

**BEFORE THE ENVIRONMENT COURT
AT AUCKLAND**

**I TE KŌTI TAIAO O AOTEAROA
TĀMAKI MAKĀURAU**

ENV-2026-AKL-000167

IN THE MATTER

of an appeal under clause 14 of schedule 1
of the Resource Management Act 1991

BETWEEN

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

AND

Far North District Council
Respondent

**NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS
DATED 2 SEPTEMBER 2026**

Solicitor

TOANLAW
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TO The Registrar
 Environment Court
 Auckland

- 1 Neil Construction Limited (**NCL**) wishes to be party to the following proceedings: Vision Kerikeri, Our Kerikeri Community Trust, Kapiro Conservation Trust, and Carbon Neutral NZ Trust v Far North District Council, an appeal against the Far North District Council's decisions on the Far North Proposed District Plan.
- 2 NCL is a person who made a submission about the subject matter of the proceedings.
- 3 NCL is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.
- 4 NCL is interested in part of the proceedings.
- 5 The part of the proceedings NCL is interested in is the part described in Annexure 1 of the notice of appeal as: "*Rezoning proposed by Neil Construction (NC)*"¹ in respect of the zoning of the land listed in Table 1 below (**Land**):

Table 1

Legal Description	Address
RANGITANE RIVER PARK STAGE 1	
Lot 1 DP 494309	2 Blue Penguin Drive
Lot 2 DP 494309	4 Blue Penguin Drive
Lot 2 DP 503502	8A Blue Penguin Drive
Lot 1 DP 503502	8B Blue Penguin Drive
Lot 4 DP 494309	10 Blue Penguin Drive
Lot 5 DP 494309	12 Blue Penguin Drive
Lot 6 DP 494309	14 Blue Penguin Drive
Lot 7 DP 494309	16 Blue Penguin Drive
Lot 8 DP 494309	18 Blue Penguin Drive
Lot 9 DP 494309	20 Blue Penguin Drive
Lot 10 DP 494309	22 Blue Penguin Drive
Lot 11 DP 494309	24 Blue Penguin Drive
Lot 12 DP 494309	26 Blue Penguin Drive
Lot 33 DP 505455	28 Blue Penguin Drive

¹ Notice of Appeal, Annex 1 at p 11

Lot 34 DP 505455	30 Blue Penguin Drive
Lot 35 DP 505455	32 Blue Penguin Drive
Lot 36 DP 505455	33 Blue Penguin Drive
Lot 37 DP 505455	31 Blue Penguin Drive
Lot 16 DP 494309	29 Blue Penguin Drive
Lot 17 DP 494309	27 Blue Penguin Drive
Lot 18 DP 494309	25 Blue Penguin Drive
Lot 19 DP 494309	23 Blue Penguin Drive
Lot 20 DP 494309	21 Blue Penguin Drive
Lot 21 DP 494309	19 Blue Penguin Drive
Lot 22 DP 494309	17 Blue Penguin Drive
Lot 23 DP 494309	2 Fernbird Grove
Lot 24 DP 494309	4 Fernbird Grove
Lot 25 DP 494309	1 Fernbird Grove
Lot 26 DP 494309	11 Blue Penguin Drive
Lot 27 DP 494309	9 Blue Penguin Drive
Lot 28 DP 494309	7 Blue Penguin Drive
Lot 29 DP 494309	2 Fantail Rise
Lot 30 DP 494309	3 Fantail Rise
Lot 31 DP 494309	3 Blue Penguin Drive
Lot 32 DP 409309	1 Blue Penguin Drive
RANGITANE RIVER PARK STAGE 2	
Lot 38 DP 532487	6 Fernbird Grove
Lot 39 DP 532487	8 Fernbird Grove
Lot 40 DP 532487	10 Fernbird Grove
Lot 41 DP 532487	12 Fernbird Grove
Lot 42 DP 532487	14 Fernbird Grove
Lot 43 DP 532487	16 Fernbird Grove
Lot 44 DP 532487	18 Fernbird Grove
Lot 45 DP 532487	20 Fernbird Grove
Lot 46 DP 532487	22 Fernbird Grove
Lot 47 DP 532487	24 Fernbird Grove
Lot 48 DP 532487	21 Fernbird Grove
Lot 49 DP 532487	17 Fernbird Grove
Lot 50 DP 532487	15 Fernbird Grove
Lot 51 DP 532487	13 Fernbird Grove
Lot 52 DP 532487	11 Fernbird Grove
Lot 53 DP 532487	9 Fernbird Grove
Lot 54 DP 532487	7 Fernbird Grove
Lot 55 DP 532487	5 Fernbird Grove
Lot 56 DP 532487	3 Fernbird Grove
Lot 57 DP 532487	4 Spoonbill Drive
Lot 58 DP 532487	5 Spoonbill Drive
Lot 59 DP 532487	3 Spoonbill Drive
RANGITANE RIVER PARK STAGES 3-6	
Lot 1001 DP 532487	Lot 1001 Kapiro Road

KINGFISHER DRIVE	
Lot 2 DP 135938	15 Skudders Beach Road
Lot 1 DP 379081	11 Kingfisher Drive
Lot 2 DP 379081	23 Kingfisher Drive
Lot 3 DP 379081	Lot 3 Kingfisher Drive
Lot 2 DP 359913	29 Kingfisher Drive
Lot 1 DP 359913	37 Kingfisher Drive
Lot 1 DP 208740	43 Kingfisher Drive
Lot 5 DP 317854	53 Kingfisher Drive
Lot 2 DP 311542	55 Kingfisher Drive
Lot 1 DP 317854	65A Kingfisher Drive
Lot 3 DP 333063	65B Kingfisher Drive
Lot 2 DP 333063	65C Kingfisher Drive
Lot 1 DP 333063	65D Kingfisher Drive
Lot 1 DP 425491	48 Kingfisher Drive
Lot 2 DP 425491	44 Kingfisher Drive
Lot 2 DP 345848	Lot 2 Kingfisher Drive
Lot 3 DP 425491	Kingfisher Drive

6 NCL is interested in the zoning of the Land.

7 NCL opposes the relief sought because:

- (a) the respondent's decision appropriately zones the Land Rural Residential Zone
- (b) part of the Land has been developed for large-lot residential purposes and a residential subdivision has been consented for the balance. The existing and consented development comprises:
 - (i) 33 lots developed by NCL as Stage 1 Rangitane River Park (plus an additional three lots created subsequently)
 - (ii) 22 lots developed by NCL as Stage 2 Rangitane River Park
 - (iii) 115 lots to be developed by NCL as Stages 3-6 Rangitane River Park under a resource consent referenced 2200416-COM issued on 16 May 2025 (see *Neil Construction Ltd v Far North District Council* [2024] NZEnvC 278 and [2025] NZEnvC 156); and

- (iv) 17 lots at Skudders Beach Road and Kingfisher Drive
- (c) the Rural Residential Zone is the most appropriate zone for the Land because:
 - (i) it closely aligns with the consented development and lawfully established use of the Land; and
 - (ii) results in a coherent pattern of zoning with natural and defensible boundaries comprising the Rangitane River, Redcliffs Road, and Kapiro Road
- (d) the proposed zone in the notified version of the Far North Proposed District Plan, the Rural Lifestyle Zone:
 - (i) enables activities that are incompatible with the consented development and lawfully established use of the Land; and
 - (ii) contains development standards that do not fully align with the consented development and may result in otherwise unnecessary applications for resource consent, making it less efficient than the Rural Residential Zone; and
- (e) there are limited opportunities for further subdivision that are unlikely to change the intensity of subdivision already approved by any significant amount
- (f) further subdivision and development are unlikely without significant disruption to approved or established building platforms or dwellings; and
- (g) the zoning will not significantly increase likely traffic numbers beyond that which has been consented on the Land.

8 NCL agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Dated 2 September 2026



V J Toan
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Address for service

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Note to person wishing to be a party

You must lodge the original and 1 copy of this notice with the Environment Court within 15 working days after—

- the period for lodging a notice of appeal ends, if the proceedings are an appeal; or
- the decision to hold an inquiry, if the proceedings are an inquiry; or
- the proceedings are commenced, in any other case.

Your right to be a party to the proceedings in the court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Resource Management Act 1991.

The notice must be signed by you or on your behalf.

You must serve a copy of this notice on the relevant local authority and the person who commenced the proceedings within the same 15 working day period and serve copies of this notice on all other parties within 5 working days after that period ends.

However, you may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing or service requirements (see form 38).

Advice

If you have any questions about this notice, contact the Environment Court in Auckland, Wellington, or Christchurch.