

**PROPOSED FAR NORTH DISTRICT PLAN**  
**MINUTE 42 OF THE INDEPENDENT HEARINGS PANEL**  
**NATIONAL PLANNING INSTRUMENTS**

1. On 6 January 2026 the Independent Hearings Panel (**Panel**) issued Minute 40 requesting Council's advice on the implications for the Proposed Plan process resulting from the 10 new and amended national direction documents (**National Policy Statements and Standards**) that were released on 18 December 2025 and came into effect on 15 January 2026. This advice was requested given that:
  - a. all hearings for the Proposed Plan had been completed;
  - b. all right of reply responses from Council officers had been received; and
  - c. Council is required to release its final decision by 27 May 2026.

2. These instruments are:

New national policy statements and national environmental standards

- a. Resource Management (National Environmental Standards for Detached Minor Residential Units) Regulations 2025;
- b. National Policy Statement for Natural Hazards 2025 (**NPS-NH**);
- c. National Policy Statement for Infrastructure 2025 (**NPS-I**).

Amended national direction instruments

- a. National Policy Statement for Highly Productive Land Amendment 2025 (**NPS-HPL**);
- b. New Zealand Coastal Policy Statement Amendment 2025;
- c. National Policy Statement for Indigenous Biodiversity Amendment 2025;
- d. National Policy Statement for Freshwater Management Amendment 2025;
- e. Resource Management (National Environmental Standards for Freshwater) Amendment Regulations 2025;
- f. National Policy Statement for Renewable Electricity Generation Amendment 2025 (**NPS-REG**);
- g. National Policy Statement for Electricity Networks Amendment 2025 (**NPS-EN**).

3. On 30 January 2026 the Panel received a legal memorandum on behalf of the Council responding to the Panel's questions about the legal effect of these national planning instruments and whether the Panel was obligated to implement them through its recommendations. This attached a memorandum from Council officers addressing each of the National Policy Statements and Standards. On 2 February 2026, in the interests of natural justice, the Panel issued Minute 41 which called for legal memoranda from any submitters that have a contrary view to the Council within 10 working days being 4.00pm on Tuesday 17 February 2026.

4. The Council received four responses from the following submitters:

- a. Ian Palmer
- b. Kiwi Fresh Orange Limited (**KFO**)
- c. Lucklaw Farms Limited (**Lucklaw Farms**)
- d. Top Energy Limited (**Top Energy**)

5. We address each memorandum as follows:

a. [Ian Palmer](#)

We have received, read and had regard to the memorandum of Mr Palmer. Mr Palmer recommends that Council withdraw the PDP until planned reforms to the resource management regime have been completed. We advise that withdrawing the PDP is not a matter within our delegation. That is a matter for the Council.

b. [KFO](#)

The legal memorandum from KFO refers to the recent amendments to the NPS-HPL and the new NPS-NH and the implications for the relief sought in KFO's submission. We have had regard to these matters and will address them in our recommendation reports and especially Recommendation Reports 15C and 15D.

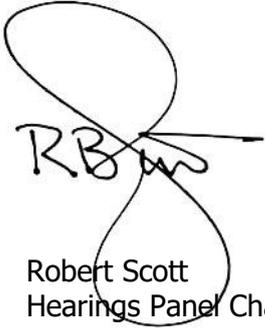
c. [Lucklaw Farms](#)

The legal memorandum from Lucklaw Farms refers to the Water Services (Wastewater Environmental Performance Standards) Regulations 2025, which also came into force on 19 December 2025. We acknowledge these new regulations, which we understand set out procedural and substantive requirements for consenting wastewater networks under the Resource Management Act, including environmental performance standards for wastewater discharges. We will consider this memorandum (and the relevance of these new Regulations to the PDP) when preparing our recommendation reports and especially the Lucklaw Farms rezoning request in Recommendation Report 15C.

d. [Top Energy](#)

The legal memorandum from Top Energy identifies a number of amendments that it considers should be made to the PDP to give effect to the NPS-EN, NPS-I and NPS-REG instruments. We will consider these matters in our evaluations and address them in our recommendation reports, in particular for Recommendation Report 13 – Infrastructure.

6. If you have any questions regarding this Minute, please contact the Hearings Administrator Alicia-Kate (AK) Taihia - Submissions & Hearings Administrator District Plan: [alicia-kate.taihia@fndc.govt.nz](mailto:alicia-kate.taihia@fndc.govt.nz) or (09) 4015247.

A handwritten signature in black ink, appearing to read 'RBS' with a stylized flourish extending from the end.

Robert Scott  
Hearings Panel Chairperson

23 February 2026