

**Before the Environment Court
At Auckland**

**I Mua I Te Kōti Taiao
Tāmaki Makaurau Rohe**

ENV-2026-AKL-000167

Under the Resource Management Act 1991 ("RMA")

In the matter of an appeal under clause 14(1) of Schedule 1 of the RMA

And in the matter of the Proposed Far North District Plan

Between **Vision Kerikeri, Our Kerikeri Community Trust,
Kapiro Conservation Trust, and Carbon Neutral
NZ Trust**
Appellants

And **Far North District Council**
Respondent

**Notice of Setar Thirty Six Limited's wish to
be a party to proceedings**

Dated: 2 September 2026

Presented for filing by:



Joanna Beresford

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TO: The Registrar
Environment Court
Auckland

AND: Far North District Council

AND: The Appellants

1. Setar Thirty Six Limited (**Setar**) wishes to be a party under s 274 of the Resource Management Act 1991 (**RMA**) to the following proceedings:

The appeal by Vision Kerikeri, Our Kerikeri Community Trust, Kapiro Conservation Trust, and Carbon Neutral NZ Trust (**the Appellants**) against the decision of the Far North District Council in respect of the Proposed Far North District Plan (**PDP**), ENV-2026-AKL-000167 (**the Appeal**).

2. Setar is a person who has made a submission about the subject matter of the proceedings in terms of s 274(e) of the RMA having lodged an original (No. S168) and further submissions (No. FS069 and FS377) on the PDP.
3. Setar is not a trade competitor for the purposes of section 308C of the RMA.
4. Setar is interested in the parts of the proceeding that relate to the relief sought in the Appeal identified in **Schedule One**. Setar opposes the relief sought as set out in Schedule One.
5. Setar opposes the relief sought by the Appellants on the grounds that it:
 - (a) Will not promote the sustainable management of natural and physical resources and is otherwise inconsistent with the purpose and principles of the RMA.
 - (b) Will generate significant adverse effects on the environment.
 - (c) Is inappropriate in terms of the requirements of s 32 of the RMA and the relevant provisions of applicable planning instruments.
6. Setar agrees to participate in mediation or other alternative dispute resolution.

Dated: 2 September 2026

SETAR THIRTY SIX LIMITED by its solicitors and duly authorised agents
Beresford Law

A handwritten signature in blue ink that reads "JL Beresford". The signature is written in a cursive style with a light blue rectangular background behind it.

JL Beresford

Address for service: The offices of Beresford Law. Level 6, 20 Waterloo Quadrant, Auckland, 1010. PO Box 1088 Shortland Street Auckland 1140. Attention: Joanna Beresford, Telephone: +64 9 307 1277, Mobile: +64 21 114 1277, Email: joanna@beresfordlaw.co.nz.

Schedule One: Relevant Parts of Relief Sought in Appeal

Appellant	Provision	Relief Sought in Appeal	Support/Oppose
Vision Kerikeri, Our Kerikeri Community Trust, Kapiro Conservation Trust and Carbon Neutral NZ Trust	Esplanade Priority: Esplanade Priority in PDP planning map SUB-S8 Further provisions on esplanade in other relevant chapters	PDP map: Retain Esplanade Priority, especially where significant development anticipated. SUB-S8; relevant policy/rules: Provision for esplanade / connectivity re: lots >4 ha and land use in key locations where PDP anticipates significant growth (e.g. Kerikeri urban zones); and access to coastal beach for towns that lack access	Oppose
	Fragmentation and loss of productive land: SUB-R3, SUB-R6, SUB-R7, relevant rural zones.	Amendments that will reduce fragmentation and loss of productive land, and address problems of residential sprawl and sporadic development in rural areas. Provisions should protect productive land, not only 'highly' productive land. Amend APP3 criteria and statements to support higher standards.	Oppose
	Amenity and community values - landing site for private helicopters: NOISE-R7	Require alternative solution - private helicopters should be based at existing local airports/airfields or similar rather than creating private landing sites in areas that affect others.	Oppose
	NOISE-S4 Other chapters that should contain provisions on this type of land use	Address omissions in PDP provisions so that land uses such as new private helicopter sites will be assessed on the full range of adverse effects.	Oppose

	Vegetation clearance: IB-R1(7), IB-R1(10), IB-R3(2)	IB-R1(7): if existing clear area is not suitable; and there is no clearance of areas of vegetation that meets RPS Appendix 5 significance criteria. IB-R1(10): apply m2 amounts noted in R3. IB-R3: include amount per decade. R3 and relevant parts of R1: include standard clause to support safeguards for nesting season, 'kiwi safe' practices, address other policy clauses.	Oppose
	Omissions, insufficient alignment with key policies, and clarifications: Further points inserted in zone chapters and other relevant chapters	Further provisions needed, particularly standards, to support community wellbeing, community values, especially amenity, ecological values, and to implement similar points stated in RMA, national direction, and Policies of PDP.	Oppose