

In the Environment Court of New Zealand
Auckland Registry

ENV-2026-AKL-

I te Kōti Taiao o Aotearoa
Tāmaki Makaurau Rohe

In the matter of the Resource Management Act 1991 (the **Act**)

And

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

Between **Kiwi Fresh Orange Company Limited**

Appellant

And **Far North District Council**

Respondent

**NOTICE OF KĀINGA ORA – HOMES AND COMMUNITIES' WISH TO BE PARTY TO AN
APPEAL**

2 September 2026

Counsel instructed:

Aidan Cameron
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To: The Registrar
Environment Court
Auckland

1. Kāinga Ora – Homes and Communities (**Kāinga Ora**) wishes to be a party to Kiwi Fresh Orange Company Limited (**KFO**)'s appeal (**Appeal**) in respect of decisions by the Far North District Council (**Council**) on the Far North Proposed District Plan (**PDP**). The Appeal has the Environment Court reference number ENV-2026-AKL- .
2. Kāinga Ora made submissions about the subject matter of the proceedings. In particular, the Kāinga Ora submission (#S561) and further submission (#FS243) on the Proposed Plan related to matters that are the subject of the Appeal.
3. Kāinga Ora is also a person who has an interest in the proceedings that is greater than the interest the general public has on the grounds that Kāinga Ora manages a public housing portfolio in Far North District comprising approximately 728 dwellings¹, including dwellings located on land that will be directly affected by the relief sought in the Appeal.
4. Kāinga Ora is not a trade competitor for the purposes of sections 308C or 308CA of the Act.
5. Kāinga Ora is interested in and opposes the Appeal.
6. Without limiting its interest Kāinga Ora specifically opposes those parts of the Appeal that relate to:
 - (a) Rezoning parts of the General Residential Zone to Medium Density Residential Zone in central Kerikeri.
7. The primary interest of Kāinga Ora in the Proposed Plan is ensuring the provisions do not create unnecessary barriers to the ongoing use, development, renewal, and maintenance of its public housing portfolio in the Far North District. Kāinga Ora

¹ As at 30 September 2025.

provides public housing to those in need, including replacing dwellings which are no longer fit for purpose with warm, dry homes.

8. Kāinga Ora opposes the relief sought by KFO in its Appeal because the proposed relief:

- (a) will not promote the sustainable management of natural and physical resources, and will not achieve the purpose of the RMA, in that it:
 - (i) fails to enable people and communities to provide for their social, economic, and cultural well-being and for their health and safety;
 - (ii) fails to sustain the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations; and
 - (iii) fails to appropriately avoid, remedy, or mitigate adverse effects of activities on the environment;
- (b) is contrary to Part 2 of the RMA,
- (c) is not the most appropriate way to achieve the purpose of the RMA under section 32 of the RMA;
- (d) does not properly give effect to direction in relevant regional and national policy instruments (in particular, the National Policy Statement for Urban Development (“**NPS-UD**”)); and
- (e) will not assist Kāinga Ora to achieve its statutory roles and responsibilities under the Kāinga Ora – Homes and Communities Act 2019.

9. Without limiting its interest or the generality of the above, Kāinga Ora opposes the relief sought by KFO because:

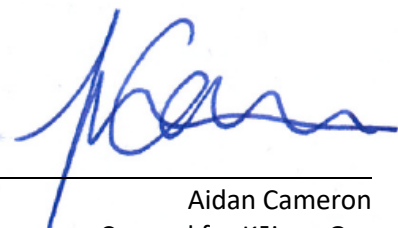
- (a) The Proposed Medium Density Residential Zone aligns with the Te Pātukurea Kerikeri Waipapa Spatial Plan which seeks to enable residential intensification within a 400m walkable catchment of the core retail area of Kerikeri.

- (b) The Proposed Medium Density Residential Zone supports a well-functioning urban environment. It enables more intensification and design flexibility for a variety of homes to be located within the vicinity of key employment opportunities, services and amenities. It supports urban growth and housing affordability. It will enable sufficient development capacity to meet the projected housing demand in Kerikeri-Waipapa.
- (c) The Proposed Medium Density Residential Zone should therefore be retained in full, as per the Decisions Version of the Proposed Plan.
- (d) The associated reasons as set out in Schedule 1 of this notice.

10. Schedule 1 to this notice outlines in more detail the reasons for opposition by Kāinga Ora opposition to the Appeal. In addition to the provisions identified, and without limiting the generality of its appeal, Kāinga Ora is interested in all related provisions and in all consequential amendments that might be required or proposed to be made (including to any objectives, policies, rules or assessment criteria).

11. Kāinga Ora agrees to participate in mediation or other alternative dispute resolution of these proceedings.

DATED at Auckland this 2nd day of September 2026



Aidan Cameron
Counsel for Kāinga Ora

Address for service of Kāinga Ora:

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SCHEDULE 1

Provision appealed	Relief sought	Oppose/Support	Reasons
The decision to rezone central Kerikeri to provide for housing intensification, including: - rezoning parts of the General Residential Zone to Medium Density Residential Zone as shown on page 1 of Appendix 2 of the Hearing Panel's Recommendation Report 15D; and - rezoning 23 Aranga Road from Rural Residential Zone to General Residential Zone.	Revert to notified General Residential Zone and Rural Residential Zone	Oppose	Kāinga Ora opposes this relief sought as the Proposed Plan appropriately provides for sufficient development capacity, consistent with national and regional planning direction. Policy 6 of the NPS-UD acknowledges that the planned urban built form may involve changes to an area. The proposed Medium Density Residential Zone (MDRZ) enables more flexibility to redevelop land and to supply a range of housing choices including both detached and attached typologies to contribute towards housing affordability. This is accordance with Policy 1 of the NPS-UD. The proposed MDRZ allows for intensification of existing GRZ areas for more efficient use of land and compact urban form to reduce sprawl. It provides a more gradual transition from the Town Centre Zone and Mixed Use Zone to the GRZ. Kāinga Ora considers that the proposed zoning is also suitable given that Kerikeri is the largest urban centre in the Far North. Transport and infrastructure constraints can be managed through existing planning, funding and development processes and do not justify reducing the level of

			development enabled by the Proposed Plan. The relief sought by the appellant would undermine the plan's ability to support a well-functioning urban environment and respond to current and future housing needs.
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