. The notified policy appropriately reflects this "working rural environment" focus. The National Planning Standards anticipate that where non-agricultural activities in rural environments require a different type of rural character and amenity, the Rural Lifestyle Zone will be applied – not the Rural Production Zone.	Reject FS534.049
Natural Open Space Zone						

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Our Kerikeri Community Charitable Trust (S271)	S271.024	Rules	Amend rules to enable tracks for cycling and walking	Support	WBFL agrees that it is appropriate to make a modest allowance for walking and cycling paths in this zone.	Allow
					As NOSZ-O3 indicates, enabling trail development within this zone is likely to foster the community's appreciation for, and support for the protection of, the values present in NOSZ areas.	FS534.050
Kauri Cliffs Zone						
Fire and Emergency New Zealand (S512)	S512.065	New - Rule	Insert new rule for <i>Emergency service facilities</i> included as a permitted activity.	Oppose	The Kauri Cliffs Zone is a relatively small special purpose zone held in single ownership. It is unlikely that Emergency Service Facilities would be developed in this zone, especially given the proximity of the Matauri Bay Fire Station.	Reject
						FS534.051
John Andrew Riddell (S431)	S431.136	KCZ-R1	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.	Oppose	A range of buildings and structures are necessary in the coastal environment and riparian margins, including buildings and structures with an operational or functional need for these locations – such as	Reject
						FS534.052

Submitter	Submission point	Provision	Original Submission Summary	Support / Oppose	Reason	Decision Sought
			The amendment is necessary in order to achieve the purpose of the Act.		fences, infrastructure and flood control structures. Applying a blanket non-complying activity status to all buildings and structures as this submitter proposes will likely result in significant consenting inefficiencies and inadvertent outcomes. WBFL does not agree that this amendment supports the sustainable management purpose of the Act.	
House Movers Section of New Zealand Heavy Haulage Association Inc (S482)	S482.015	KCZ-R1	Amend KCZ-R1 to: Provide for relocated building as a permitted activity when relocated buildings meet performance standards and criteria (see schedule 1). insert a performance standard for use of a pre inspection report (schedule 2) restricted discretionary activity status for relocated buildings that do not meet	Oppose	This submission point appears to be misconceived. WBFL owns the entire area in the KCZ. WBFL is not seeking to relocate second-hand buildings to Kauri Cliffs. The relief sought by this submission point is unnecessary.	Reject FS534.053

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			the permitted activity status standards			
Northland Fish and Game Council (S436)	S436.021	KCZ-R3	Insert provisions that constrain housing and industrial developments near areas with recreational hunting values.	Oppose	<p>There are no publicly accessible recreational hunting areas in the Kauri Cliffs Zone. The zone is held in single ownership and hunting is not permitted by the owners.</p> <p>The presence of any recreational hunting opportunities on land adjacent to the Kauri Cliffs Zone, is not a resource management reason to place additional land use and development controls on the Kauri Cliffs Zone (or any other zone).</p> <p>The submission is seeking to protect hunting opportunities from reverse sensitivity effects arising from housing development, regardless of the underlying zoning of the land. This is not an appropriate resource management approach, given the relative contribution of housing</p>	<p>Reject</p> <p>FS534.054</p>

Submitter	Submission point	Provision	Original Submission Summary	Support / Oppose	Reason	Decision Sought
					development to achieving the purpose of the Act.	
					The submission also refers to 'industrial' developments. There are no industrial activities present in the Kauri Cliffs Zone and rule KCZ-R11 would apply a discretionary consenting pathway to any industrial development.	
Puketotara Lodge Ltd (S481)	S481.014	KCZ-S2	<p>Insert the following as additional matters of discretion:</p> <p><u>Avoiding nuisance or damage to adjacent or downstream properties;</u></p> <p><u>The extent to which the diversion and discharge maintains predevelopment stormwater run-off flows and volumes;</u></p> <p><u>The extent to which the diversion and discharge</u></p>	Oppose	<p>Given the large area and limited development potential of the KCZ, and the Regional Plan regulation of discharges, the relief sought does not appear to relate to a resource management issue of any concern.</p> <p>Rule KCZ-S2 is limited to the land use effects (in terms of RMA s9(3)) of impermeable surface coverage in the Golf Playing Sub-Zone.</p> <p>Diversion and discharges requiring a resource consent are regulated under the</p>	<p>Reject</p> <p>FS534.055</p>

Submitter	Submission point	Provision	Original Submission Summary	Support / Oppose	Reason	Decision Sought
			<u>mimics natural run-off patterns.</u>		Northland Regional Plan per RMA s15. It would be inappropriate to include these as assessment matters in KCZ-S2 of the Proposed District Plan.	
Te Rūnanga o Ngāti Rēhia (S559)	S559.044	Kauri Cliffs Zone	We support this zone and are aware that there will be a request to amend this zone.	Support	<p>WBFL agrees with retention of the Kauri Cliffs Special Purpose Zone subject to the amendments recommended in WBFL’s submission.</p> <p>In WBFL’s view Council’s summary of this submission point (“<i>Retain Kauri Cliffs Special Purpose Zone as notified</i>”) does not correctly reflect the position of Te Rūnanga o Ngāti Rēhia as WBFL understands it – being TRoNR’s acknowledgement of WBFL’s proposed amended configuration of the KCZ sub-zones, detailed in WBFL’s original submission and discussed beforehand with TRoNR.</p>	Allow FS534.056
Schedules						

Submitter	Submission point	Provision	Original Submission Summary	Support / Oppose	Reason	Decision Sought
Kapiro Conservation Trust (S442)	S442.163	SCHED1 - Schedule of notable trees	Insert a rule that requires consent to fell or significantly prune isolated mature indigenous trees such as pohutukawa within the coastal environment OR Expand Schedule 1 - Schedule of Notable trees to include all these trees.	Oppose	<p>WBFL questions if the pruning of trees is a resource management issue that warrants these sort of consent requirements.</p> <p>The relief sought would generate a high volume of consent applications, particularly if all indigenous tree species (regardless of conservation status) are captured by this approach.</p> <p>WBFL suggests that non-regulatory management measures may be more appropriate, with consent requirements remaining focussed on managing scheduled notable trees.</p>	<p>Reject</p> <p>FS534.057</p>
Te Rūnanga o Ngāti Rēhia (S559)	S559.043	Schedule 3	Ngāti Rēhia recommend that the council add Piakoa, Tākou Bay (List no. 9832) to the schedule of sites of significance to Māori.	Support	WBFL support this request for the reasons set out in WBFL's original submission point no. S463.121.	<p>Allow</p> <p>FS534.058</p>
Director-General of Conservation	S364.002	SCHED4 - Schedule of	Insert SNAs in the plan using the report prepared for Council titled "Significant	Oppose	With the National Policy Statement for Indigenous Biodiversity 2023 ('NPSIB') now	<p>Reject</p> <p>FS534.059</p>

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(Department of Conservation) (S364)		significant natural areas	Indigenous Vegetation and Habitats of the Far North District - Volume 1" prepared by Wildlands Consultants (Contract Report No. 4899d, December 2019) to include SNAs in the Proposed District Plan.		operative, a nationally consistent framework applies to the identification and regulation of Significant Natural Areas. While the 2019 Wildlands report may assist the local authorities to implement the NPSIB, WBFL questions whether reliance on the Wildlands report is appropriate given the NPSIB's recent gazettal.	
Planning Maps						
Far North District Council (S368)	S368.001	Kauri Cliffs Zone	Amend to rezone the 'Natural Heritage Environment' subzone within the Kauri Cliffs zone with the 'Natural Open Space' zone. The 'Natural Heritage Environment' subzone has been incorrectly applied within the Kauri Cliffs zone. The 'Natural Heritage Environment' subzone needs to be removed and replaced with the 'Natural Open Space' zone in	Support in part	Agree with the proposed amendment, subject to the amendments associated with the 'Natural Heritage Environment' sub-zone and 'Natural Open Space' zone recommended in WBFL's submission. Those amendments relate to how SUB-R1 (point S463.046), LIGHT-S1 (point S463.081) and NOISE-S1 (point S463.084) would be interpreted in the	Allow FS534.060

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			accordance with the section 32 for the Kauri Cliffs Zone.		context of this particular area of proposed NOSZ, given its location in the middle of a larger landholding.	