

Online Further Submission

Further Submitter #66

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| Further Submitters Name | Bentzen Farm Limited |
| Further Submitter Number | FS66 |
| Wish to be heard | Yes |
| FS qualifier | a person who has an interest in the proposal that is greater than the interest the general public has (e.g. land owner, resource user) |
| FS qualifier reason | Bentzen Farm Limited is primary submitter and a landowner directly affected by the relief sought in submissions to the Proposed Far North District Plan. |
| Joint presentation | Yes |
| Attention: | Peter Hall |
| Contact organisation | Peter Hall Planning Limited |
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| Online further submitter? | Yes |
| Date raw FS lodged | 28/08/2023 12:07pm |

FS 66.1 - 66.191

Further submission points

| Raw FS number | Original submitter | Related Submission Point | Plan section | Provision | OS Decision Requested | Support/Oppose | FS Decision requested | Reasons |
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| FS66.1 | Thomson Survey Ltd | S192.003 | Planning maps | General / Miscellaneous | Include the 'proposed SNA map layer' as a non-statutory map layer, available to landowners and professionals to use as a guide to identifying SNA's when preparing applications. | Oppose | Disallow | Mapping of SNA will need to follow the methodology set out in the NPS: Indigenous Biodiversity before being inserted in the District Plan in any form. |
| FS66.2 | Kapiro Conservation Trust | S448.002 | Planning maps | General / Miscellaneous | Amend PDP maps to include SNA's and similar sites that have been protected via the Council's consenting process | Oppose | Disallow | Mapping of SNAs should follow the methodology set out in the NPS: Indigenous Biodiversity, not as determined by a previous consenting process. |
| FS66.3 | Kapiro Conservation Trust | S448.003 | Planning maps | General / Process | Amend zoning of SNAs and similar sites that are already protected | Oppose | Disallow | Mapping of SNAs should follow the methodology set out in the NPS: |

through the resource consenting process, and sites that will be added by future consenting to a special zoning or overlay for protected SNA's or give SNA's a status similar to a Reserve on private property.

Indigenous Biodiversity, not as determined by a previous consenting process.

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| FS66.4 | Heritage New Zealand Pouhere Taonga | S409.049 | Planning maps | Heritage Area | Insert new heritage areas (including associated mapping, overview, objectives, policies and rules) as indicated in submission | Oppose | Disallow | <p>The submission seeks wholesale changes to the District Plan with the addition of significantly more heritage areas, yet only very generally identifies these, including for example seeking that "all islands within the Bay of Islands", "Early European explorers Cook, Du Fresne" and "Early contact sites" be identified as heritage areas. That lacks the specificity of relief required of submissions to a proposed plan. There is no RMA 1991 justification for the inclusion of these areas and no specific identification of the properties affected or the values sought to be protected, and no evidential basis to support the inclusion of the additional heritage areas. The further submitter is an owner of coastal land in the Bay of Islands whose property may be affected by the relief sought in this submission, however the submission is so broadly cast as to not enable a proper understanding of the impact of the relief sought or the reasons for inclusion of the additional areas. For these reasons, the submission should be struck out by the Council.</p> <p>The identification of the additional areas as historic heritage through this submission is poor planning practice, introducing as it does potentially significantly more extensive scheduled heritage areas through a submission only, without prior consultation with affected landowners and the sharing of</p> |
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| | | | | | | | | evidence in support as is normally the case. There is no section 32 RMA analysis to support the additional scheduling sought, including the benefits and costs and the extent which economic growth will be provided or reduced. The scheduling lacks identification of criteria and values used to identify these areas, including any physical evidence or other values that is intended to be protected. For these reasons the relief sought is opposed. |
| FS66.5 | Carbon Neutral NZ Trust | S529.042 | Planning maps | General / Miscellaneous | Amend the planning maps to identify ecological areas already protected by resource consent conditions, consent notices, covenants etc and reconsider underlying zoning/overlays | Oppose | Disallow | Identification of SNAs is required to follow the methodology set out in the NPS: Indigenous Biodiversity and not be based on previous assessments and processes which apply different criteria. |
| FS66.6 | Carbon Neutral NZ Trust | S529.065 | Planning maps | General / Miscellaneous | Insert esplanade priority areas on planning maps and for any other communities in the district that wish to identify Esplanade Priority areas. | Oppose | Disallow | The relief sought on additional esplanade priority areas lacks specificity, and appears to seek the addition of additional esplanade priority areas outside a Schedule 1 RMA process and without proper s32 assessment. |
| FS66.7 | Carbon Neutral NZ Trust | S529.084 | Planning maps | General / Miscellaneous | Amend the PDP to include mapped esplanade priority layers identifying key areas for future connectivity purposes and include as an information layer in the District Plan | Oppose | Disallow | The relief sought on additional esplanade priority areas lacks specificity, and appears to seek the addition of additional esplanade priority areas outside a Schedule 1 RMA process and without proper s32 assessment. |
| FS66.8 | Kapiro Conservation Trust | S449.043 | Planning maps | General / Miscellaneous | Amend the planning maps to identify ecological areas already protected by resource consent conditions, consent notices, covenants etc and reconsider underlying zoning/overlays | Oppose | Disallow | The identification of SNAs should follow the methodology in the NPS: Indigenous Biodiversity and not be based on previous processes. |
| FS66.9 | Far North District Council | S368.005 | General | General / Plan Content / Miscellaneous | Amend where necessary to give effect to the National Policy Statement for Indigenous Biodiversity | Oppose | Disallow | The relief sought in the submission by FNDC to give effect to the NPS: |

Indigenous Biodiversity should be sought by a Schedule 1 Variation to the Proposed Plan, not by way of a submission. The relief sought in this submission is not specific, so as to allow landowners and the community to understand its effect, yet by introducing SNAs and associated provisions across the district, it will have significant effect. Lacking specificity as it does, the submission should be struck out. There is no section 32 RMA assessment to support the relief sought. While it is acknowledged that the Council is required to give effect to the NPS: Indigenous Biodiversity, this is required to be done in accordance with the principles and methodology set out in the NPS, including at section 3.8 the principles of partnership, transparency, access and consistency. Giving effect to the NPS by way of a submission to the Proposed Plan falls well short of this.

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| FS66.10 | Northland Regional Council | S359.004 | General | General / Plan Content / Miscellaneous | Amend the plan to have regard to the National Policy Statement- Highly Productive Land and the National Policy Statement- Indigenous Biodiversity | Oppose | Disallow | The relief sought in the submission by NRC to have regard to the NPS: |
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| | | | | | | | | Indigenous Biodiversity should be sought by a Schedule 1 Variation to the Proposed Plan by the FNDC, not by way of a submission. The relief sought in this submission is not specific, so as to allow landowners and the community to understand its effect, yet by introducing SNAs and associated provisions across the district, it will have significant effect. Lacking specificity as it does, the submission should be struck out. There is no section 32 RMA assessment to support the relief sought. While it is acknowledged that the Council is required to give effect to the NPS: Indigenous Biodiversity, this is required to be done in accordance with the principles and methodology set out in the NPS, including at section 3.8 the principles of partnership, transparency, access and consistency. Giving effect to the NPS by way of a submission to the Proposed Plan falls well short of this. |
| FS66.11 | Northland Regional Council | S359.009 | General | General / Plan Content / Miscellaneous | Amend the planning maps to align with updated NRC hazard maps (inferred) | Oppose | Disallow | The submission by the NRC seeks to introduce new Hazards Mapping without showing the specific effect of that relief on properties, or providing proper justification, including under section 32 of the RMA. |
| FS66.12 | Northland Regional Council | S359.027 | General | General / Plan Content / Miscellaneous | Amend the plan to reconsider mechanisms to protect Class 1, 2 and 3 (and possibly some class 4) soils as a valuable natural resource | Oppose | Disallow | The submitter's property includes some LUC4 land on the valley flat |

of the farm. The responsibility to identify Highly Productive Land is the Regional Council's under the NPS: Highly Productive Land, following the process set out in the NPS. The interim provisions at 3.5(7) of the NPS only require LUC 1, 2 and 3 land to be classed as highly productive. The relief sought by the NRC to incorporate provisions in the District Plan ahead of itself giving effect to the NPS is premature. More particularly, the request to map some LUC4 land as highly productive does not give effect to the interim provisions of the NPS: Highly Productive Land.

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| FS66.13 | Director-General of Conservation (Department of Conservation) | S364.004 | General | General / Plan Content / Miscellaneous | Amend all restricted discretionary activity and controlled activity rules to insert matters of discretion/control for indigenous biodiversity where appropriate and not already identified (inferred). | Oppose | Disallow |
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The relief sought in the submission by DOC to amend all restricted

discretionary activity and controlled activity rules to insert matters of discretion/control for indigenous biodiversity does not give proper effect to the NPS: Indigenous Biodiversity, nor does it properly consider the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions or the risk of acting or not acting as required by s32 of the RMA 1991. The method proposed is a blunt instrument, which lacks the nuance required for proper environmental assessment, including a robust process for identifying the extent and values of the indigenous biodiversity. While it is acknowledged that the Council is required to give effect to the NPS: Indigenous Biodiversity, this is required to be done in accordance with the principles and methodology set out in the NPS, which should be by way of a Schedule 1 Variation to the Proposed Plan.

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| FS66.14 | Director-General of Conservation (Department of Conservation) | S364.005 | General | General / Plan Content / Miscellaneous | Amend the Plan to be consistent with the NPSIB exposure draft. Specifically, but not limited to: <ul style="list-style-type: none"> • Protect SNAs and identified taonga on Māori lands inline with clause 3.18 of the NPSIB exposure draft. • Include objectives, policies, or methods in the PDP for managing the adverse effects of new subdivision, use, and development on highly mobile fauna areas. • Incorporate NPSIB Appendices 3 and 4 or like principles into the PDP. Update proposed Policy | Oppose | Disallow | The relief sought in the submission by DOC to amend the Plan to be consistent with the NPS: Indigenous Biodiversity exposure draft is out of date (that draft now being replaced by the NPS: Indigenous Biodiversity) and should be disallowed. Should the relief be inferred to mean the NPS: Indigenous Biodiversity, then this should be given effect to by a Schedule 1 Variation to the Proposed Plan by the FNDC, not by way of a submission, to ensure its clauses are properly implemented, including its principles of partnership, transparency, access and consistency. |
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| | | | | | IB-P4 to require that any biodiversity offset, or biodiversity compensation be in accordance with these principles. | | | |
| FS66.15 | Kapiro Residents Association | S429.001 | General | General / Plan Content / Miscellaneous | <p>Revise the provisions in all relevant chapters to address elements such as -</p> <ul style="list-style-type: none"> - Policies/rules to control any actual or potential effects of the use and development of land, or protection of land, for the purpose of the maintenance of indigenous biodiversity (under s31 of RMA) and protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna (RMA s6). - Policies/rules that will give better effect to biodiversity/ecosystem provisions in the Regional Policy Statement (which became operative from May 2016) and ensure that the district plan implements RPS Policy 4.4.1 (as required by RPS Method 4.4.3). - Adopt provisions specifically for maintaining and protecting indigenous species that are classed as threatened or at risk in NZTCS lists to be consistent with Regional Plan provisions on this topic (as required under s75 of RMA). - Adopt rules to control and place consent conditions on subdivision, land use or development in, or adjacent to, locations where indigenous species classed as threatened or at risk (under the NZTCS) are present. <p>Additional specific provisions include -</p> <ul style="list-style-type: none"> - Rules for banning potential predator pets (dogs, cats, | Oppose | Disallow | <p>In general terms the indigenous vegetation clearance provisions in the Proposed Plan do not properly provide for normal and beneficial practices, and exemptions should be widened to include in all instances at least the following:</p> <ul style="list-style-type: none"> • Maintenance of fire breaks (for ecosystem protection and providing for the health and safety of people) • Cultivation and domestic gardens (continuation of domestic and rural activities). • Ecosystem protection and enhancement (where vegetation may need to be thinned to release new plantings) • Maintenance of driveways and roads. |

mustelids, etc) from areas where kiwi or other at risk/threatened species are present and vulnerable to these predators (e.g. shore birds such as dotterel, wetland birds such as bittern and dabchick, at-risk lizards, and other animals).

- Consent conditions should require fencing on the boundaries of public land, such as esplanade reserve, and around areas of wetlands and waterways. - Consent conditions for areas of significant vegetation/habitat etc. should set high standards of protection for indigenous vegetation, kiwi, at risk/threatened species and biodiversity, including appropriate types of fencing, predator control, protection and restoration of native vegetation, weed control, restrictions on planting exotic vegetation, etc. Covenants should be legally binding in perpetuity and should include provisions for monitoring implementation and enforcement.

- Fencing needs to be appropriate for vulnerable species in the area, for example, fencing that allows free movement of kiwi; or in other cases fencing to stop dogs entering a kiwi area.

- Signage to help protect kiwi and other vulnerable species, such as wetland species, shore birds.

- Street lights for subdivisions/developments should be suitable for nocturnal wildlife, such as kiwi, and dark-sky-friendly (certified to minimise glare, reduce light trespass and protect the visibility of stars).

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| FS66.16 | Kapiro Residents Association | S429.002 | General | General / Plan Content / Miscellaneous | Revise the provisions in all relevant chapters to address elements such as - | Oppose | Disallow | In general terms the indigenous vegetation clearance provisions in |
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- Policies/rules to control any actual or potential effects of the use and development of land, or protection of land, for the purpose of the maintenance of indigenous biodiversity (under s31 of RMA) and protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna (RMA s6).

- Policies/rules that will give better effect to biodiversity/ecosystem provisions in the Regional Policy Statement (which became operative from May 2016) and ensure that the district plan implements RPS Policy 4.4.1 (as required by RPS Method 4.4.3).

- Adopt provisions specifically for maintaining and protecting indigenous species that are classed as threatened or at risk in NZTCS lists to be consistent with Regional Plan provisions on this topic (as required under s75 of RMA).

- Adopt rules to control and place consent conditions on subdivision, land use or development in, or adjacent to, locations where indigenous species classed as threatened or at risk (under the NZTCS) are present.

Additional specific provisions include -

- Rules for banning potential predator pets (dogs, cats, mustelids, etc) from areas where kiwi or other at risk/threatened species are present and vulnerable to these predators (e.g. shore birds such as dotterel, wetland birds such as bittern and dabchick, at-

risk lizards, and other animals).

the Proposed Plan do not properly provide for normal and beneficial practices, and exemptions should be widened to include in all instances at least the following:

- Maintenance of fire breaks (for ecosystem protection and providing for the health and safety of people)
- Cultivation and domestic gardens (continuation of domestic and rural activities).
- Ecosystem protection and enhancement (where vegetation may need to be thinned to release new plantings)
- Maintenance of driveways and roads.

- Consent conditions should require fencing on the boundaries of public land, such as esplanade reserve, and around areas of wetlands and waterways. - Consent conditions for areas of significant vegetation/habitat etc. should set high standards of protection for indigenous vegetation, kiwi, at risk/threatened species and biodiversity, including appropriate types of fencing, predator control, protection and restoration of native vegetation, weed control, restrictions on planting exotic vegetation, etc. Covenants should be legally binding in perpetuity and should include provisions for monitoring implementation and enforcement.

- Fencing needs to be appropriate for vulnerable species in the area, for example, fencing that allows free movement of kiwi; or in other cases fencing to stop dogs entering a kiwi area.

- Signage to help protect kiwi and other vulnerable species, such as wetland species, shore birds.

- Street lights for subdivisions/developments should be suitable for nocturnal wildlife, such as kiwi, and dark-sky-friendly (certified to minimise glare, reduce light trespass and protect the visibility of stars).

FS66.17 Kapiro Residents Association S429.003 General General / Plan Content / Miscellaneous Revise the provisions in all relevant chapters to address elements such as - Oppose Disallow

- Policies/rules to control any actual or potential effects of the use and development of land, or protection of land, for the purpose

of the maintenance of indigenous biodiversity (under s31 of RMA)

In general terms the indigenous vegetation clearance provisions in

and protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna (RMA s6).

- Policies/rules that will give better effect to biodiversity/ecosystem provisions in the Regional Policy Statement (which became operative from May 2016) and ensure that the district plan implements RPS Policy 4.4.1 (as required by RPS Method 4.4.3).

- Adopt provisions specifically for maintaining and protecting indigenous species that are classed as threatened or at risk in NZTCS lists to be consistent with Regional Plan provisions on this topic (as required under s75 of RMA).

- Adopt rules to control and place consent conditions on subdivision, land use or development in, or adjacent to, locations where indigenous species classed as threatened or at risk (under the NZTCS) are present.

Additional specific provisions include -

- Rules for banning potential predator pets (dogs, cats, mustelids, etc) from areas where kiwi or other at risk/threatened species are present and vulnerable to these predators (e.g. shore birds such as dotterel, wetland birds such as bittern and dabchick, at-risk lizards, and other animals).

- Consent conditions should require fencing on the boundaries of public land, such as esplanade reserve, and around areas of wetlands and waterways. - Consent conditions for areas of significant

the Proposed Plan do not properly provide for normal and beneficial practices, and exemptions should be widened to include in all instances at least the following:

- Maintenance of fire breaks (for ecosystem protection and providing for the health and safety of people)
- Cultivation and domestic gardens (continuation of domestic and rural activities).
- Ecosystem protection and enhancement (where vegetation may need to be thinned to release new plantings)
- Maintenance of driveways and roads.

vegetation/habitat etc. should set high standards of protection for indigenous vegetation, kiwi, at risk/threatened species and biodiversity, including appropriate types of fencing, predator control, protection and restoration of native vegetation, weed control, restrictions on planting exotic vegetation, etc. Covenants should be legally binding in perpetuity and should include provisions for monitoring implementation and enforcement.

- Fencing needs to be appropriate for vulnerable species in the area, for example, fencing that allows free movement of kiwi; or in other cases fencing to stop dogs entering a kiwi area.

- Signage to help protect kiwi and other vulnerable species, such as wetland species, shore birds.

- Street lights for subdivisions/developments should be suitable for nocturnal wildlife, such as kiwi, and dark-sky-friendly (certified to minimise glare, reduce light trespass and protect the visibility of stars).

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| FS66.18 | Kapiro Residents Association | S429.004 | General | General / Plan Content / Miscellaneous | <p>Amend the Plan to ensure that when subdivision, land use or development is considered, it gives effect to:</p> <p>-the NPS FM's fundamental concept of Te Mana o te Wai (including the principles and the hierarchy of obligations) should be applied to all freshwater issues that may be affected by development, not just the aspects of freshwater management referred to in the NPS</p> <p>(this point is stated in NPS FMs1.3(2))</p> | Oppose | Disallow | The relief sought in the submission lacks specificity, such that the exact nature of effect of the changes sought can not be understood. That said, the Proposed Plan generally gives appropriate effect to the provisions of the NPS Freshwater Management, acknowledging that the functions under this NPS primarily fall to the Regional Council. |
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-Policies and rules to promote positive effects and avoid, remedy, or mitigate adverse effects (including cumulative effects) of urban development on the health and well-being of water bodies, freshwater ecosystems, and receiving environments (NPS FM s3.5(4))

-Avoiding the loss of wetlands and protecting their values: 'The loss of extent of natural inland wetlands is avoided, their values are protected, and their restoration is promoted...' (NPS FM s3.22). We note, in particular, that some provisions of the Natural Character chapter seem to contradict the NPS-FM.

-Requirements to use water sensitive and low impact designs for stormwater and wastewater, including constructed wetlands (vegetated retention ponds) to retain stormwater and runoff and prevent silt and pollutants being carried into waterways.

-To avoid/reduce freshwater pollution generated by wastewater emissions, it should be a requirement to use enclosed wastewater systems that use disposal-to-land (i.e. systems that do not rely on dispersal via water or disposal into water) such as electrocoagulation methods involving coagulation and flocculation, widely used in parts of Europe. If not a requirement, these systems should at minimum be given priority over systems that rely on dispersal or disposal via water.

-When subdivision or development takes place, all waterways should be protected by requirements for native planting and other measures.

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| FS66.19 | Kapiro Residents Association | S429.005 | General | General / Plan Content / Miscellaneous | <p>Amend the Plan to ensure that when subdivision, land use or development is considered, it gives effect to:</p> <ul style="list-style-type: none"> -the NPS FM's fundamental concept of Te Mana o te Wai (including the principles and the hierarchy of obligations) should be applied to all freshwater issues that may be affected by development, not just the aspects of freshwater management referred to in the NPS (this point is stated in NPS FMs1.3(2)) -Policies and rules to promote positive effects and avoid, remedy, or mitigate adverse effects(including cumulative effects) of urban development on the health and well-being of water bodies, freshwater ecosystems, and receiving environments (NPS FM s3.5(4)) -Avoiding the loss of wetlands and protecting their values: 'The loss of extent of natural inland wetlands is avoided, their values are protected, and their restoration is promoted...!' (NPS FM s3.22).We note, in particular, that some provisions of the Natural Character chapter seem to contradict the NPS-FM. -Requirements to use water sensitive and low impact designs for stormwater and wastewater, including constructed wetlands (vegetated retention ponds) to retain stormwater and runoff and prevent silt and pollutants being carried into waterways. -To avoid/reduce freshwater pollution generated by wastewater emissions, it should be a requirement to use enclosed wastewater systems that use | Oppose | Disallow | The relief sought in the submission lacks specificity, such that the exact nature of effect of the changes sought can not be understood. That said, the Proposed Plan generally gives appropriate effect to the provisions of the NPS Freshwater Management, acknowledging that the functions under this NPS primarily fall to the Regional Council. |
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-When subdivision or development takes place, all waterways should be protected by requirements for native planting and other measures.

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| FS66.20 | Kapiro Residents Association | S429.006 | General | General / Plan Content / Miscellaneous | <p>Amend the Plan to ensure that when subdivision, land use or development is considered, it gives effect to:</p> <p>-the NPS FM's fundamental concept of Te Mana o te Wai (including the principles and the hierarchy of obligations) should be applied to all freshwater issues that may be affected by development, not just the aspects of freshwater management referred to in the NPS (this point is stated in NPS FMs1.3(2))</p> <p>-Policies and rules to promote positive effects and avoid, remedy, or mitigate adverse effects(including cumulative effects) of urban development on the health and well-being of water bodies, freshwater ecosystems, and receiving environments (NPS FM s3.5(4))</p> <p>-Avoiding the loss of wetlands and protecting their values: 'The loss of extent of natural inland wetlands is avoided, their values are protected, and their restoration is promoted...' (NPS FM s3.22).We note, in particular, that some provisions of the Natural Character chapter</p> | Oppose | Disallow | The relief sought in the submission lacks specificity, such that the exact nature of effect of the changes sought can not be understood. That said, the Proposed Plan generally gives appropriate effect to the provisions of the NPS Freshwater Management, acknowledging that the functions under this NPS primarily fall to the Regional Council. |
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seem to contradict the NPS-FM.

-Requirements to use water sensitive and low impact designs for stormwater and wastewater, including constructed wetlands (vegetated retention ponds) to retain stormwater and runoff and prevent silt and pollutants being carried into waterways.

-To avoid/reduce freshwater pollution generated by wastewater emissions, it should be a requirement to use enclosed wastewater systems that use disposal-to-land (i.e. systems that do not rely on dispersal via water or disposal into water) such as electrocoagulation methods involving coagulation and flocculation, widely used in parts of Europe. If not a requirement, these systems should at minimum be given priority over systems that rely on dispersal or disposal via water.

-When subdivision or development takes place, all waterways should be protected by requirements for native planting and other measures.

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| FS66.21 | Kapiro Residents Association | S429.007 | General | General / Plan Content / Miscellaneous | <p>Amend the Plan to ensure that when subdivision, land use or development is considered, it gives effect to:</p> <p>-the NPS FM's fundamental concept of Te Mana o te Wai (including the principles and the hierarchy of obligations) should be applied to all freshwater issues that may be affected by development, not just the aspects of freshwater management referred to in the NPS (this point is stated in NPS FMs1.3(2))</p> <p>-Policies and rules to promote positive effects and avoid, remedy,</p> | Oppose | Disallow | The relief sought in the submission lacks specificity, such that the exact nature of effect of the changes sought can not be understood. That said, the Proposed Plan generally gives appropriate effect to the provisions of the NPS Freshwater Management, acknowledging that the functions under this NPS primarily fall to the regional Council. |
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or mitigate adverse effects(including cumulative effects) of urban development on the health and well-being of water bodies, freshwater ecosystems, and receiving environments (NPS FM s3.5(4))

-Avoiding the loss of wetlands and protecting their values: 'The loss of extent of natural inland wetlands is avoided, their values are protected, and their restoration is promoted...!' (NPS FM s3.22).We note, in particular, that some provisions of the Natural Character chapter seem to contradict the NPS-FM.

-Requirements to use water sensitive and low impact designs for stormwater and wastewater, including constructed wetlands (vegetated retention ponds) to retain stormwater and runoff and prevent silt and pollutants being carried into waterways.

-To avoid/reduce freshwater pollution generated by wastewater emissions, it should be a requirement to use enclosed wastewater systems that use disposal-to-land (i.e. systems that do not rely on dispersal via water or disposal into water) such as electrocoagulation methods involving coagulation and flocculation, widely used in parts of Europe. If not a requirement, these systems should at minimum be given priority over systems that rely on dispersal or disposal via water.

-When subdivision or development takes place, all waterways should be protected by requirements for native planting and other measures.

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| FS66.22 | Kapiro Residents Association | S429.008 | General | General / Plan Content / | Amend the Plan to ensure that when subdivision, land use or | Oppose | Disallow | The relief sought in the submission lacks specificity, such that the |
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Miscellaneous

development is considered, it gives effect to:

-the NPS FM's fundamental concept of Te Mana o te Wai (including the principles and the hierarchy of obligations) should be applied to all freshwater issues that may be affected by development, not just the aspects of freshwater management referred to in the NPS (this point is stated in NPS FMs1.3(2))

-Policies and rules to promote positive effects and avoid, remedy, or mitigate adverse effects(including cumulative effects) of urban development on the health and well-being of water bodies, freshwater ecosystems, and receiving environments (NPS FM s3.5(4))

-Avoiding the loss of wetlands and protecting their values: 'The loss of extent of natural inland wetlands is avoided, their values are protected, and their restoration is promoted...'(NPS FM s3.22).We note, in particular, that some provisions of the Natural Character chapter seem to contradict the NPS-FM.

-Requirements to use water sensitive and low impact designs for stormwater and wastewater, including constructed wetlands (vegetated retention ponds) to retain stormwater and runoff and prevent silt and pollutants being carried into waterways.

-To avoid/reduce freshwater pollution generated by wastewater emissions, it should be a requirement to use enclosed wastewater systems that use disposal-to-land (i.e. systems that do not rely on dispersal via water or disposal into water) such as

exact nature of effect of the changes sought can not be understood. That said, the Proposed Plan generally gives appropriate effect to the provisions of the NPS Freshwater Management, acknowledging that the functions under this NPS primarily fall to the regional Council.

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| | | | | | <p>electrocoagulation methods involving coagulation and flocculation, widely used in parts of Europe. If not a requirement, these systems should at minimum be given priority over systems that rely on dispersal or disposal via water.</p> <p>-When subdivision or development takes place, all waterways should be protected by requirements for native planting and other measures.</p> | | | |
| FS66.23 | Kapiro Residents Association | S429.010 | General | General / Plan Content / Miscellaneous | <p>Amend the Plan to ensure that when subdivision, land use or development is considered, it gives effect to:</p> <p>-the NPS FM's fundamental concept of Te Mana o te Wai (including the principles and the hierarchy of obligations) should be applied to all freshwater issues that may be affected by development, not just the aspects of freshwater management referred to in the NPS (this point is stated in NPS FMs1.3(2))</p> <p>-Policies and rules to promote positive effects and avoid, remedy, or mitigate adverse effects(including cumulative effects) of urban development on the health and well-being of water bodies, freshwater ecosystems, and receiving environments (NPS FM s3.5(4))</p> <p>-Avoiding the loss of wetlands and protecting their values: 'The loss of extent of natural inland wetlands is avoided, their values are protected, and their restoration is promoted...' (NPS FM s3.22).We note, in particular, that some provisions of the Natural Character chapter seem to contradict the NPS-FM.</p> <p>-Requirements to use water sensitive and low impact designs</p> | Oppose | Disallow | The relief sought in the submission lacks specificity, such that the exact nature of effect of the changes sought can not be understood. That said, the Proposed Plan generally gives appropriate effect to the provisions of the NPS Freshwater Management, acknowledging that the functions under this NPS primarily fall to the regional Council. |

for stormwater and wastewater, including constructed wetlands (vegetated retention ponds) to retain stormwater and runoff and prevent silt and pollutants being carried into waterways.

-To avoid/reduce freshwater pollution generated by wastewater emissions, it should be a requirement to use enclosed wastewater systems that use disposal-to-land (i.e. systems that do not rely on dispersal via water or disposal into water) such as electrocoagulation methods involving coagulation and flocculation, widely used in parts of Europe. If not a requirement, these systems should at minimum be given priority over systems that rely on dispersal or disposal via water.

-When subdivision or development takes place, all waterways should be protected by requirements for native planting and other measures.

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| FS66.24 | Kapiro Residents Association | S429.011 | General | General / Plan Content / Miscellaneous | <p>Amend the Plan to ensure that when subdivision, land use or development is considered, it gives effect to:</p> <p>-the NPS FM's fundamental concept of Te Mana o te Wai (including the principles and the hierarchy of obligations) should be applied to all freshwater issues that may be affected by development, not just the aspects of freshwater management referred to in the NPS (this point is stated in NPS FMs1.3(2))</p> <p>-Policies and rules to promote positive effects and avoid, remedy, or mitigate adverse effects(including cumulative effects) of urban development on</p> | Oppose | Disallow | The relief sought in the submission lacks specificity, such that the exact nature of effect of the changes sought can not be understood. That said, the Proposed Plan generally gives appropriate effect to the provisions of the NPS Freshwater Management, acknowledging that the functions under this NPS primarily fall to the regional Council. |
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the health and well-being of water bodies, freshwater ecosystems, and receiving environments (NPS FM s3.5(4))

-Avoiding the loss of wetlands and protecting their values: 'The loss of extent of natural inland wetlands is avoided, their values are protected, and their restoration is promoted...!' (NPS FM s3.22).We note, in particular, that some provisions of the Natural Character chapter seem to contradict the NPS-FM.

-Requirements to use water sensitive and low impact designs for stormwater and wastewater, including constructed wetlands (vegetated retention ponds) to retain stormwater and runoff and prevent silt and pollutants being carried into waterways.

-To avoid/reduce freshwater pollution generated by wastewater emissions, it should be a requirement to use enclosed wastewater systems that use disposal-to-land (i.e. systems that do not rely on dispersal via water or disposal into water) such as electrocoagulation methods involving coagulation and flocculation, widely used in parts of Europe. If not a requirement, these systems should at minimum be given priority over systems that rely on dispersal or disposal via water.

-When subdivision or development takes place, all waterways should be protected by requirements for native planting and other measures.

FS66.25

Carbon Neutral NZ Trust

S529.001

General

General / Plan Content /

Miscellaneous

Amend PDP to:

- provide clear criteria for assessing discretionary

Oppose

Disallow

The relief sought in this submission could have wide reaching

activities.

- reduce the ambiguities in policies, the word 'avoid' should be applied more often, and other phrasing should be clarified and strengthened substantially.
- recognise that undesirable activities that should be avoided should be classed as non-complying or prohibited, instead of discretionary.
- incorporate additional rules to protect the environment and amenity values, and to address climate change issues relevant to the types of activities.

implications (such as 'using the word 'avoid' more often') however lacks the specificity required of a submission to allow a proper understanding of its effect ie which objectives and policies are sought to be amended and exactly how. For this reason the submission should be struck out.

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| FS66.26 | Carbon Neutral NZ Trust | S529.022 | General | General / Plan Content / Miscellaneous | Amend to insert strong policies/rules that will avoid urban/residential sprawl in rural and coastal areas in other zones/chapters than Coastal Environment. | Oppose | Disallow | Appropriate residential development outside of existing urban areas can be a catalyst for positive land use change with environmental benefits and should not be outright 'avoided' as sought by this submission. |
| FS66.27 | Carbon Neutral NZ Trust | S529.152 | General | General / Plan Content / Miscellaneous | Delete the term 'highly productive land' throughout the PDP, and refer to as 'priority productive land' or 'significant productive capacity' | Oppose | Disallow | The relief sought by the submitter to delete the term 'highly productive land' throughout the PDP, and refer to as 'priority productive land' or 'significant productive capacity' is contrary to the NPS: Highly Productive Land and does not enable the Plan to give effect to that NPS. |
| FS66.28 | Ian Diarmid Palmer | S556.002 | General | General / Plan Content / Miscellaneous | Amend the word 'allotment' as used in SUB-S1 to 'site' and/or otherwise clarify that the areas listed in SUB-S1 are intended to be measures of 'site' areas. Alternatively many of the places in the PDP where the word 'site' is | Support in part | Allow in part | The relief to amend the word 'allotment' as used in SUB-S1 to |

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| | | | | | used should be changed to use the word 'allotment'. | | | 'site' and/or otherwise clarify that the areas listed in SUB-S1 are intended to be measures of 'site' areas is supported to allow for clear application of the rule. |
| FS66.29 | Kapiro Conservation Trust | S442.004 | General | General / Plan Content / Miscellaneous | Amend to adopt provisions specifically for maintaining and protecting indigenous species that are classed as threatened or at risk in NZTCS lists to be consistent with Regional Plan provisions on this topic (as required under s75 of RMA). Examples of relevant provisions are given in Box 1. | Oppose | Disallow | These provisions should be introduced bay way of a Variation to the Proposed Plan and only in accordance with the NPS: Indigenous Biodiversity. |
| FS66.30 | Northland Fish and Game Council | S436.032 | General | General / Plan Content / Miscellaneous | <p>Amend the plan as required to ensure:</p> <ul style="list-style-type: none"> - development occurs away from areas valued for their amenity characteristics which are important for culture and recreation - recreational game bird hunting and recreational freshwater fishing are included as permitted activities in all rural areas - development is directed away from known hazard areas (ie, flooding hazards) - existing ponding zones are implemented and there is no further drainage to support growth of settlement areas - that water sensitive design principles (as used in the Auckland Unitary Plan) are encouraged and prioritised for new developments to reduce the creation of runoff and the sources of contaminants - that the effects of settlement expansion on avifauna are acknowledged and that the effects | Oppose | Disallow | The relief sought by the submitter, including that development occurs away from areas valued for their amenity characteristics which are important for culture and recreation, is not sufficiently specific. Such areas should be identified in the submission so that the implications of the relief sought can be properly understood. |

| are sustainably managed | | | | | | | | |
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| FS66.31 | Kapiro Conservation Trust | S449.023 | General | General / Plan Content / Miscellaneous | Amend to add strong policies/rules that will avoid urban/residential sprawl in rural and coastal areas in other zones/chapters than Coastal Environment. | Oppose | Disallow | The relief sought fails to recognise that positive benefits can result from appropriate residential development outside of existing urban areas, including biodiversity benefits. |
| FS66.33 | Foodstuffs North Island Limited | S363.002 | General approach | Applications Subject to Multiple Provisions | <p>Delete the following text from "Applications Subject to Multiple Provisions" (or to similar effect):</p> <p>...Some of the Overlay chapters only include rules for certain types of activities (e.g. natural character, natural features and landscapes or coastal environment). If your proposed activity is within one of these overlays, but there are no overlay rules that are applicable to your activity, then your activity can be treated as a permitted activity under the Overlay Chapter unless stated otherwise. Resource consent may still be required under either Part 2: District-wide Matters chapters and/or Part 3: Area-Specific chapters (including the underlying zone).</p> <p>And amend all relevant overlay chapters as necessary to insert rules for "Activities not otherwise listed in this chapter" consistent with zone chapters.</p> | Support in part | Allow in part | The outcome sought in the submission for greater clarity in the application of the overlays is generally supported, however that outcome may be achieved more efficiently and with less risk of unforeseen consequences by mostly retaining the District Plan text referred to in the submission and simply changing the reference to 'permitted activity' to '.then reference need only be need to be made to the provisions in Part 2: District-wide Matters chapters and/or Part 3: Area-Specific chapters' or similar. |
| FS66.34 | PF Olsen Limited | S91.003 | Definitions | HIGHLY PRODUCTIVE LAND | Amend the definition to Highly Productive Land to be consistent with the requirements of the National Policy Statement for Highly Productive Land | Support | Allow | The definition of Highly Productive Land should be amended to give effect to the National Policy Statement for Highly Productive Land so as to not inadvertently capture land not defined by the NPS. |
| FS66.35 | Summit Forests New Zealand Limited | S148.004 | Definitions | HIGHLY PRODUCTIVE LAND | Amend the definition to Highly Productive Land to be consistent with the requirements of the National Policy Statement for Highly Productive Land. | Support | Allow | The definition of Highly Productive Land should be amended to give |

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| | | | | | | | | effect to the National Policy Statement for Highly Productive Land so as to not inadvertently capture land not defined by the NPS. |
| FS66.36 | Waiaua Bay Farm Limited | S463.001 | Definitions | HIGHLY PRODUCTIVE LAND | Amend the definition of 'Highly productive land' as follows: means land that is, or has the potential to be, highly productive for farming activities. It includes versatile soils and Land Use Capability Class 4 land and other Land Use Capability classes Land Use Capability, or has the potential to be, highly productive having regard to: Soil type; Physical characteristics; Climate conditions; and Water availability. Highly productive land has the same meaning as in the National Policy Statement for Highly Productive Land 2022. | Support | Allow | The definition of Highly Productive Land should be amended to give effect to the National Policy Statement for Highly Productive Land so as to not inadvertently capture land not defined by the NPS. |
| FS66.37 | Lynley Newport | S121.003 | Definitions | NO NET LOSS | Amend definition of "no net loss" to read: "means that the measurable positive effects of actions match any measurable loss of extent or values..." | Oppose | Disallow | Only amendments consistent with the NPS: Indigenous Biodiversity should be allowed to this definition and introduced by way of a Variation to the Proposed Plan. |
| FS66.38 | Royal Forest and Bird Protection Society of New Zealand | S511.009 | Definitions | NO NET LOSS | Amend "Means the measurable positive effects of actions match any loss of extent or values over space and time, taking into account the type, values function and location of the ecosystem type or the species type meant to be offset indigenous biodiversity offset" or some other words to this effect. | Oppose | Disallow | Only amendments consistent with the NPS: Indigenous Biodiversity should be allowed to this definition and introduced by way of a Variation to the Proposed Plan. |
| FS66.39 | Kapiro Conservation Trust | S442.029 | Definitions | NO NET LOSS | Amend "Means the measurable positive effects of actions match any loss of | Oppose | Disallow | Only amendments consistent with the NPS: Indigenous Biodiversity |

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| | | | | | <p>extent or values over space and time, taking into account the type, values function and location of the ecosystem type or the species type meant to be offset indigenous biodiversity offset"</p> <p>or some other words to this effect.</p> | | | <p>should be allowed to this definition and introduced by way of a Variation to the Proposed Plan.</p> |
| FS66.40 | Royal Forest and Bird Protection Society of New Zealand | S511.021 | Economic and Social Wellbeing | Overview | <p>Delete from each sections overview: ...For the purposes of preparing, changing, interpreting and implementing the District Plan all other objectives and policies in all other chapters of this District Plan are to be read and achieved in a manner consistent with these strategic objectives</p> <p>If it is preferred by the decision maker then replace with the desired wording for the Strategic Overview</p> <p>For the purpose of District Plan development, including plan changes, the strategic objectives in this chapter provide direction for the development of the more detailed provisions contained in the District Plan. For the purpose of District Plan implementation (including the determination of resource consent applications and notices of requirement): a) the strategic objectives may provide guidance on what the related objectives and policies in other chapters of the District Plan are seeking to achieve; and b) the relevant objectives and policies of the District Plan (including strategic objectives in this chapter) are to be considered together and no fixed hierarchy exists between them</p> | Oppose | Disallow | <p>The purpose of the strategic objectives is to provide strategic direction and as such they should direct the outcomes in lower order objectives and policies in the Plan.</p> |
| FS66.41 | Kapiro Conservation Trust | S442.041 | Economic and Social Wellbeing | Overview | <p>Delete from each sections overview: ...For the purposes of preparing, changing, interpreting</p> | Oppose | Disallow | <p>The purpose of the strategic objectives is to provide strategic</p> |

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| | | | | | <p>and implementing the District Plan all other objectives and policies in all other chapters of this District Plan are to be read and achieved in a manner consistent with these strategic objectives</p> <p>If it is preferred by the decision maker then replace with the desired wording for the Strategic Overview</p> <p>For the purpose of District Plan development, including plan changes, the strategic objectives in this chapter provide direction for the development of the more detailed provisions contained in the District Plan. For the purpose of District Plan implementation (including the determination of resource consent applications and notices of requirement): a) the strategic objectives may provide guidance on what the related objectives and policies in other chapters of the District Plan are seeking to achieve; and b) the relevant objectives and policies of the District Plan (including strategic objectives in this chapter) are to be considered together and no fixed hierarchy exists between them.</p> | | | direction and as such they should direct the outcomes in lower order objectives and policies in the Plan. |
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| FS66.42 | Royal Forest and Bird Protection Society of New Zealand | S511.024 | Rural Environment | Overview | <p>Delete from each sections overview: ...For the purposes of preparing, changing, interpreting and implementing the District Plan all other objectives and policies in all other chapters of this District Plan are to be read and achieved in a manner consistent with these strategic objectives If it is preferred by the decision maker then replace with the desired wording for the Strategic Overview</p> <p>For the purpose of District Plan development, including plan</p> | Oppose | Disallow | The purpose of the strategic objectives is to provide strategic direction and as such they should direct the outcomes in lower order objectives and policies in the Plan - here and in all equivalent chapters of the Plan. |
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changes, the strategic objectives in this chapter provide direction for the development of the more detailed provisions contained in the District Plan. For the purpose of District Plan implementation (including the determination of resource consent applications and notices of requirement): a) the strategic objectives may provide guidance on what the related objectives and policies in other chapters of the District Plan are seeking to achieve; and b) the relevant objectives and policies of the District Plan (including strategic objectives in this chapter) are to be considered together and no fixed hierarchy exists between them.

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| FS66.43 | Royal Forest and Bird Protection Society of New Zealand | S511.024 | Rural Environment | Overview | <p>Delete from each sections overview: ...For the purposes of preparing, changing, interpreting and implementing the District Plan all other objectives and policies in all other chapters of this District Plan are to be read and achieved in a manner consistent with these strategic objectives If it is preferred by the decision maker then replace with the desired wording for the Strategic Overview</p> <p>For the purpose of District Plan development, including plan changes, the strategic objectives in this chapter provide direction for the development of the more detailed provisions contained in the District Plan. For the purpose of District Plan implementation (including the determination of resource consent applications and notices of requirement): a) the strategic objectives may provide guidance on what the related objectives and policies in other chapters of the District Plan are seeking to achieve; and</p> | Oppose | Disallow | The purpose of the strategic objectives is to provide strategic direction and as such they should direct the outcomes in lower order objectives and policies in the Plan - here and in all equivalent chapters of the Plan. |
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| | | | | | b) the relevant objectives and policies of the District Plan (including strategic objectives in this chapter) are to be considered together and no fixed hierarchy exists between them. | | | |
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| FS66.44 | Kapiro Conservation Trust | S442.044 | Rural Environment | Overview | <p>Delete from each sections overview: ... For the purposes of preparing, changing, interpreting and implementing the District Plan all other objectives and policies in all other chapters of this District Plan are to be read and achieved in a manner consistent with these strategic objectives.</p> <p>If it is preferred by the decision maker then replace with the desired wording for the Strategic Overview</p> <p>For the purpose of District Plan development, including plan changes, the strategic objectives in this chapter provide direction for the development of the more detailed provisions contained in the District Plan. For the purpose of District Plan implementation (including the determination of resource consent applications and notices of requirement): a) the strategic objectives may provide guidance on what the related objectives and policies in other chapters of the District Plan are seeking to achieve; and b) the relevant objectives and policies of the District Plan (including strategic objectives in this chapter) are to be considered together and no fixed hierarchy exists between them.</p> | Oppose | Disallow | The purpose of the strategic objectives is to provide strategic direction and as such they should direct the outcomes in lower order objectives and policies in the Plan - here and in all equivalent chapters of the Plan. |
| FS66.45 | Kapiro Conservation Trust | S442.044 | Rural Environment | Overview | <p>Delete from each sections overview: ... For the purposes of preparing, changing, interpreting and implementing the District Plan all other objectives and policies in</p> | Oppose | Disallow | The purpose of the strategic objectives is to provide strategic |

~~all other chapters of this District Plan are to be read and achieved in a manner consistent with these strategic objectives.~~

If it is preferred by the decision maker then replace with the desired wording for the Strategic Overview

For the purpose of District Plan development, including plan changes, the strategic objectives in this chapter provide direction for the development of the more detailed provisions contained in the District Plan. For the purpose of District Plan implementation (including the determination of resource consent applications and notices of requirement): a) the strategic objectives may provide guidance on what the related objectives and policies in other chapters of the District Plan are seeking to achieve; and b) the relevant objectives and policies of the District Plan (including strategic objectives in this chapter) are to be considered together and no fixed hierarchy exists between them.

direction and as such they should direct the outcomes in lower order objectives and policies in the Plan - here and in all equivalent chapters of the Plan.

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| FS66.46 | Heritage New Zealand Pouhere Taonga | S409.032 | Heritage area overlays | HA-R5 | <p>That Rule HA-R5 be amended as follows (or words to that effect):</p> <p>PER-1</p> <p>The earthworks:</p> <ol style="list-style-type: none">1. comply with the relevant permitted activity rules within the Earthworks chapter2. are not within 20m of a scheduled Heritage Resource or an archaeological site. <p>PER-2</p> <p>The earthworks:</p> | Oppose | Disallow | <p>The addition to the rule requiring resource consent for earthworks within 20m of an archaeological site is unnecessary duplication of approvals required under the Heritage New Zealand Pouhere Taonga Act, and neither an effective nor efficient way to achieve relevant objectives of the Plan.</p> |
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1. do not exceed 2m³ in volume over an area of 5m² ;
2. ~~is are~~ not within 20m of a scheduled Heritage Resource **or of an archaeological site;**
3. ~~complies~~ **Comply** with standard HA-S3 Accidental Discovery Protocol.

PER-3

The earthworks

1. do not exceed ~~200~~m³
2. are not within 20m of a scheduled Heritage Resource **or an archaeological site;**
3. ~~complies~~ **Comply** with HA-S3 Accidental Discovery Protocol.

Note: In addition to the requirements the District Plan, it should be noted that the Heritage New Zealand Pouhere Taonga Act 2014 ("HNZPTA") requires all applicants to obtain an authority from the HNZPTA before any archaeological site is modified or destroyed. This is the case regardless of whether the land on which the site is located is designated or the activity is permitted under the District Plan or a resource or building consent has been granted.

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| FS66.47 | Heritage New Zealand Pouhere Taonga | S409.028 | Historic heritage | 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 | Oppose | Disallow | The addition to the rule requiring resource consent for earthworks |
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~~Heritage Resource.~~

The earthworks

1. Do not exceed 100m³

2. Are not within 20m of a Scheduled Heritage Resource or an archaeological site

3. Comply with EW-S3 Accidental Discovery Protocol

This rule does not apply to earthworks associated with burials within an existing cemetery.

Note: In addition to the requirements of the District Plan, it should be noted that the Heritage New Zealand Pouhere Taonga Act 2014 ("HNZPTA") requires all applicants to obtain an authority from the HNZPTA before any archaeological site is modified or destroyed. This is the case regardless of whether the land on which the site is located is designated, or the activity is permitted under the District Plan or a resource or building consent has been granted.

within 20m of an archaeological site is unnecessary duplication of approvals required under the Heritage New Zealand Pouhere Taonga Act, and neither an effective nor efficient way to achieve relevant objectives of the Plan.

FS66.48

Te Hiku Iwi Development Trust

S399.056

Sites and areas of significance to Māori

Policies

Insert a new policy as follows:

Oppose

Disallow

Protect and preserve the culturally significant landscapes identified in iwi/hapū management plans held by Council from inappropriate land use, subdivision and development by:

a) Identifying the Area of Interest for iwi/hapū management plans on planning maps;

The submission seeks that Areas of Interest in iwi/hapū management

b) Recognising and providing for the spiritual, cultural and historical relationship of iwi/hapū with the area identified in the plan(s);

c) requiring that resource consent applications within or adjacent to the sites identified as significant within the relevant iwi/hapū management plan demonstrate that they have had regard to that Management Plan;

d) provide an assessment of consistency with the vision, objectives and desired outcomes outlined in the Management Plan;

e) provide an assessment of effects on values identified in the plan and provide, where relevant, evidence of outcomes of consultation with and/or cultural advice provided by tangata whenua.

f) considering the relevant iwi authority or hapū as an affected person for any activity within the area where the adverse effects are considered minor or more than minor.

plans be identified on planning maps, also requiring that resource consent applications within or adjacent to the sites identified as significant within the relevant iwi/hapū management plan demonstrate that they have had regard to that Management Plan. This relief lacks the specificity required on a submission as it does not allow other potentially affected parties to understand the implications of the relief sought, including the spatial extent of the Areas of Interest. The Areas should be identified through the District Plan preparation process already, and if not, then introduced by way of a Variation to the Proposed Plan, rather than by way of submission. In any event, the relief sought fails to have proper regard to the costs and benefits of the approach proposed as required by s32 of the RMA (lacking as it does the specificity required to undertake that) and should be disallowed.

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| FS66.49 | Vision Kerikeri (Vision for Kerikeri and Environs, VKK) | S522.028 | General approach | District Plan Framework | Amend planning maps to add coastal overlays, or similar mechanism, to all coastal areas visible from marine areas, so that coastal landscapes, coastal character and coastal environments will be protected appropriately. | Oppose | Disallow | The relief sought to redefine the extent of the coastal environment does not give effect to the NZCPS or the Northland Regional Policy Statement. |
| FS66.50 | Our Kerikeri Community Charitable Trust | S338.042 | General approach | District Plan Framework | Amend planning maps to add coastal overlays, or similar mechanism, to all coastal areas visible from marine areas, so that coastal landscapes, coastal | Oppose | Disallow | The relief sought to redefine the extent of the coastal environment |

character and coastal environments will be protected appropriately.

does not give effect to the NZCPS or the Northland Regional Policy Statement.

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| FS66.51 | Carbon Neutral NZ Trust | S529.041 | General approach | District Plan Framework | Amend planning maps to add coastal overlays, or similar mechanism, to all coastal areas visible from marine areas, so that coastal landscapes, coastal character and coastal environments will be protected appropriately. | Oppose | Disallow | The relief sought to redefine the extent of the coastal environment does not give effect to the NZCPS or the Northland Regional Policy Statement. |
| FS66.52 | Royal Forest and Bird Protection Society of New Zealand | S511.018 | General approach | Format of chapters in Part 2 and Part 3 | <p>Amend the last sentence of the reference to 'Zones' in 'Part 3 - Area Specific Matters' as follows:</p> <p>Area specific zone matters chapters do not contain rules and standards that apply generally across the district specifically to the area or zone. There are additional rules and standards which apply generally across the district in the District Wide Matters chapters. This may result in more than one rule applying to an activity, in which case the more stringent will apply.</p> <p>And Add</p> <p>Where there is a conflict between the provisions in an area specific matters chapter and a provision for an overlay in a district wide matters chapter that cannot be resolved by carefully considering the wording of the provisions, it is the district wide overlay provision which prevails.</p> | Support in part | Disallow in part | The clarification sought by the submitter is agreed with, apart from the reference to where there is conflict then the district-wide provisions prevail. That is not the structure of the Plan which requires the more restrictive provision to apply where there is conflict between the provisions. |
| FS66.53 | Kapiro Conservation Trust | S442.038 | General approach | Format of chapters in Part 2 and | Amend the last sentence of the reference to 'Zones' in 'Part 3 - Area Specific Matters' as follows: | Support in part | Disallow in part | The clarification sought by the submitter is agreed with, apart |

Part 3

Area specific ~~zone~~ **matters** chapters ~~do not~~ contain rules and standards that apply ~~generally~~ **across the district specifically to the area or zone. There are additional rules and standards which apply generally across the district in the District Wide Matters chapters. This may result in more than one rule applying to an activity, in which case the more stringent will apply.**

And insert

Where there is a conflict between the provisions in an area specific matters chapter and a provision for an overlay in a district wide matters chapter that cannot be resolved by carefully considering the wording of the provisions, it is the district wide overlay provision which prevails.

from the reference to where there is conflict then the district-wide provisions prevail. That is not the structure of the Plan which requires the more restrictive provision to apply where there is conflict between the provisions.

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| FS66.54 | Top Energy Limited | S483.023 | General approach | Applications Subject to Multiple Provisions | 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. | Support | Allow | 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. |
| FS66.55 | Carbon Neutral NZ Trust | S529.115 | Ecosystems and indigenous biodiversity | Objectives | Amend objectives to reflect the level for protection noted in the RMA, Te Mana o te Taiao, anticipated NPS for indigenous biodiversity, Regional Policy Statement, Environment Court decision | Oppose | Disallow | With the release of the National Policy Statement on Indigenous Biodiversity, that specifies how indigenous biodiversity should be maintained, and gives effect to the RMA. In turn, the Proposed Plan should give effect to the NPS by way of a Variation to the Plan, rather than through submissions, for the sake of partnership, transparency and consistency. |

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| FS66.56 | Royal Forest and Bird Protection Society of New Zealand | S511.054 | Ecosystems and indigenous biodiversity | IB-O2 | Amend IB-O2 The extent and diversity of Indigenous biodiversity across the district is managed to maintained its extent and diversity in a way that provides for the social, economic and cultural well-being of people and communities. | Oppose | Disallow | The changes sought do not give effect to the NPS:IB. |
| FS66.57 | Kapiro Conservation Trust | S442.073 | Ecosystems and indigenous biodiversity | IB-O2 | Amend IB-O2 The extent and diversity of Indigenous biodiversity across the district is managed to maintained its extent and diversity in a way that provides for the social, economic and cultural well-being of people and communities. | Oppose | Disallow | The changes sought do not give effect to the NPS:IB. |
| FS66.58 | Kapiro Conservation Trust | S442.171 | Ecosystems and indigenous biodiversity | IB-O2 | Amend by replacing with Indigenous biodiversity is managed to maintain its extent and diversity in a way that provides for the social, economic and cultural well-being of people and communities. The extent and diversity of indigenous biodiversity across the district is maintained, protected, and where possible enhanced | Oppose | Disallow | The changes sought do not give effect to the NPS:IB. |
| FS66.59 | Russell Landcare Trust | S276.004 | Ecosystems and indigenous biodiversity | Policies | Delete policies IB-P1, IB-P2 and IB-P3 and replace these with Policy 4.4.1 of the Regional Policy Statement. | Oppose | Disallow | The changes sought do not give effect to the NPS:IB. |
| FS66.60 | Russell Landcare Trust | S276.005 | Ecosystems and indigenous biodiversity | Policies | Insert a policy that recognises that not all significant natural areas will be mapped and that unmapped areas are to have, as far as practicable, the same level of protection in the proposed Plan as mapped Significant Natural Areas. | Oppose | Disallow | The changes sought do not give effect to the NPS:IB. |

Insert Operative Plan policies 12.2.4.1, 12.2.4.3, 12.2.4.5, 12.2.4.10, 12.2.4.11, 12.2.4.12, 12.2.4.13 and 12.2.4.14 to the policy section of the Ecosystems and Indigenous Biodiversity chapter.

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| FS66.61 | Director-General of Conservation (Department of Conservation) | S364.035 | Ecosystems and indigenous biodiversity | Policies | Insert a separate policy for mapping additional SNAs as they are identified | Oppose | Disallow | The changes sought do not give effect to the NPS:IB. |
| FS66.62 | Director-General of Conservation (Department of Conservation) | S364.036 | Ecosystems and indigenous biodiversity | Policies | Insert new policy, with wording, or similar wording, as follows: Recognise and protect SNAs by ensuring the characteristics that contribute to their significance are not adversely affected. | Oppose | Disallow | The changes sought do not give effect to the NPS:IB. |
| FS66.63 | John Andrew Riddell | S431.094 | Ecosystems and indigenous biodiversity | Policies | Insert the following policy: That areas of significant indigenous vegetation and significant habitats of indigenous fauna be protected for the purpose of promoting sustainable management with attention being given to: (a) maintaining ecological values; (b) maintaining quality and resilience; (c) maintaining the variety and range of indigenous species contributing to biodiversity; (d) maintaining ecological integrity; and (e) maintaining tikanga Maori in the context of the above. Note: In determining whether a subdivision, use or development is appropriate in areas containing significant indigenous vegetation and significant habitats of | Oppose | Disallow | The changes sought do not give effect to the NPS:IB. |

indigenous fauna, Council shall consider each application on a case by case basis, giving due weight to Part II of the Act as well as those matters listed above

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| FS66.64 | John Andrew Riddell | S431.095 | Ecosystems and indigenous biodiversity | Policies | <p>Insert the following policy:</p> <p>That adverse effects on areas of significant indigenous vegetation and significant habitats of indigenous fauna are avoided, remedied or mitigated by:</p> <p>(a) seeking alternatives to the disturbance of habitats where practicable;</p> <p>(b) managing the scale, intensity, type and location of subdivision, use and development in a way that avoids, remedies or mitigates adverse ecological effects;</p> <p>(c) ensuring that where any disturbance occurs it is undertaken in a way that, as far as practicable:</p> <p>(i) minimises any edge effects;</p> <p>(ii) avoids the removal of specimen trees;</p> <p>(iii) does not result in linkages with other areas being lost;</p> <p>(iv) avoids adverse effects on threatened species;</p> <p>(v) minimises disturbance of root systems of remaining vegetation;</p> <p>(vi) does not result in the introduction of exotic weed species or pest animals;</p> <p>(d) encouraging, and where appropriate, requiring active pest control and avoiding the grazing of such areas</p> | Oppose | Disallow | The changes sought do not give effect to the NPS:IB. |
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| FS66.65 | John Andrew Riddell | S431.096 | Ecosystems and indigenous biodiversity | Policies | Insert the following policy: That the contribution of areas of indigenous vegetation and habitats of indigenous fauna to the overall biodiversity and amenity of the District be taken into account in evaluating applications for resource consents. | Oppose | Disallow | The changes sought do not give effect to the NPS:IB. |
| FS66.66 | Carbon Neutral NZ Trust | S529.116 | Ecosystems and indigenous biodiversity | Policies | Amend the PDP policies to reflect the level of protection in the RMA, Te Mana o te Taiao, anticipated NPS for indigenous biodiversity, Regional Policy Statement, Environment Court decision | Oppose | Disallow | The changes sought do not give effect to the NPS:IB. |
| FS66.67 | Carbon Neutral NZ Trust | S529.132 | Ecosystems and indigenous biodiversity | Policies | Amend the policies to address RPS s4.4 regarding 'Maintaining and enhancing indigenous ecosystems and species' and 'indigenous taxa that are listed as threatened or at risk'. | Oppose | Disallow | The changes sought do not give effect to the NPS:IB. |
| FS66.68 | Kapiro Conservation Trust | S442.174 | Ecosystems and indigenous biodiversity | Policies | Insert new policy Identify areas of significant indigenous biodiversity that are particularly vulnerable and/or likely to change in their location and extent due to the effects of climate change and, where appropriate, establish buffer zones to ensure that these areas are able to move and persist. | Oppose | Disallow | The changes sought do not give effect to the NPS:IB. |
| FS66.69 | Summit Forests New Zealand Limited | S148.016 | Ecosystems and indigenous biodiversity | IB-P1 | Amend IB-P1 to clearly state that Council will "work with all landowners to accurately map and schedule all SNA within the district" or words of like effect | Oppose | Disallow | The changes sought do not give effect to the NPS:IB. |
| FS66.70 | Director-General of Conservation (Department of Conservation) | S364.034 | Ecosystems and indigenous biodiversity | IB-P1 | Amend Policy IB-P1 as follows: Identify Significant Natural Areas by: a.using the ecological significance criteria in Appendix 5 of the RPS or in any more recent National Policy | Oppose | Disallow | The changes sought do not give effect to the NPS:IB. |

Statement on indigenous biodiversity;

~~b.including areas that meet the ecologicalsignificance criteria as Significant Natural Areasin Schedule 4 of the District Plan and on the planning maps where this is agreed with the landowner and verified by physical inspectionwhere practicable;~~

~~e.encouraging landowners to include includingidentified Significant Natural Areas in Schedule 4of the District Plan at the time of subdivision anddevelopment;~~

~~d.providing assistance to landowners to addSignificant Natural Areas to Schedule 4 of theDistrict Plan; and~~

~~e.requiring an assessment of the ecologicalsignificance for indigenous vegetation clearance toestablish permitted activity thresholds in Rule IBR2 R4.~~

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| FS66.71 | Royal Forest and Bird Protection Society of New Zealand | S511.057 | Ecosystems and indigenous biodiversity | IB-P1 | Amend to reflect district wide mapping and rules applicable to SNAs | Oppose | Disallow | The changes sought do not give effect to the NPS:IB. |
| FS66.72 | John Andrew Riddell | S431.090 | Ecosystems and indigenous biodiversity | IB-P1 | Delete Policies IB-P1, IB-P2 and IB-P3 and replace with a reproduced Policy 4.4.1 of the Regional Policy Statement. | Oppose | Disallow | The changes sought do not give effect to the NPS:IB. |
| FS66.73 | Kapiro Conservation Trust | S442.076 | Ecosystems and indigenous biodiversity | IB-P1 | Amend to reflect district wide mapping and rules applicable to SNAs. | Oppose | Disallow | The changes sought do not give effect to the NPS:IB. |
| FS66.74 | Kapiro Conservation Trust | S442.175 | Ecosystems and indigenous biodiversity | IB-P1 | Amend to reflect district wide mapping and rules applicable to SNAs. If SNAs based solely on the presence of regenerating manuka / kanuka are included, these areas | Oppose | Disallow | The changes sought do not give effect to the NPS:IB. |

should be separately identified and clearly distinguished from other SNAs. These manuka / kanuka SNAs could also be subject to a separate, slightly more permissive, rule regime. A large percentage of our property at 903B Kohumaru Rd is identified as SNA and, subject to the boundaries of those SNA areas being refined, I support that designation.

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| FS66.75 | John Andrew Riddell | S431.091 | Ecosystems and indigenous biodiversity | IB-P2 | Delete Policies IB-P1, IB-P2 and IB-P3 and replace with a reproduced Policy 4.4.1 of the Regional Policy Statement. | Oppose | Disallow | The changes sought do not give effect to the NPS:IB. |
| FS66.76 | Director-General of Conservation (Department of Conservation) | S364.038 | Ecosystems and indigenous biodiversity | IB-P3 | Amend Policy IB-P3 as follows: Outside the coastal environment: a. avoid, remedy or mitigate significant adverse effects of land use and subdivision on Significant Natural Areas to ensure adverse effects are no more than minor , and b. avoid, remedy or mitigate adverse effects of land use and subdivision on areas of important and vulnerable indigenous vegetation, habitats and ecosystems to ensure there are no significant adverse effects. | Oppose | Disallow | The changes sought do not give effect to the NPS:IB. |
| FS66.77 | John Andrew Riddell | S431.092 | Ecosystems and indigenous biodiversity | IB-P3 | Delete Policies IB-P1, IB-P2 and IB-P3 and replace with a reproduced Policy 4.4.1 of the Regional Policy Statement. | Oppose | Disallow | The changes sought do not give effect to the NPS:IB. |
| FS66.78 | Director-General of Conservation (Department of Conservation) | S364.039 | Ecosystems and indigenous biodiversity | IB-P4 | Amend Policy IB-P4 to require that any biodiversity offset, or biodiversity compensation be in accordance with the principles of Appendices 3 and 4 of NPSIB (or like principles). Insert Appendices 3 and 4 of NPSIB (or like principles) into the Plan | Oppose | Disallow | The changes sought do not give effect to the NPS:IB which supersedes the exposure draft referred to in this submission. |

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| FS66.79 | Kapiro Conservation Trust | S442.176 | Ecosystems and indigenous biodiversity | IB-P4 | <p>Amend (a) to require a net gain in indigenous biodiversity; and</p> <p>Amend (b) to reflect the need for compensation up to a net gain; and</p> <p>Amend definitions of biodiversity offsetting and biodiversity compensation to reflect need for net gain.</p> | Oppose | Disallow | The changes sought do not give effect to the NPS:IB |
| FS66.80 | Kapiro Residents Association | S429.001 | General | General / Plan Content / Miscellaneous | <p>Revise the provisions in all relevant chapters to address elements such as -</p> <ul style="list-style-type: none"> - Policies/rules to control any actual or potential effects of the use and development of land, or protection of land, for the purpose of the maintenance of indigenous biodiversity (under s31 of RMA) and protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna (RMA s6). - Policies/rules that will give better effect to biodiversity/ecosystem provisions in the Regional Policy Statement (which became operative from May 2016) and ensure that the district plan implements RPS Policy 4.4.1 (as required by RPS Method 4.4.3). - Adopt provisions specifically for maintaining and protecting indigenous species that are classed as threatened or at risk in NZTCS lists to be consistent with Regional Plan provisions on this topic (as required under s75 of RMA). - Adopt rules to control and place consent conditions on subdivision, land use or development in, or adjacent to, locations where indigenous species classed as | Oppose | Disallow | Does not give effect to the NPS:IB |

threatened or at risk (under the NZTCS) are present.

Additional specific provisions include -

- Rules for banning potential predator pets (dogs, cats, mustelids, etc) from areas where kiwi or other at risk/threatened species are present and vulnerable to these predators (e.g. shore birds such as dotterel, wetland birds such as bittern and dabchick, at-risk lizards, and other animals).

- Consent conditions should require fencing on the boundaries of public land, such as esplanade reserve, and around areas of wetlands and waterways. - Consent conditions for areas of significant vegetation/habitat etc. should set high standards of protection for indigenous vegetation, kiwi, at risk/threatened species and biodiversity, including appropriate types of fencing, predator control, protection and restoration of native vegetation, weed control, restrictions on planting exotic vegetation, etc. Covenants should be legally binding in perpetuity and should include provisions for monitoring implementation and enforcement.

- Fencing needs to be appropriate for vulnerable species in the area, for example, fencing that allows free movement of kiwi; or in other cases fencing to stop dogs entering a kiwi area.

- Signage to help protect kiwi and other vulnerable species, such as wetland species, shore birds.

- Street lights for

subdivisions/developments should be suitable for nocturnal wildlife,

such as kiwi, and dark-sky-friendly (certified to minimise glare, reduce light trespass and protect the visibility of stars).

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| FS66.81 | Kapiro Residents Association | S429.004 | General | General / Plan Content / Miscellaneous | Amend the Plan to ensure that when subdivision, land use or development is considered, it gives effect to: | Oppose | Disallow | Lacks specify of relief required for a submission and does not give effect to the NPS: FM or NPS: IB |
| | | | | | <p>-the NPS FM's fundamental concept of Te Mana o te Wai (including the principles and the hierarchy of obligations) should be applied to all freshwater issues that may be affected by development, not just the aspects of freshwater management referred to in the NPS (this point is stated in NPS FMs1.3(2))</p> | | | |
| | | | | | <p>-Policies and rules to promote positive effects and avoid, remedy, or mitigate adverse effects (including cumulative effects) of urban development on the health and well-being of water bodies, freshwater ecosystems, and receiving environments (NPS FM s3.5(4))</p> | | | |
| | | | | | <p>-Avoiding the loss of wetlands and protecting their values: 'The loss of extent of natural inland wetlands is avoided, their values are protected, and their restoration is promoted...' (NPS FM s3.22). We note, in particular, that some provisions of the Natural Character chapter seem to contradict the NPS-FM.</p> | | | |
| | | | | | <p>-Requirements to use water sensitive and low impact designs for stormwater and wastewater, including constructed wetlands (vegetated retention ponds) to retain stormwater and runoff and prevent silt and pollutants being carried into waterways.</p> | | | |
| | | | | | <p>-To avoid/reduce freshwater pollution generated by wastewater</p> | | | |

emissions, it should be a requirement to use enclosed wastewater systems that use disposal-to-land (i.e. systems that do not rely on dispersal via water or disposal into water) such as electrocoagulation methods involving coagulation and flocculation, widely used in parts of Europe. If not a requirement, these systems should at minimum be given priority over systems that rely on dispersal or disposal via water.

-When subdivision or development takes place, all waterways should be protected by requirements for native planting and other measures.

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| FS66.82 | Kāinga Ora Homes and Communities | S561.003 | General | General / Plan Content / Miscellaneous | <p>Insert the following section in the 'How the Plan Works' section of the FNPDP or alternatively similar wording within each section of the Plan in reference to the Restricted Discretionary activities listed in the section. Alternatively this could be included in each chapter of the Proposed District Plan to assist with clarification.</p> <p>Notification:</p> <p>(1) Any application for resource consent for Restricted Discretionary activities will be considered without public or limited notification or the need to obtain the written approval from affected parties unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991:</p> <p>(2) Any application for resource consent for an activity listed as Discretionary or Non-complying will be subject to the normal tests for notification under the</p> | Support | Allow | Restricted discretionary activity applications should be limited as to scope which does not require third party input through submissions. |
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relevant sections of the Resource Management Act 1991.

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| FS66.83 | Carbon Neutral NZ Trust | S529.174 | National policy statements and New Zealand Coastal Policy Statement | National policy statements and New Zealand Coastal Policy Statement | Amend the PDP to give full effect to the NPS - Freshwater Management 2020 | Oppose | Disallow | The submission lacks specificity of outcome in its relief. |
| FS66.84 | Vision Kerikeri (Vision for Kerikeri and Environs, VKK) | S527.003 | General | General / Plan Content / Miscellaneous | Amend the provisions to provide the level of protection noted in the RMA, Te Mana o te Taiao, NPS and RPS (inferred) | Oppose | Disallow | The submission lacks specificity in its relief. |
| FS66.85 | Kiwi Fresh Orange Company Limited | S554.005 | General | General / Plan Content / Miscellaneous | Amend the PDP to consistently refer to Highly Productive Land, rather than Productive Land or Versatile Land. | Support | Allow | The relief gives better effect to the NPS Highly Productive Land |
| FS66.86 | Kapiro Conservation Trust | S442.012 | National policy statements and New Zealand Coastal Policy Statement | National policy statements and New Zealand Coastal Policy Statement | Amend PDP to give effect to the NPS FM's fundamental concept of Te Mana o te Wai (including the principles and the hierarchy of obligations) should be applied to all freshwater issues that may be affected by development, not just the aspects of freshwater management referred to in the NPS (this point is stated in NPS FM s1.3(2)). | Oppose | Disallow | The submission lacks specificity in its relief sought. |
| FS66.87 | Te Rūnanga o Whaingaroa | S486.074 | General | General / Plan Content / Miscellaneous | Insert a new section after policies to read: Information to be included with an application for a resource consent affecting tāngata whenua. Every resource consent application within the scope of policy TW-P6 must be accompanied by information addressing all the matters to be considered under TW-P6. | Oppose | Disallow | The change sought is neither effective nor efficient. The matters |

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| | | | | | | | | set out in the policy may not be relevant to all classes of applications such as controlled activities and restricted discretionary activities, or relevant to all types as proposals. As a policy of the District Plan, regard is required to be had in any event to the matters in the policy, to the extent that they are relevant, under section 104 of the RMA without the need for further prescription in the District Plan. |
| FS66.88 | Horticulture New Zealand | S159.051 | Ecosystems and indigenous biodiversity | IB-P5 | Amend section a) of Policy IB-P5, replacing the term 'highly versatile soils' with 'highly productive land'. | Support | Allow | Better gives effect to the NPS: Highly Productive Land |
| FS66.89 | Waiaua Bay Farm Limited | S463.034 | Natural character | NATC-O1 | Delete Objective NATC-O1 | Support | Allow | As noted by the submitter, the objective appears to envisage outright "preservation and protection" without recognition that some activities and the associated effects, may not necessarily be inappropriate. |
| FS66.90 | Royal Forest and Bird Protection Society of New Zealand | S511.071 | Natural character | Objectives | Insert new objective "Assess and identify in district plan maps natural character areas around wetland, lake, and river margins" or similar. Insert new objective "Provide for changes in the location and extent of natural character areas as a result of the effects of climate change, including inclusion of buffer areas to take into account increased flooding and the need for ecosystem retreat as a result of sea level rise." | Oppose | Disallow | The relief sought lacks specificity of outcome and should be addressed by way of a Variation. |
| FS66.91 | Kapiro Conservation Trust | S442.090 | Natural character | Objectives | Insert new objective "Assess and identify in district plan maps natural character areas around wetland, lake, and river margins" or similar. | Oppose | Disallow | The relief sought lacks specificity of outcome and should be addressed by way of a Variation. |

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| | | | | | Insert new objective: "Provide for changes in the location and extent of natural character areas as a result of the effects of climate change, including inclusion of buffer areas to take into account increased flooding and the need for ecosystem retreat as a result of sea level rise." | | | |
| FS66.92 | Waiaua Bay Farm Limited | S463.035 | Natural character | NATC-O2 | Amend Objective NATC-O2 as follows: NATC-O2 Land use and subdivision is consistent with and does not compromise maintains or enhances the characteristics and qualities of the natural character of wetland, lake and river margins. | Support | Allow | The relief sought by the submitter gives better effect to the RPS and the RMA 1991. |
| FS66.93 | Royal Forest and Bird Protection Society of New Zealand | S511.072 | Natural character | NATC-P2 | Amend to include reference to maps of identified natural character areas inside and outside the coastal environment | Oppose | Disallow | The relief sought does not give proper effect to the RPS. |
| FS66.94 | Kapiro Conservation Trust | S442.091 | Natural character | NATC-P2 | Amend to include reference to maps of identified natural character areas inside and outside the coastal environment. | Oppose | Disallow | The relief sought does not give proper effect to the RPS |
| FS66.95 | Kapiro Conservation Trust | S442.188 | Natural character | NATC-P2 | Amend to include reference to maps of identified natural character areas in both coastal and inland parts of the district. | Oppose | Disallow | The relief sought does not give proper effect to the RPS |
| FS66.96 | Waiaua Bay Farm Limited | S463.036 | Natural character | NATC-P3 | Retain Policy NATC-P3 | Support | Allow | The policy correctly enables an appropriate amount of vegetation removal and earthworks as determined by the rules |
| FS66.97 | Waiaua Bay Farm Limited | S463.037 | Natural character | NATC-P4 | Delete point c. of Policy NATC-P4 | Support | Allow | A requirement of this type as in sub clause c) does not accurately reflect the obligations imposed by RMA s6. |
| FS66.98 | Waiaua Bay Farm Limited | S463.038 | Natural character | NATC-P6 | Delete Policy NATC-P6 | Support | Allow | Sub-clauses (a) to (m) are a list of assessment matters that are |

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| | | | | | | | | inappropriate to be included in a policy and if anything are matters of discretion. |
| FS66.99 | Royal Forest and Bird Protection Society of New Zealand | S511.073 | Natural character | NATC-P3 | Amend NATC-P3 to "Allow for restricted amounts vegetation clearance ..." | Support in part | Allow in part | 'Limited' may better direct the rules below rather than 'restricted' amounts of vegetation clearance as sought by the submitter as the rules specify vegetation clearance amounts according to certain limited specified activities. |
| FS66.100 | Kapiro Conservation Trust | S442.092 | Natural character | NATC-P3 | Amend NATC-P3 to "Allow for restricted amounts vegetation clearance ...". | Support in part | Allow in part | 'Limited' may better direct the rules below rather than 'restricted' amounts of vegetation clearance as sought by the submitter as the rules specify vegetation clearance amounts according to certain limited specified activities. |
| FS66.101 | John Andrew Riddell | S431.161 | Natural features and landscapes | Policies | Insert the following new policy: That the cumulative effect of changes to the character of Outstanding Landscapes be taken into account in assessing applications for resource consent. | Oppose | Disallow | The policy sought on consideration of cumulative effects is at best a matter of discretion, not a policy. |
| FS66.102 | John Andrew Riddell | S431.162 | Natural features and landscapes | Policies | Insert the following new policy: That the visibility of Outstanding Landscape Features, when viewed from public places, be taken into account in assessing applications for resource consent | Oppose | Disallow | The policy sought on consideration public views is at best a matter of discretion or simply a matter of good landscape assessment practice, not a policy. |
| FS66.103 | John Andrew Riddell | S431.163 | Natural features and landscapes | Policies | Insert the following new policy: That activities avoid or mitigate adverse effects on the scientific and amenity values associated with outstanding natural features. | Oppose | Disallow | Does not give effect to the RPS or the NZCPS, which do not specify the requirement sought in this submission. |
| FS66.104 | John Andrew Riddell | S431.164 | Natural features and landscapes | Policies | Insert the following new policy: That the high value of indigenous vegetation to Outstanding | Oppose | Disallow | The change sought is at best a matter of discretion or good |

| | | | | | Landscapes be taken into account when assessing applications for resource consents. | | | landscape assessment practice, not a policy. |
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| FS66.105 | John Andrew Riddell | S431.165 | Natural features and landscapes | Policies | <p>Insert the following new policy:</p> <p>That landscape values be protected by encouraging development that takes in account:</p> <p>(a) the rarity or value of the landscape and/or landscape features;</p> <p>(b) the visibility of the development;</p> <p>(c) important views as seen from public vantage points on a public road, public reserve, the foreshore and the coastal marine area;</p> <p>(d) the desirability of avoiding adverse effects on the elements that contribute to the distinctive character of the coastal landscapes, especially outstanding landscapes and natural features, ridges and headlands or those features that have significant amenity value;</p> <p>(e) the contribution of natural patterns, composition and extensive cover of indigenous vegetation to landscape values;</p> <p>(f) Maori cultural values associated with landscapes; (g) the importance of the activity in enabling people and communities to provide for their social, economic and cultural well-being.</p> | Support in part | Allow in part | The part of the relief sought that recognises that landscape values may be protected by encouraging development of a certain type is supported. |
| FS66.106 | Thomson Survey Ltd | S198.002 | Natural features and landscapes | NFL-R6 | Delete NRL-R6 or alternatively | Support | Allow | This does not implement policy NFL-P4 of the Proposed Plan which |

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| | | | | | Amend NRL-R6 activity status to restricted discretionary and the matters of discretion should be related to the matters listed in NFL-P4 | | | recognises that that farming should be provided for in ONLs and ONFs and that the use can form part of the characteristics and values that established the landscape or feature |
| FS66.107 | Thomson Survey Ltd | S198.002 | Natural features and landscapes | NFL-R6 | Delete NRL-R6 or alternatively Amend NRL-R6 activity status to restricted discretionary and the matters of discretion should be related to the matters listed in NFL-P4 | Support | Allow | The Rule does not implement policy NFL-P4 of the Proposed Plan which recognises that that farming should be provided for in ONLs and ONFs and that the use can form part of the characteristics and values that established the landscape or feature |
| FS66.108 | Northland Federated Farmers of New Zealand | S421.159 | Natural features and landscapes | NFL-R6 | Delete Rule NFL-R6 | Support | Allow | The rule does not implement policy NFL-P4 of the Proposed Plan which recognises that that farming should be provided for in ONLs and ONFs and that the use can form part of the characteristics and values that established the landscape or feature |
| FS66.109 | Northland Planning and Development 2020 Limited | S502.040 | Natural features and landscapes | NFL-R6 | Delete NFL-R6 (inferred) | Support | Allow | The rule does not implement policy NFL-P4 of the Proposed Plan which recognises that that farming should be provided for in ONLs and ONFs and that the use can form part of the characteristics and values that established the landscape or feature |
| FS66.110 | Waitangi Limited | S503.022 | Natural features and landscapes | NFL-R6 | Delete Rule NFL-R6 (inferred) | Support | Allow | The rule does not implement policy NFL-P4 of the Proposed Plan which recognises that that farming should be provided for in ONLs and ONFs and that the use can form part of the characteristics and values that established the landscape or feature |
| FS66.111 | Northland Federated Farmers of New Zealand | S421.161 | Public access | PA-O1 | Retain Objective PA-O1 or ensure that amendments include similar wording that achieves the same intent | Support | Allow | The objectives generally balance public access benefits against |

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| | | | | | | | | private property rights, subject to the amendments as sought by the submitter. |
| FS66.112 | Our Kerikeri Community Charitable Trust | S272.016 | Public access | Policies | Amend provisions to include requirements for esplanade reserves when consenting land use and other forms of development | Oppose | Disallow | The relief sought by the submitter does not appropriately balance the costs of the provision of esplanade reserve to the land owner, applying as it does the requirement for esplanade reserves to apparently all forms and scale of land use and development and will be neither effective nor efficient with respect to the objectives, requiring a non-targeted provision of esplanade reserves. |
| FS66.113 | Carbon Neutral NZ Trust | S529.186 | Public access | Policies | Amend provisions to include requirements for esplanade reserves when consenting land use and other forms of development | Oppose | Disallow | The relief sought by the submitter does not appropriately balance the costs of the provision of esplanade reserve to the land owner, applying as it does the requirement for esplanade reserves to apparently all forms and scale of land use and development and will be neither effective nor efficient with respect to the objectives, requiring a non-targeted provision of esplanade reserves. |
| FS66.114 | Carbon Neutral NZ Trust | S529.187 | Public access | Policies | Amend provisions to include requirements for esplanade reserves when consenting land use and other forms of development | Oppose | Disallow | The relief sought by the submitter does not appropriately balance the costs of the provision of esplanade reserve to the land owner, applying as it does the requirement for esplanade reserves to apparently all forms and scale of land use and development and will be neither effective nor efficient with respect to the objectives, requiring a non-targeted provision of esplanade reserves. |
| FS66.115 | Vision Kerikeri (Vision for Kerikeri and Environs, VKK) | S523.020 | Public access | Policies | Amend provisions relating to the esplanade reserves to include clauses that will actively protect indigenous species that are classified as threatened or at risk under NZ Threat Classification | Oppose | Disallow | The relief sought by the submitter does not appropriately balance the |

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| | | | | | System and areas with significant ecological values | | | costs of the provision of esplanade reserve to the land owner, applying as it does the requirement for esplanade reserves to apparently all forms and scale of land use and development and will be neither effective nor efficient with respect to the objectives, requiring a non-targeted provision of esplanade reserves. |
| FS66.116 | Lynley Newport | S98.001 | Public access | PA-P1 | Amend PA-P1 to read as follows: Protect, maintain and enhance public and customary access by 2. requiring subdivision activities to provide esplanade reserves or strips along the coastal marine area and waterbodies; and | Oppose | Disallow | The relief sought by the submitter does not appropriately balance the costs of the provision of esplanade reserve to the land owner, applying as it does the requirement for esplanade reserves to apparently all forms and scale of subdivision and will be neither effective nor efficient with respect to the objectives, requiring a non-targeted provision of esplanade reserves. |
| FS66.117 | Northland Federated Farmers of New Zealand | S421.166 | Public access | PA-P3 | Retain Policy PA-P3 or ensure that amendments include similar wording that achieves the same intent | Support | Allow | The policy as drafted is appropriate having regard to the objectives it implements. |
| FS66.118 | Northland Regional Council | S359.029 | Subdivision | Objectives | Amend the objectives to strongly discourage fragmentation of rural land. | Oppose | Disallow | The relief sought by the submitter does not give effect to the RPS which does not 'strongly discourage the fragmentation of rural land' neither does it give effect to the NPS: Highly Productive Land which manages subdivision, use and development on Highly Productive Land, not all rural land. The relief also fails to recognise the varied characteristics of rural land in the Far North, and the large percentage which does not have productive value, and the opportunities to enhance biodiversity and cultural outcomes through subdivision. |

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| FS66.119 | Waiaua Bay Farm Limited | S463.041 | Subdivision | SUB-O1 | <p>Amend Objective SUB-O1 as follows:</p> <p>SUB-O1 Subdivision results in the efficient use of land, which:</p> <p>a. achieves the objectives of each relevant zone, overlays, and district wide provisions;</p> <p>b. contributes to the existing or planned local character and sense of place including that required to be delivered by subdivision in the Special Purpose Zones;</p> <p>c. avoids reverse sensitivity issues that would prevent or adversely affect existing activities already established on land from continuing to operate;</p> <p>d. avoids land use with patterns which would prevent land from achieving the objectives and policies of the zone in which it is located;</p> <p>e. does not increase risk from natural hazards or risks are mitigates managed natural hazard risks and reduces existing risks where practicable reduced; and</p> <p>f. manages adverse effects on the environment.</p> | Support | Allow | The submitter correctly notes that It is incongruous to require all forms of subdivision subdivision to maintain the status quo character and sense of place. |
| FS66.120 | Director-General of Conservation (Department of Conservation) | S364.053 | Subdivision | SUB-O2 | <p>Amend Objective SUB-O2 as follows:</p> <p>Subdivision recognises and provides for the:</p> | Oppose | Disallow | The relief sought unnecessarily removes the recognition of highly |

a. ~~Protection of highly productive land, and~~

b. Protection, restoration or enhancement of Outstanding Natural Features, Outstanding Natural Landscapes, Natural Character of the Coastal Environment, areas of High Natural Character, Outstanding Natural Character, wetland, lake and river margins, Significant Natural Areas, Sites and areas of Significance to Māori, and Historic Heritage.

productive land, which should be included, and should accurately follow the obligations of the NPS Highly Productive Land

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| FS66.121 | John Andrew Riddell | S431.064 | Subdivision | Policies | <p>Insert the following as a new policy:</p> <p>That more intensive, innovative development and subdivision which recognises specific site characteristics is provided for through the management plan rule where this will result in superior environmental outcomes</p> | Support in part | Allow in part | The intent of the new policy sought by the submitter is supported, subject to refinement to ensure the exact outcomes of management plan subdivisions are properly reflected. |
| FS66.122 | John Andrew Riddell | S431.065 | Subdivision | Policies | <p>Insert the following as a new policy:</p> <p>Subdivision, use and development shall preserve and where possible enhance, restore and rehabilitate the character of the applicable zone in regards to s6 matters. In addition subdivision, use and development shall avoid adverse effects as far as practicable by using techniques including:</p> <p>(a) clustering or grouping development within areas where there is the least impact on natural character and its elements such as indigenous vegetation, landforms, rivers, streams and wetlands, and</p> | Oppose | Disallow | The policy unnecessarily re-casts other District Plan policies, with the matters set out better placed as assessment criteria for subdivisions. |

coherent natural patterns;

(b) minimising the visual impact of buildings, development, and associated vegetation clearance and earthworks, particularly as seen from public land and the coastal marine area;

(c) providing for, through siting of buildings and development and design of subdivisions, legal public right of access to and use of the foreshore and any esplanade areas;

(d) through siting of buildings and development, design of subdivisions, and provision of access that recognise and provide for the relationship of Maori with their culture, traditions and taonga including concepts of mauri, tapu, mana, wehi and karakia and the important contribution Maori culture makes to the character of the District (refer Chapter 2 and in particular Section 2.5 and Council's "Tangata Whenua Values and Perspectives" (2004));

(e) providing planting of indigenous vegetation in a way that links existing habitats of indigenous fauna and provides the opportunity for the extension, enhancement or creation of habitats for indigenous fauna, including mechanisms to exclude pests;

(f) protecting historic heritage through the siting of buildings and development and design of subdivisions.

(g) achieving hydraulic neutrality

and ensuring that natural hazards will not be exacerbated

or induced through the siting and design of buildings and development

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| FS66.123 | John Andrew Riddell | S431.066 | Subdivision | Policies | <p>Insert the following as a new policy:</p> <p>That conditions be imposed upon the design of subdivision of land to require that the layout and orientation of all new lots and building platforms created include, as appropriate, provisions for achieving the following:</p> <p>(a) development of energy efficient buildings and structures;</p> <p>(b) reduced travel distances and private car usage;</p> <p>(c) encouragement of pedestrian and cycle use;</p> <p>(d) access to alternative transport facilities;</p> <p>(e) domestic or community renewable electricity generation and renewable energy use.</p> | Oppose | Disallow | The matter set out are assessment criteria rather than policy. |
| FS66.124 | Kapiro Conservation Trust | S442.149 | Subdivision | Policies | <p>Insert policies that:</p> <p>1. Clarify that significant indigenous vegetation and significant habitats of indigenous fauna, (including the balance lot) are to be protected as part of a subdivision.</p> <p>2. Require cat and/or dog-free subdivision in areas of particular importance for vulnerable indigenous wildlife (e.g. kiwi, matuku, shorebirds)</p> <p>3. Require sewage and stormwater management to prevent nutrients and sediment from reaching natural waterways, including natural wetlands.</p> | Support in part | Allow in part | The subdivision is supported to the extent that subdivision protects areas of significant indigenous vegetation and significant habitats of indigenous fauna, but not SNAs which are not yet identified in the Proposed Plan. |

4. Identify priorities where riparian fencing and planting should be a condition of subdivision

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| FS66.125 | Our Kerikeri Community Charitable Trust | S272.019 | Subdivision | Policies | <p>Insert new policy (inferred) requiring esplanade reserves/strips when subdivision creates lots of 4ha or more when one of the following situations applies:</p> <ul style="list-style-type: none"> •the owner agrees to provide the land on a voluntary basis, or •a third party agrees to provide funds to compensate the land owner for the land (at normal market value), or •the land is included in a development agreement or development contributions or financial contributions (under the RMA or LGA) or other arrangement. | Oppose | Disallow | The policy proposed unnecessarily re-casts existing proposed policies and does not give effect to the Plan objectives. |
| FS66.126 | Carbon Neutral NZ Trust | S529.185 | Subdivision | Policies | <p>Amend rules/policies to require esplanade reserves/strips when subdivision creates lots of 4ha or more (as allowed under RMA s77, s230, etc.) when one of the following situations applies:</p> <ul style="list-style-type: none"> - the owner agrees to provide the land on a voluntary basis, or - a third party agrees to provide funds to compensate the land owner for the land (at normalmarket value), or - the land is included in a development agreement or development contributions or financial contributions (under the RMA or LGA) or other arrangement. | Oppose | Disallow | The policy proposed unnecessarily re-casts existing proposed policies and does not give effect to the objectives of the Proposed Plan. |
| FS66.127 | Carbon Neutral NZ Trust | S529.185 | Subdivision | Policies | <p>Amend rules/policies to require esplanade reserves/strips when subdivision creates lots of 4ha or more (as allowed under RMA s77, s230, etc.) when one of the following situations applies:</p> | Oppose | Disallow | The policy proposed unnecessarily re-casts existing proposed policies and does not give effect to the objectives of the Proposed Plan. |

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| | | | | | <ul style="list-style-type: none"> - the owner agrees to provide the land on a voluntary basis, or - a third party agrees to provide funds to compensate the land owner for the land (at normalmarket value), or - the land is included in a development agreement or development contributions or financial contributions (under the RMA or LGA) or other arrangement. | | | |
| FS66.128 | Vision Kerikeri (Vision for Kerikeri and Environs, VKK) | S523.015 | Subdivision | Policies | <p>Amend policies to require esplanade reserves/strips when subdivision creates lots of 4ha or more (as allowed under RMA s77, s230, etc.) when one of the following situations applies:</p> <ul style="list-style-type: none"> - the owner agrees to provide the land on a voluntary basis, or - a third party agrees to provide funds to compensate the land owner for the land (at normal market value), or - the land is included in a development agreement or development contributions or financial contributions (under the RMA or LGA) or other arrangement | Oppose | Disallow | The policy proposed unnecessarily re-casts existing proposed policies and does not give effect to the objectives of the Proposed Plan. |
| FS66.129 | Waiaua Bay Farm Limited | S463.042 | Subdivision | SUB-P2 | Retain Policy SUB-P2 | Support | Allow | The policy appropriately supports the enablement of subdivision for the purposes set out. |
| FS66.130 | Waiaua Bay Farm Limited | S463.044 | Subdivision | SUB-P4 | Delete Policy SUB-P4 | Support | Allow | The submitter correctly notes that the content is set out in Note 1 (before the rule table) and therefore this policy is redundant. |
| FS66.131 | Kapiro Residents Association | S427.010 | Subdivision | Rules | <p>Amend to require new subdivisions and developments to provide connected walkways and cycleways that will contribute to future networks of walkways and cycleways [inferred].</p> | Oppose | Disallow | The general rule sought for subdivisions to have walking and |

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| | | | | | | | | cycling connectivity is not targeted, and unlikely to be applicable to most rural locations (other than potentially on the edge of urban areas). It is therefore neither an effective nor efficient way to achieve the objectives of the Plan. |
| FS66.132 | Director-General of Conservation (Department of Conservation) | S364.003 | Subdivision | Rules | Amend the Subdivision chapter to include more stringent controls to allow for the consideration and scheduling of SNAs in the subdivision chapter. | Oppose | Disallow | Scheduling of SNAs can only be done by way of a Plan Change, not through a rule in the subdivision chapter, and in accordance with the requirements of the NPS:IB. |
| FS66.133 | Kapiro Conservation Trust | S445.014 | Subdivision | Rules | <p>Insert new rule (inferred) to require esplanade reserves/strips when subdivision creates lots of 4ha or more (as allowed under RMA s77, s230, etc.) when one of the following situations applies:</p> <ul style="list-style-type: none"> - the owner agrees to provide the land on a voluntary basis, or - a third party agrees to provide funds to compensate the land owner for the land (at normal market value), or - the land is included in a development agreement or development contributions or financial contributions (under the RMA or LGA) or other arrangement. | Oppose | Disallow | The proposed rules does not implement the relevant Plan objectives. |
| FS66.134 | Kapiro Conservation Trust | S442.151 | Subdivision | Rules | <p>Insert additional rules for subdivisions, other than environmental benefit lots, to address the protection of indigenous vegetation and habitats of indigenous fauna.</p> <p>These rules should include</p> <ol style="list-style-type: none"> 1. The protection of significant indigenous vegetation and significant habitats of indigenous fauna (including the balance lot) as part of a subdivision | Oppose | Disallow | The relief sought are not rules and may not be generally applicable., They are at best assessment criteria. |

2. The requirement for cat and/or dog-free subdivision in areas of particular importance for vulnerable indigenous wildlife (e.g., kiwi, matuku, shorebirds)

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| FS66.135 | Kapiro Residents Association | S427.040 | Subdivision | Rules | Amend the PDP to wherever possible require or at least promote the creation of community open spaces, green open spaces, green corridors and linkages to support active transport, amenity and community wellbeing. | Oppose | Disallow | Inappropriate for subdivision in rural areas. |
| FS66.136 | Our Kerikeri Community Charitable Trust | S272.013 | Subdivision | Rules | <p>Insert new rule (inferred) requiring esplanade reserves/strips when subdivision creates lots of 4ha or more when one of the following situations applies:</p> <ul style="list-style-type: none"> •the owner agrees to provide the land on a voluntary basis, or •a third party agrees to provide funds to compensate the land owner for the land (at normal market value), or •the land is included in a development agreement or development contributions or financial contributions (under the RMA or LGA) or other arrangement. | Oppose | Disallow | The proposed rule does not implement the objectives of the Plan. |
| FS66.137 | Carbon Neutral NZ Trust | S529.184 | Subdivision | Rules | <p>Insert new policies/rules to require esplanade reserves/strips when subdivision creates lots of 4ha or more (as allowed under RMA s77, s230, etc.) when one of the following situations applies:</p> <ul style="list-style-type: none"> - the owner agrees to provide the land on a voluntary basis, or - a third party agrees to provide funds to compensate the land owner for the land (at normalmarket value), or - the land is included in a development agreement or development contributions or | Oppose | Disallow | The proposed rule does not implement the objectives of the Plan. |

| | | | | | financial contributions (under the RMA or LGA) or other arrangement. | | | |
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| FS66.138 | Vision Kerikeri (Vision for Kerikeri and Environs, VKK) | S523.016 | Subdivision | Rules | Amend policies to require esplanade reserves/strips when subdivision creates lots of 4ha or more (as allowed under RMA s77, s230, etc.) when one of the following situations applies: - the owner agrees to provide the land on a voluntary basis, or - a third party agrees to provide funds to compensate the land owner for the land (at normal market value), or - the land is included in a development agreement or development contributions or financial contributions (under the RMA or LGA) or other arrangement | Oppose | Disallow | The proposed rule does not implement the objectives of the Plan. |
| FS66.139 | Vision Kerikeri (Vision for Kerikeri and Environs, VKK) | S522.055 | Subdivision | Rules | Amend the PDP to wherever possible require or at least promote the creation of community open spaces, green open spaces, green corridors and linkages to support active transport, amenity and community wellbeing. | Oppose | Disallow | The proposed rule does not implement the objectives of the Plan. |
| FS66.140 | Carbon Neutral NZ Trust | S529.199 | Subdivision | Rules | Amend the PDP to wherever possible require or at least promote the creation of community open spaces, green open spaces, green corridors and linkages to support active transport, amenity and community wellbeing | Oppose | Disallow | The proposed rule does not implement the objectives of the Plan. |
| FS66.141 | Kapiro Conservation Trust | S449.069 | Subdivision | Rules | Amend the PDP to wherever possible require or at least promote the creation of community open spaces, green open spaces, green corridors and linkages to support active transport, amenity and community wellbeing. | Oppose | Disallow | The proposed rule does not implement the objectives of the Plan. |
| FS66.142 | Our Kerikeri Community | S338.072 | Subdivision | Rules | Amend the PDP to wherever possible require or at least promote | Oppose | Disallow | The proposed rule does not implement the objectives of the |

the creation of community open spaces, green open spaces, green corridors and linkages to support active transport, amenity and community wellbeing.

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| FS66.143 | John Andrew Riddell | S431.077 | Subdivision | SUB-R6 | <p>Insert the following as further matters of control in all controlled activity subdivision rules and as further matters of discretion in all restricted discretionary activity subdivision rules:</p> <ul style="list-style-type: none"> • consistency with the scale, density, design and character of the environment and purpose of the zone • measures to mitigate and adapt to climate change • where relevant, measures to provide for active transport, protected cycleways and for walking | Oppose | Disallow in part | The submission point requiring "consistency with the scale, density, design and character of the environment and purpose of the zone" will be by its nature impossible to achieve, given this form of subdivision will introduce some degree of change to the existing environment. |
| FS66.144 | John Andrew Riddell | S431.086 | Subdivision | SUB-R6 | <p>Amend Rule SUB-R6, environmental benefit, and its supporting policies to ensure that</p> <ul style="list-style-type: none"> • all of the ecological feature is protected, • the ecological significance of the feature is considered, • any additional lots have a suitable house site at least 20 metres away from any protected ecological feature, • more details are provided on the required content and objectives of an ecological management plan (including how the management actions will be monitored and reported on), • sprawling or sporadic subdivision and development is avoided, and | Oppose | Disallow | The matters sought by the submitter are in most part matters discretion rather than standards. The 20m setback sought does not appear to serve any resource management purpose. |

• natural character is protected and preserved.

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| FS66.145 | John Andrew Riddell | S431.078 | Subdivision | SUB-R8 | <p>Insert the following as further matters of control in all controlled activity subdivision rules and as further matters of discretion in all restricted discretionary activity subdivision rules:</p> <ul style="list-style-type: none"> • consistency with the scale, density, design and character of the environment and purpose of the zone • measures to mitigate and adapt to climate change • where relevant, measures to provide for active transport, protected cycleways and for walking | Oppose | Disallow | The outcome sought that subdivision retains consistency with the scale, density, design and character of the environment and purpose of the zone will by its nature be unachievable, given subdivision is a change to that. |
| FS66.146 | Neil Construction Limited | S349.017 | Subdivision | SUB-S1 | amend SUB-S1 to provide for lots of 3,000m2 as a controlled activity and 2,000m2 as a discretionary activity in both the Rural Lifestyle Zone and the Rural Residential Zone | Support | Allow | To provide for a more efficient use of a scarce land resource |
| FS66.147 | Royal Forest and Bird Protection Society of New Zealand | S511.088 | Coastal environment | Overview | Amend wording to reflect that the section covers other characteristics and values of the Coastal Environment, e.g. ONLs & ONFs Make it abundantly clear in an explanation somewhere that rules covering ONL and ONFs in the coastal environment are covered in the ONF and ONL chapter | Support in part | Allow in part | The type of clarification sought is agreed with, however because the relief lacks specificity, it can not be supported in full. |
| FS66.148 | John Andrew Riddell | S431.027 | Coastal environment | Objectives | <p>Insert new Objective CE-04 as follows:</p> <p>To minimise adverse effects from activities in the coastal environment that cross the coastal marine area boundary</p> | Oppose | Disallow | The submission seeks a policy which does not properly give effect to the NZCPS. |

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| FS66.149 | Kapiro Conservation Trust | S442.156 | Coastal environment | Objectives | Insert additional objectives that address the protection, active management, and restoration of indigenous nature as part of protecting coastal natural character in the Far North District. | Oppose | Disallow | The matter sought in the submission has been taken into account already in determining natural character values. |
| FS66.150 | John Andrew Riddell | S431.033 | Coastal environment | Policies | Insert a new policy as per Policy 4.6.1 of the Regional Policy Statement. | Oppose | Disallow | These outcomes are implemented by the proposed policies (as sought to be amended by the the further submitters primary submission) |
| FS66.151 | John Andrew Riddell | S431.034 | Coastal environment | Policies | Insert a new policy as per Policy 5.1.2 of the Regional Policy Statement. | Support in part | Disallow in part | The submission point is generally agreed with, however the specific wording has not been provided and the outcome may be better realised by the submission points on CE-01 and CE-02 sought in the further submitter's primary submission. |
| FS66.152 | John Andrew Riddell | S431.035 | Coastal environment | Policies | <p>Insert a new policy as per Policy 10.4.1 of the Operative District Plan, as follows:</p> <p>That the Council only allows appropriate subdivision, use and development in the coastal environment. Appropriate subdivision, use and development is that where the activity generally:</p> <ol style="list-style-type: none"> 1. Recognises and provides for those features and elements that contribute to the natural character of an area that may require preservation, restoration or enhancement; and 2. is in a location and of a scale and design that minimises adverse effects on the natural character of the coastal environment; and 3. has adequate services provided in a manner | Oppose | Disallow | The submission does not give effect to the NZCPS with the outcomes sought better realised by the submission points on CE-01 and CE-02 sought in the further submitter's primary submission. |

that minimises adverse effects on the coastal environment and does not adversely affect the safety and efficiency of the roading network; and

4. avoids, as far as is practicable, adverse effects which are more than minor on heritage features, outstanding landscapes, cultural values, significant indigenous vegetation and significant habitats of indigenous fauna, amenity values of public land and waters and the natural functions and systems of the coastal environment; and
5. promotes the protection, and where appropriate restoration and enhancement, of areas of significant indigenous vegetation and significant habitats of indigenous fauna; and
6. recognises and provides for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga; and (g) where appropriate, provides for and, where possible, enhances public access to and along the coastal marine area; and
7. gives effect to the New Zealand Coastal Policy Statement and the Regional Policy Statement for Northland.

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| FS66.153 | John Andrew | S431.037 | Coastal | Policies | Insert a new policy as per Policy | Oppose | Disallow | The relief sought incorrectly seeks |
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| | Riddell | | environment | | 10.4.12 of the Operative District Plan, as follows: That the adverse effects of development on the natural character and amenity values of the coastal environment will be minimised through: (a) the siting of buildings relative to the skyline, ridges, headlands and natural features; (b) the number of buildings and intensity of development; (c) the colour and reflectivity of buildings; (d) the landscaping (including planting) of the site; (e) the location and design of vehicle access, manoeuvring and parking areas | | | | to 'minimise' adverse effects on natural character and amenity of the coastal environment which does not give effect to the NZCPS. |
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| FS66.154 | John Andrew Riddell | S431.038 | Coastal environment | Policies | Insert a new policy as per Policy 10.6.4.3 of the Operative District Plan, as follows: Subdivision, use and development shall preserve and where possible enhance, restore and rehabilitate the character of the zone in regards to s6 matters, and shall avoid adverse effects as far as practicable by using techniques including: (a) clustering or grouping development within areas where there is the least impact on natural character and its elements such as indigenous vegetation, landforms, rivers, streams and wetlands, and coherent natural patterns; (b) minimising the visual impact of buildings, development, and associated vegetation clearance and earthworks, particularly as seen from public land and the | Oppose | Disallow | The proposed policy does not give effect to the NZCPS. |
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coastal marine area;

(c) providing for, through siting of buildings and development and design of subdivisions, legal public right of access to and use of the foreshore and any esplanade areas;

(d) through siting of buildings and development, design of subdivisions and provision of access, that recognise and provide for the relationship of Maori with their culture, traditions and taonga including concepts of mauri, tapu, mana, wehi and karakia and the important contribution Maori culture makes to the character of the District;

(e) providing planting of indigenous vegetation in a way that links existing habitats of indigenous fauna and provides the opportunity for the extension, enhancement or creation of habitats for indigenous fauna, including mechanisms to exclude pests;

(f) protecting historic heritage through the siting of buildings and development and design of subdivisions.

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| FS66.155 | Kapiro Conservation Trust | S442.157 | Coastal environment | Policies | Insert additional policies addressing the need to: 1. Protect indigenous coastal forests, coastal shrublands, coastal cliffs communities, coastal and freshwater wetlands and dunelands 2. Protect coastal wetlands (including saltmarsh, salt meadow/herb field and freshwater wetlands) from activities inland of the CMA in the Far North District | Oppose | Disallow | The natural character values of the environments referred to in the submission have already been identified by natural character mapping. |
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| | | | | | <p>3. The need to protect isolated important indigenous elements such as large pohutukawa and puriri trees, and fringing pohutukawa and other native trees in Northland's harbours and bays (e.g., Bay of Islands).</p> <p>4. The need for coastal ecosystems (such as saltmarsh, salt meadow and floodplain wetlands) to be able to migrate inland as sea levels rise. Such policies may include promoting restrictions on new activities that would impede such landward migration of coastal ecotones.</p> | | | |
| FS66.156 | Waiaua Bay Farm Limited | S463.054 | Coastal environment | CE-P4 | <p>Amend Policy CE-P4 as follows:</p> <p>CE-P4 Preserve the visual qualities, character and integrity of the coastal environment by:</p> <p>a. consolidating land use and subdivision around existing urban centres and rural settlements or in locations provided for by Special Purposes Zones; and</p> <p>b. avoiding sprawl or unplanned sporadic patterns of development.</p> | Support | Allow | The relief sought add better precision. |
| FS66.157 | Kapiro Conservation Trust | S442.162 | Coastal environment | Rules | <p>Insert a rule that requires consent to fell or significantly prune isolated mature indigenous trees such as pohutukawa within the coastal environment</p> <p>Or</p> <p>Expand Schedule 1 - Schedule of Notable trees to include all these trees.</p> | Oppose | Disallow | The proposed rule lacks precision, is uncertain as to applicability (referring to 'mature trees') and will not effectively nor efficiently implement any objectives of the Plan. |
| FS66.158 | Ironwood Trust Limited | S337.001 | Noise | NOISE-R7 | <p>Amend Rule NOISE-R7 to provide for landing areas that do not meet the standard referred to in PER-2 to be identified as restricted</p> <p>discretionary activities instead of discretionary.</p> | Support | Allow | The proposed RDA activity class sought where the standards are not |

met appropriately targets the matters under consideration, which should relate to noise effects.

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| FS66.159 | Northland Federated Farmers of New Zealand | S421.209 | Rural production | RPROZ-O1 | Amend Objective RPROZ-O1 to achieve consistency with the requirements of the National Policy Statement for Highly Productive Land | Support | Allow | The District Plan is required to give effect to the NPS: Highly Productive Land |
| FS66.160 | Northland Federated Farmers of New Zealand | S421.210 | Rural production | RPROZ-O3 | Amend Objective RPROZ-O3 to achieve consistency with the requirements of the National Policy Statement for Highly Productive Land | Support | Allow | The District Plan is required to give effect to the NPS: Highly Productive Land |
| FS66.161 | Waiaua Bay Farm Limited | S463.091 | Rural production | RPROZ-P1 | Retain Policy RPROZ-P1 | Support | Allow | The policy provides appropriate recognition of typical farming activities. |
| FS66.162 | Carbon Neutral NZ Trust | S529.161 | Rural production | Rules | Amend rules to protect a key natural resource - productive land - now and for future generations. | Oppose | Disallow | The relief sought does not properly give effect to the NPS: Highly Productive Land |
| FS66.163 | Kapiro Residents Association | S427.033 | Rural production | Rules | Amend to include specific policies/rules to prevent fragmentation and loss of land in rural and horticulture zones [inferred]. | Oppose | Disallow | The relief sought does not properly give effect to the NPS: Highly Productive Land |
| FS66.164 | Vision Kerikeri (Vision for Kerikeri and Environs, VKK) | S522.048 | Rural production | Rules | Amend to include specific policies/rules to prevent fragmentation and loss of land in rural and horticulture zones [inferred]. | Oppose | Disallow | The relief sought does not properly give effect to the NPS: Highly Productive Land |
| FS66.165 | Waiaua Bay Farm Limited | S463.094 | Rural production | RPROZ-R1 | Retain Rule RPROZ-R1 | Support | Allow | The rule supported as appropriate permitted activity performance standards for development in the RPROZ |
| FS66.166 | Kapiro Conservation Trust | S442.163 | SCHED1 - Schedule of notable trees | 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 | Oppose | Disallow | The submission lacks specificity of outcome and additions of trees to the list of scheduled trees sought should be specifically identified. |

Notable trees to include all these trees.

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| FS66.167 | Director-General of Conservation (Department of Conservation) | S364.002 | SCHED4 - Schedule of significant natural areas | SCHED4 - Schedule of significant natural areas | Insert SNAs in the plan using the report prepared for Council titled "Significant 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. | Oppose | Disallow | The insertion of SNAs in the Plan does not accord with the requirements of the NPS:IB, and if undertaken, should be done by way of a Variation to the Proposed Plan. |
| FS66.168 | Kapiro Conservation Trust | S448.001 | SCHED4 - Schedule of significant natural areas | SCHED4 - Schedule of significant natural areas | Insert SNA's and similar sites that have already been protected through the Council's resource consent process, as well as future sites, into Schedule 4 of the PDP. | Oppose | Disallow | The insertion of SNAs in the Plan does not accord with the requirements of the NPS:IB, and if undertaken, should be done by way of a Variation to the Proposed Plan. |
| FS66.169 | Our Kerikeri Community Charitable Trust | S338.044 | SCHED4 - Schedule of significant natural areas | SCHED4 - Schedule of significant natural areas | Amend Schedule 4 to include ecological areas already protected by resource consent conditions, consent notices, covenants etc | Oppose | Disallow | The insertion of SNAs in the Plan does not accord with the requirements of the NPS:IB, and if undertaken, should be done by way of a Variation to the Proposed Plan. |
| FS66.170 | Vision Kerikeri (Vision for Kerikeri and Environs, VKK) | S522.045 | SCHED4 - Schedule of significant natural areas | SCHED4 - Schedule of significant natural areas | Amend Schedule 4 to include ecological areas already protected by resource consent conditions, consent notices, covenants etc | Oppose | Disallow | The insertion of SNAs in the Plan does not accord with the requirements of the NPS:IB, and if undertaken, should be done by way of a Variation to the Proposed Plan. |
| FS66.171 | Kapiro Residents Association | S430.001 | SCHED4 - Schedule of significant natural areas | SCHED4 - Schedule of significant natural areas | Amend Schedule 4 Schedule of significant natural areas to include all areas already protected through the resource consent process, updating the Schedule to automatically to include all new protected sites | Oppose | Disallow | The insertion of SNAs in the Plan does not accord with the requirements of the NPS:IB, and if undertaken, should be done by way of a Variation to the Proposed Plan. |
| FS66.172 | Carbon Neutral NZ Trust | S529.043 | SCHED4 - Schedule of significant natural areas | SCHED4 - Schedule of significant natural areas | Amend Schedule 4 to include ecological areas already protected by resource consent conditions, consent notices, covenants etc | Oppose | Disallow | The insertion of SNAs in the Plan does not accord with the requirements of the NPS:IB, and if undertaken, should be done by way of a Variation to the Proposed Plan. |
| FS66.173 | Northland Federated Farmers of New Zealand | S421.134 | Ecosystems and indigenous biodiversity | IB-O2 | Retain Objective IB-O2 or wording with similar effect | Support | Allow | Providing for the social, economic, and cultural wellbeing of people |

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| | | | | | | | | and communities now and in the future, while maintaining indigenous biodiversity, is part of the objective of the NPS: IB at its clause 2.1. |
| FS66.174 | Royal Forest and Bird Protection Society of New Zealand | S511.054 | Ecosystems and indigenous biodiversity | IB-O2 | Amend IB-O2 The extent and diversity of Indigenous biodiversity across the district is managed to maintained its extent and diversity in a way that provides for the social, economic and cultural well-being of people and communities. | Oppose | Disallow | Providing for the social, economic, and cultural wellbeing of people and communities now and in the future, while maintaining indigenous biodiversity, is part of the objective of the NPS: IB at its clause 2.1. |
| FS66.175 | Kapiro Conservation Trust | S442.073 | Ecosystems and indigenous biodiversity | IB-O2 | Amend IB-O2 The extent and diversity of Indigenous biodiversity across the district is managed to maintained its extent and diversity in a way that provides for the social, economic and cultural well-being of people and communities. | Oppose | Disallow | Providing for the social, economic, and cultural wellbeing of people and communities now and in the future, while maintaining indigenous biodiversity, is part of the objective of the NPS: IB at its clause 2.1. |
| FS66.176 | Kapiro Conservation Trust | S442.171 | Ecosystems and indigenous biodiversity | IB-O2 | Amend by replacing with Indigenous biodiversity is managed to maintain its extent and diversity in a way that provides for the social, economic and cultural well-being of people and communities. The extent and diversity of indigenous biodiversity across the district is maintained, protected, and where possible enhanced | Oppose | Disallow | Providing for the social, economic, and cultural wellbeing of people and communities now and in the future, while maintaining indigenous biodiversity, is part of the objective of the NPS: IB at its clause 2.1. |
| FS66.177 | Royal Forest and Bird Protection Society of New Zealand | S511.071 | Natural character | Objectives | Insert new objective "Assess and identify in district plan maps natural character areas around wetland, lake, and river margins" or similar. Insert new objective "Provide for changes in the location and extent of natural character areas as a result of the effects of | Oppose | Disallow | The proposed objective is in fact a method, and the existing proposed objectives and provisions of the District Plan in respect to natural character (subject to any changes sought or supported by the further submitter) better achieve the purpose of the RMA 1991. |

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| | | | | | climate change, including inclusion of buffer areas to take into account increased flooding and the need for ecosystem retreat as a result of sea level rise." | | | |
| FS66.178 | Kapiro Conservation Trust | S442.090 | Natural character | Objectives | <p>Insert new objective "Assess and identify in district plan maps natural character areas around wetland, lake, and river margins" or similar.</p> <p>Insert new objective:</p> <p>"Provide for changes in the location and extent of natural character areas as a result of the effects of climate change, including inclusion of buffer areas to take into account increased flooding and the need for ecosystem retreat as a result of sea level rise."</p> | Oppose | Disallow | The proposed objective is in fact a method, and the existing proposed objectives and provisions of the District Plan in respect to natural character (subject to any changes sought or supported by the further submitter) better achieve the purpose of the RMa 1991. |
| FS66.179 | Kapiro Conservation Trust | S442.187 | Natural character | Objectives | <p>Insert new objective</p> <p>Assess and identify in district plan maps natural character areas around wetland, lake, and river margins or similar.</p> <p>Insert new objective</p> <p>Identify and establish buffer zones that encompass potential changes in the location and extent of natural character areas as a result of natural processes and the effects of climate change.</p> | Oppose | Disallow | The proposed objective is in fact a method, and the existing proposed objectives and provisions of the District Plan in respect to natural character (subject to any changes sought or supported by the further submitter) better achieve the purpose of the RMa 1991. |
| FS66.180 | John Andrew Riddell | S431.161 | Natural features and landscapes | Policies | <p>Insert the following new policy:</p> <p>That the cumulative effect of changes to the character of Outstanding Landscapes be taken into account in assessing applications for resource consent.</p> | Oppose | Disallow | The policy sought does not direct the provisions, does not specify what sort of activities need to be managed in this manner and does not specify an outcome to be achieved from the assessment of cumulative effects. It is a matter of good effects assessment rather than policy. |
| FS66.181 | John Andrew Riddell | S431.162 | Natural features and landscapes | Policies | <p>Insert the following new policy:</p> | Oppose | Disallow | The policy sought does not direct |

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| | Riddell | | features and landscapes | | That the visibility of Outstanding Landscape Features, when viewed from public places, be taken into account in assessing applications for resource consent | | | the provisions, does not specify what sort of activities need to be managed in this manner and does not specify an outcome to be achieved from the assessment of visibility from public places. It is a matter of good effects assessment rather than policy. |
| FS66.182 | John Andrew Riddell | S431.164 | Natural features and landscapes | Policies | Insert the following new policy: That the high value of indigenous vegetation to Outstanding Landscapes be taken into account when assessing applications for resource consents. | Oppose | Disallow | The proposed policy assumes that indigenous vegetation is a value of ONLs, which is not necessarily the case. |
| FS66.183 | Haitaitamarangai Marae Kaitiaki Trust | S394.039 | Natural features and landscapes | Policies | Insert a new policy as follows: Avoid any significant adverse cultural effects and avoid, remedy or mitigate any other adverse cultural effects. | Oppose | Disallow | Under Appendix 1 of the RPS which has directed the identification of ONLs "Spiritual, cultural and historical associations" should have been taken into account already and described as a value for each ONL. Subject to the changes sought by the further submitter in its submission point on NFL-O2, the obligation will be that these values are not compromised, and then managed in a way consistent with the policies which follow. For this reason, the additional policy sought by the submitter is not necessary. |
| FS66.184 | Pacific Eco-Logic | S451.004 | Subdivision | SUB-O2 | Amend Objective SUB-02 (b) to clarify that areas that contain significant indigenous vegetation and significant habitats for indigenous fauna are to be protected | Support | Allow | As noted by the submitter, the Proposed Plan does not include SNAs so reference to them should be deleted. |
| FS66.185 | Director-General of Conservation (Department of Conservation) | S364.053 | Subdivision | SUB-O2 | Amend Objective SUB-02 as follows: Subdivision recognises and provides for the: a. Protection of highly productive land; and | Oppose | Disallow | The change sought by the submitter fails to give effect to the NPS: Highly Productive Land. |

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| | | | | | b. Protection, restoration or enhancement of Outstanding Natural Features, Outstanding Natural Landscapes, Natural Character of the Coastal Environment, areas of High Natural Character, Outstanding Natural Character, wetland, lake and river margins, Significant Natural Areas, Sites and areas of Significance to Māori, and Historic Heritage. | | | |
| FS66.186 | Kapiro Conservation Trust | S442.156 | Coastal environment | Objectives | Insert additional objectives that address the protection, active management, and restoration of indigenous nature as part of protecting coastal natural character in the Far North District. | Oppose | Disallow | The proposed form of policy is very general and does not give effect to Policy 11 from from the NZCPS which has very precise prescription on the type of Indigenous vegetation and how it is to be managed in the coastal environment. |
| FS66.187 | Royal Forest and Bird Protection Society of New Zealand | S511.019 | Directions Overview | Directions Overview | <p>Amend:</p> <p>For the purposes of preparing, changing, interpreting, and implementing the District Plan, all other objectives and policies in all other chapters of this District Plan are to be read and achieved in a manner consistent with these Strategic Directions. There is no hierarchy between the stated Objectives (i.e. no one Strategic Objective has primacy over another Strategic Objective, and the Strategic Objectives should be read as a whole).</p> <p>For the purpose of District Plan development, including plan changes, the strategic objectives in this chapter provide direction for the development of the more detailed provisions contained in the District Plan. For the purpose of District Plan implementation (including the determination of resource consent applications and notices of requirement): a) the strategic objectives may</p> | Oppose | Disallow | The purpose of the strategic objectives is to provide strategic direction and as such they should direct the outcomes in lower order objectives and policies in the Plan. |

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| | | | | | provide guidance on what the related objectives and policies in other chapters of the District Plan are seeking to achieve; and b) the relevant objectives and policies of the District Plan (including strategic objectives in this chapter) are to be considered together and no fixed hierarchy exists between them. | | | |
| FS66.188 | Kapiro Conservation Trust | S442.039 | Directions Overview | Directions Overview | Amend: For the purposes of preparing, changing, interpreting, and implementing the District Plan, all other objectives and policies in all other chapters of this District Plan are to be read and achieved in a manner consistent with these Strategic Directions. There is no hierarchy between the stated Objectives (i.e. no one Strategic Objective has primacy over another Strategic Objective, and the Strategic Objectives should be read as a whole). For the purpose of District Plan development, including plan changes, the strategic objectives in this chapter provide direction for the development of the more detailed provisions contained in the District Plan. For the purpose of District Plan implementation (including the determination of resource consent applications and notices of requirement): a) the strategic objectives may provide guidance on what the related objectives and policies in other chapters of the District Plan are seeking to achieve; and b) the relevant objectives and policies of the District Plan (including strategic objectives in this chapter) are to be considered together and no fixed hierarchy exists between them. | Oppose | Disallow | The purpose of the strategic objectives is to provide strategic direction and as such they should direct the outcomes in lower order objectives and policies in the Plan. |

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| FS66.189 | Royal Forest and Bird Protection Society of New Zealand | S511.036 | Rural Environment | Objectives | <p>Insert an additional clause to SD-RE as follows:</p> <p>Ensure that within rural areas the establishment and operation of primary production activities are not limited by new incompatible sensitive activities and limit those other activities in the rural areas</p> | Support in part | Allow in part | Support subject to the new strategic direction being consistent with the NPS: Highly Productive Land. |
| FS66.190 | Kapiro Conservation Trust | S442.056 | Rural Environment | Objectives | <p>Insert an additional clause to SD-RE as follows:</p> <p>Ensure that within rural areas the establishment and operation of primary production activities are not limited by new incompatible sensitive activities and limit those other activities in the rural areas.</p> | Support in part | Allow in part | Support subject to the new strategic direction being consistent with the NPS: Highly Productive Land. |
| FS66.190 | Heritage New Zealand Pouhere Taonga | S409.050 | Earthworks | EW-S6 | <p>Amend Standard EW-S6 Setback as follows (or words to that effect):</p> <p>Earthworks must be setback by the following minimum distances:</p> <ol style="list-style-type: none"> 1. earthworks supported by engineered retaining walls - 1.5m from a site boundary; 2. earthworks not supported by engineered retaining walls - 3m from a site boundary; 3. earthworks must be setback by a minimum distance of 10m from coastal marine area. 4. earthworks must be setback by a minimum distance of 20m from the extent of an archaeological site <p>Note: setbacks from waterbodies is managed by the Natural Character chapter. In addition to the</p> | Oppose | Disallow | The proposed requirement for earthworks to be set back 20m from an archaeological site is unnecessary duplication of authorisation processes provided for under Heritage New Zealand Pouhere Taonga Act 2014 |

requirements of the District Plan, it should be noted that the Heritage New Zealand Pouhere Taonga Act 2014 ("HNZPTA") requires all applicants to obtain an authority from the HNZPTA before any archaeological site is modified or destroyed. This is the case regardless of whether the land on which the site is located is designated, or the activity is permitted under the District Plan or a resource or building consent has been granted.

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| FS66.191 | Mark John Wyborn | S497.006 | Coastal environment | CE-R1 | Amend provisions within the plan that impose limitations on the area of new buildings located within the coastal environment overlay be deleted. | Support | Allow | The submission is supported noting that, subject to appropriate standards on height, colour and reflectivity, new buildings, including dwellings, should be able to occur as a permitted activity where land is subject to the coastal environment overlay. |
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