

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

And

In the Matter of an appeal under clause 14 of Schedule 1 of the Act

Between Meridian Farm Limited

Applicant

And Far North District Council

Respondent

Notice of Appeal Against Decision on Proposed Far North District Plan

Dated 12 August 2026

Jeremy Brabant
Barrister
Level 7, 50 Albert Street, Auckland Central
PO Box 1502, Shortland Street, Auckland 1140
M: 021 494 506
E: jeremy@brabant.co.nz

To the Registrar
 Environment Court
 Auckland

1. Meridian Farm Limited (**MFL**) appeals against part of the decision of the Far North District Council (**FNDC**) on the Proposed Far North District Plan (**PFNDP**).
2. MFL owns land located at 119 Redcliffs Road, Kerikeri (**Site**). The Site is held in two titles:
 - a. RT 309510¹ (the **Northern Parcel**); and
 - b. RT 1152198² (the **Southern Parcel**).
3. MFL made a submission on the PFNDP.
4. MFL is not a trade competitor for the purposes of section 308D of the Act.
5. MFL received notice of the decision on 30 June 2026 (**Decision**).
6. The decision was made by FNDC.
7. MFL appeals against the part of the Decision to reject its request to rezone the Site from Rural Production Zone (**RPZ**) to Rural Lifestyle Zone (**RLZ**).

Grounds of Appeal

8. The Decision to reject MFL's proposed rezoning:
 - a. Is not the most appropriate method of giving effect to the purpose of the Resource Management Act 1991 (**RMA**);
 - b. Will not promote the sustainable management of natural and physical resources and is contrary to Part 2 and other provisions of the RMA;
 - c. Is inconsistent with other relevant planning documents;

¹ Lot 2 DP 376997.

² Lot 3 DP 596251.

- d. Will not meet the reasonably foreseeable needs of future generations; and
 - e. Will not enable the social, economic and cultural wellbeing of the community.
9. Adoption of the relief sought by MFL would be appropriate because:
- a. It would assist FNDC to carry out its functions to achieve the purpose of the RMA;
 - b. It would give effect to and not be inconsistent with the relevant higher order planning documents;
 - c. The rezoning sought is a logical, supportable and appropriate zoning by reference to the surrounding environment, planned rezoning, strategic and higher order planning instruments, evidence put before the Panel and the activities and use that are either already occurring on the Site or are authorised by way of resource consent; and
 - d. The rezoning sought by MFL promotes the sustainable management of the natural and resources of the region and does not offend any matters of importance in sections 6, 7, and 8 of the RMA.
10. Without limiting the generality of the grounds identified above, MFL's specific grounds of appeal include:
- a. The Decision does not take proper account of site-specific land use:
 - i. The Site's previous use was as an agricultural farm and associated ancillary buildings. That no longer reflects the Site's consented future use; and
 - ii. Recently, subdivision consents have been granted and are at various stages of implementation, namely:
 - 1. The Northern Parcel has recently been granted consent to be subdivided into 3 rural lifestyle blocks.

2. The Southern Parcel has been granted consent to be subdivided into 5 lots comprising 4 rural lifestyle lots between 2 – 4 ha and 1 balance lot of 37 ha. To date, stage 1 of the Southern Parcel subdivision has been completed (resulting in the creation of 3 lots), the remainder of stage 2 is almost complete.
- b. The Decision does not take proper account of site-specific soil characteristics and limitation of the Site's productive use. In particular the Decision:
- i. Fails to engage with evidence that the Site has limited productive soils (i.e. LUC class 4 and 6 soils) which contain topsoil depths of only 0.25m are underlaid by heavy clay and brown rock. Significant portions of the Site are encumbered by volcanic rock;
 - ii. Does not properly recognise that the Site's characteristics (including steep topography, site layout, proximity to roads and waterways and low productive soils) make productive use of the Site challenging;
 - iii. Fails to engage with the fact the Site is not subject to the National Policy Statement for Highly Productive Land 2022 (**NPS-HPL**) and is therefore not constrained by the highly productive land limitations contained in that planning instrument; and
 - iv. Fails to acknowledge that as a result of the granted and partially implemented subdivision consents for the Site, meaningful productive use of the land is unlikely.
- c. The Decision places inappropriate weight on the Kerikeri Waipapa Spatial Plan (**KWSP**). The Decision:
- i. Relies upon an asserted inconsistency with urban growth expectations under the KWSP as the primary reason to decline the rezoning sought.

- ii. Fails to acknowledge that the KWSP is a non-statutory document and affords it unwarranted status. Nor does the KWSP set a strict or prescriptive framework for land use and development in the region.
 - iii. Inappropriately elevates the KWSP (which is primarily an urban growth spatial planning tool) to a higher-order statutory document required to which a district plan must give effect to.
 - iv. Adopts an incorrect and inappropriate approach when it rejects the RLZ for the Site in part on the basis it represents inappropriate urban growth. The RLZ is a rural zone which does not enable urban growth, and is a zone which appropriately manages land use, including dwellings and associated activities, by way of rules and standards.
 - v. The KWSP relies on assumptions about uptake of infill-style development which is unrealistic, and where such development is (inter alia) practically constrained by infrastructure capacity and financial feasibility. The proposed RLZ on the Site provides an opportunity for development that can largely be self-serviced from an infrastructure perspective.
- d. The Decision places undue reliance on the presence of geographic features as “defendable boundaries” for zoning interfaces and the avoidance of “fragmentation creep”. That approach:
- i. Ignores or inappropriately characterises the character and amenity of the environment surrounding the Site, when considering risks or effects which might arise from the rezoning sought;
 - ii. Overlooks or fails to accurately consider the Site’s proximity to the Kerikeri Township in the context of relevant zoning considerations and assessment;

- iii. Fails to acknowledge that ‘fragmentation creep’ is not enabled by applying a rural lifestyle zoning on the Site as it is not urbanisation, the Site is already subject to subdivision, and RLZ rules and standards manage future subdivision and effects;
- iv. Fails to take into consideration the consented and existing use of the Site (which has been subdivided in part) and the more appropriate alignment of that use with the RLZ;
- v. Does not reflect a robust and considered assessment of the site-specific qualities of the land in question and the merits of the proposed rezoning; and
- vi. Inappropriately elevates whether or not the proposed rezoning is a “logical extension” of the RLZ as a form of test under the RMA for rezoning, when the proper consideration is whether, by reference to s 32 of the RMA, the proposed rezoning is the most appropriate method of achieving the purpose of the Act.

Relief Sought

- 11. MFL seeks the following relief:
 - a. The appeal is allowed and the entire Site is zoned RLZ;
 - b. Such further consequential or other relief as is necessary to address the issues raised and outcome sought in the appeal; and
 - c. Costs.

Attachments

- 12. Attached to this notice are the following documents:
 - a. A copy of MFL’s submission and further submission on the PFNDP (**Attachment A**);

- b. A copy of the relevant parts of the decision (**Attachment B**); and
- c. A list of names and addresses of persons to be served with a copy of this notice (**Attachment C**).

Signature: **Meridian Farm Limited** by its authorised agent:



Jeremy Brabant

Date: 12 August 2026

Address for service: Jeremy Brabant / Shannon Darroch

Level 7, 50 Albert Street, Auckland Central
PO Box 1502, Shortland Street, Auckland 1140
Auckland

Mobile: 021 494 506

Email: jeremy@brabant.co.nz
shannon@brabant.co.nz

Attachment A – MFL’s Submission and Further Submission

IN THE MATTER

of the Resource Management Act
1991 ("**the Act**")

AND

IN THE MATTER

of a submission pursuant to Clause
6 of Schedule 1, of the Act in
respect of the **Proposed Far North
District Plan**

SUBMISSION ON THE PROPOSED FAR NORTH DISTRICT PLAN

To: Proposed District Plan
Strategic Planning and Policy, Far North District Council
Far North District Council
Private Bag 752
KAIKOHE 0400
Email: pdp@fndc.govt.nz

1. Details of persons making submission

Meridian Farm Ltd
Ref: 17329

C/- Reyburn and Bryant
Attention: Joseph Henehan
PO Box 191
WHANGAREI

2. General statement

- 2.1 Meridian Farm Ltd cannot gain an advantage in trade competition through this submission. They are directly affected by the plan changes. The effects are not related to trade competition.

3. Background and context

Site description

- 3.1 Meridian Farm Ltd own an existing farm located at 119 Redcliffs Road, Kerikeri. The farm is held in two separate titles referenced RT NA50D/798 (Lot 1 DP 94462) and RT 309510 (Lot 2 DP 376997). The farm has a combined area of 73.416ha. A plan showing the location of the land is provided at Figure 1 below:

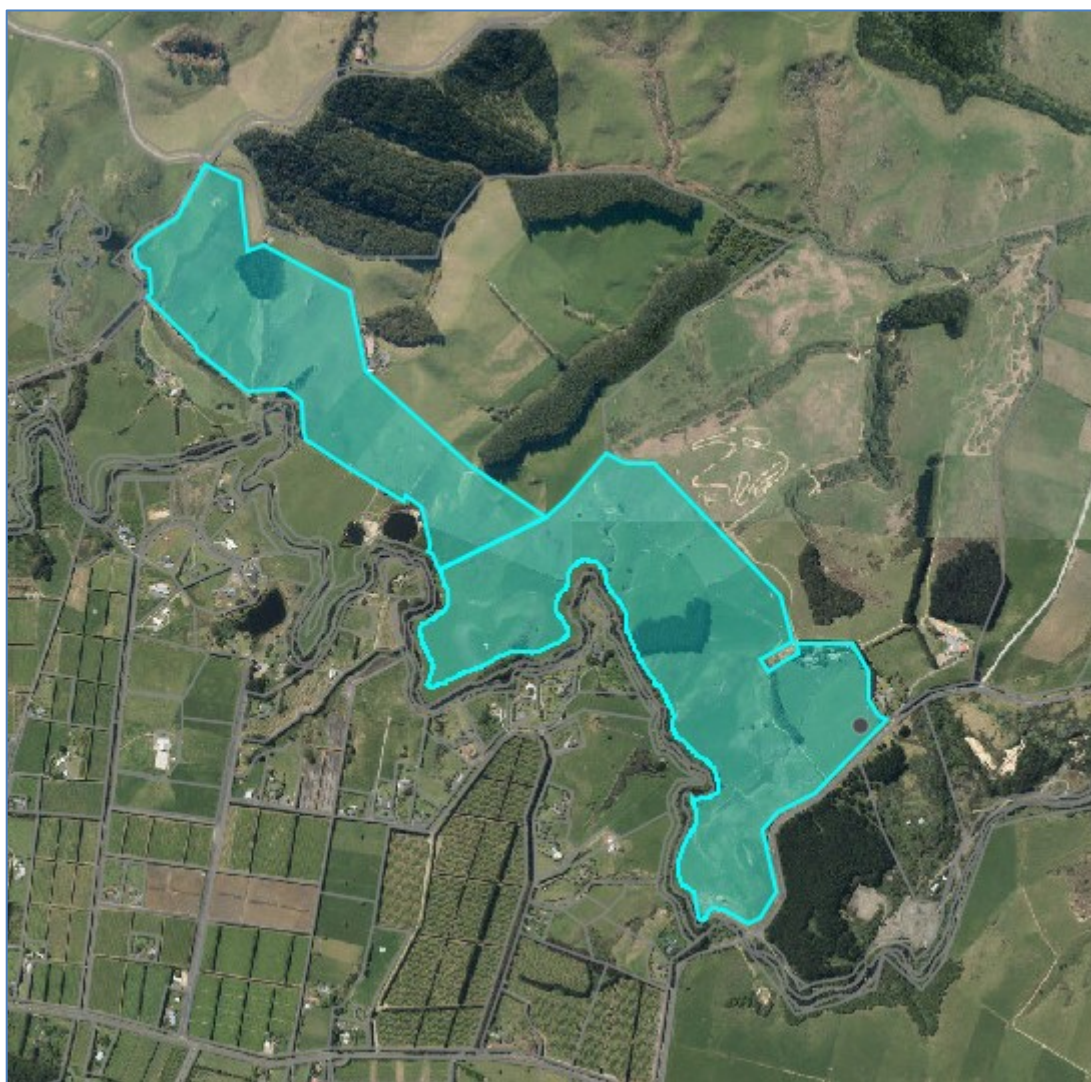


Figure 1: Site location (Source: FNDC GIS)

- 3.2 The site is currently occupied by an agricultural farm. The site contains various buildings that are ancillary to this use.
- 3.3 RT NA50D/798 (Lot 1 DP 94462) is subject to a recently approved resource consent to subdivide the site into five sites, consisting of four rural lifestyle lots between 2-3ha and one

balance site. A copy of this decision is attached, and the approved scheme plan is provided in Figure 2 below:

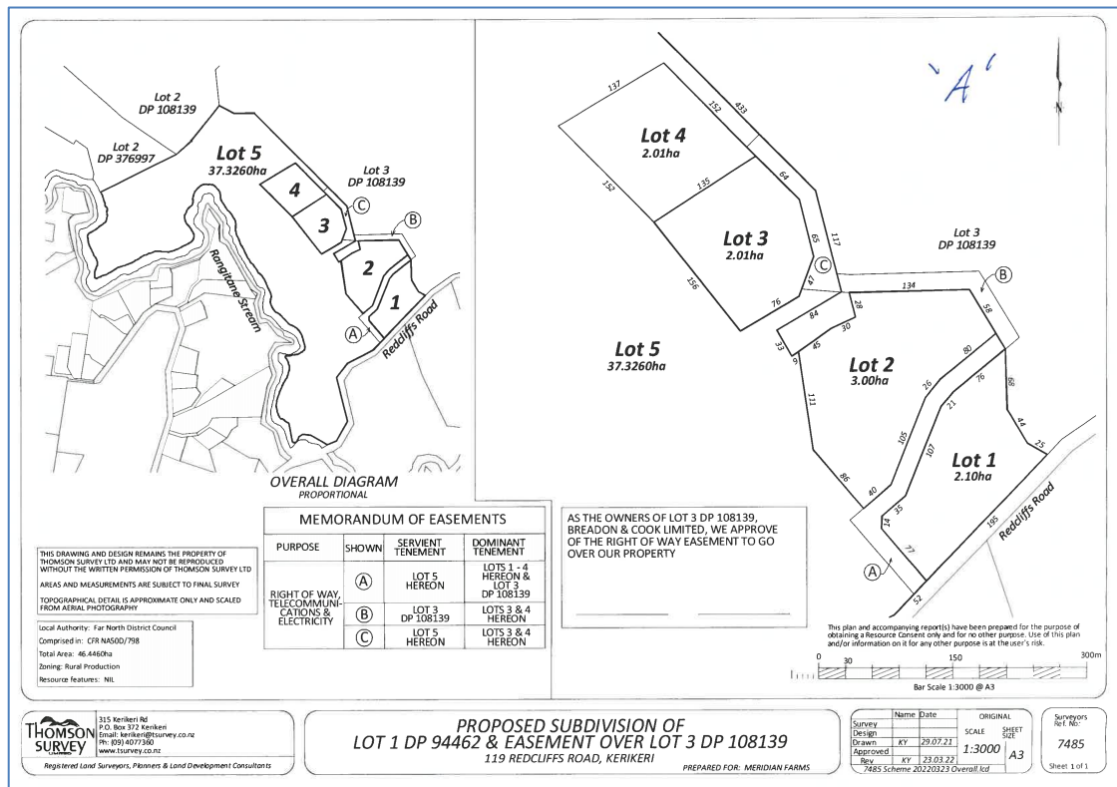


Figure 2: Approved subdivision scheme plan

- 3.4 RT 309510 (Lot 2 DP 376997) is also subject to a further subdivision consent application seeking to subdivide the site into three lots. The scheme plan that has been submitted for approval is provided in Figure 3 below:



Figure 3: Scheme plan showing proposed subdivision of Lot 2 DP 376997

Soil composition

- 3.5 Attached are the geotech reports prepared for the above subdivisions. Highlighted in each report are reference to soil types. These soil investigations identify topsoil depths of only 0.25m (max). Natural greywacke residual soils were encountered underlying topsoil consisting

of “silty clay, clayey silt, and sandy clay, light grey mottled grey, light grey mottled yellowish brown, moist to wet, highly plastic and stiff to hard”.

Land use capability

- 3.6 The Regional Policy Statement for Northland (RPS) identifies that the highly versatile soils are Land Use Capability Classes 1c1, 2e1, 2w1, 2w2, 2s1, 3e1, 3e5, 3s1, 3s2, 3s4 - as mapped in the New Zealand Land Resource Inventory (NZLRIS).
- 3.7 The NZLRIS maps identify the sites as containing class 4 and 6 soils. The NZLRIS soil type maps are provided in Figure 4 below:

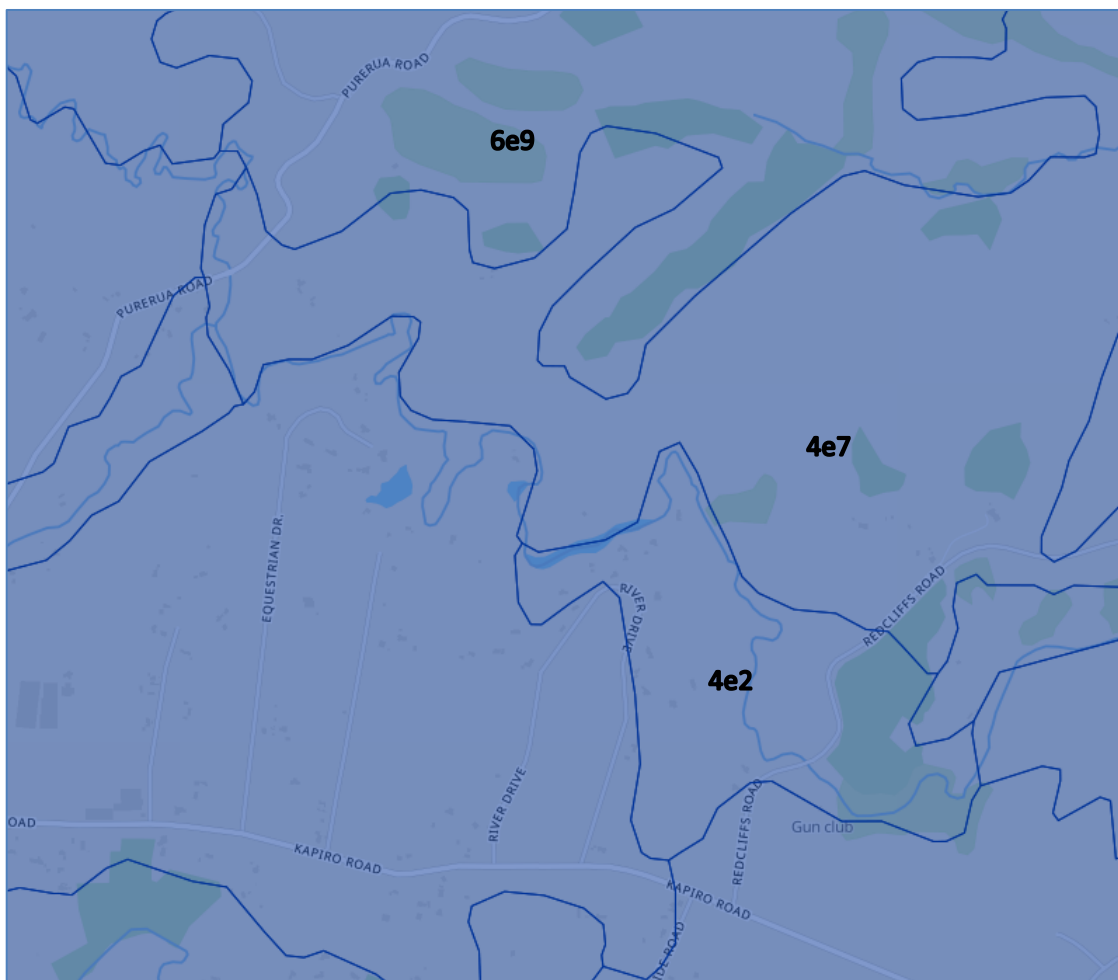
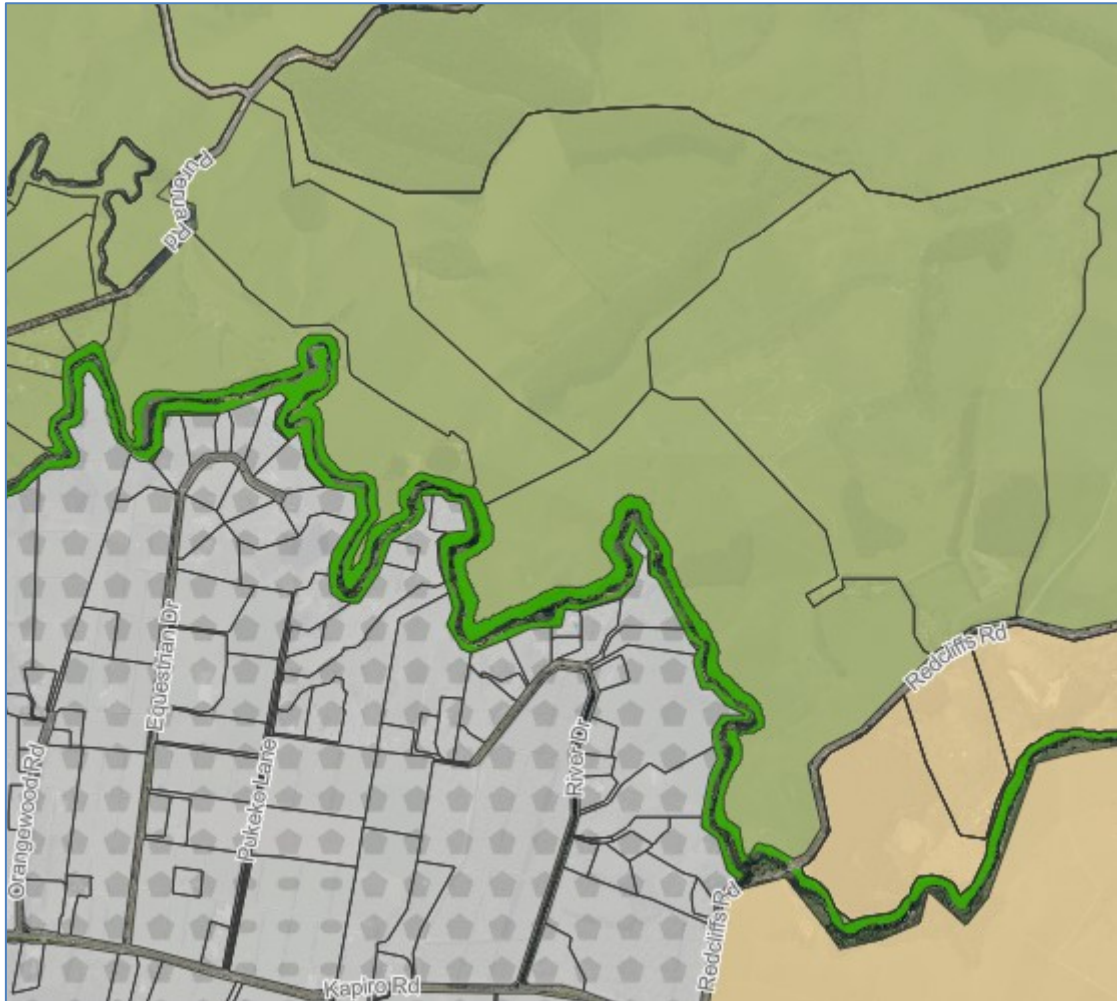


Figure 4: NZLRIS LUC soil classes

Operative and proposed District Plan zoning

- 3.8 The operative zone that applies to the site is the ‘Rural Production’.

- 3.9 As shown in Figure 5 below, the sites are both proposed to be located within the 'Rural Production Zone' under the Proposed District Plan (PDP). The sites will border the new Horticultural Zone (HZ) to the south-west and the Rural Lifestyle Zone (RLZ) to the south-east:



4. The specific provisions of the Plan Change that this submission relates to are:

- 4.1 The submitter opposes the plan changes in part and seeks changes to the following PDP provisions:
- The District Plan mapping pertaining to the sites.
 - The definition of 'Highly Productive Land' in the PDP.
 - The minimum lot size criteria for subdivision in the RLZ in the SUB Chapter.

5. Meridian Farm Ltd seeks the following amendments/relief:

Mapping

- 5.1 To rezone the subject sites (being RT NA50D/798 (Lot 1 DP 94462) and RT 309510 (Lot 2 DP 376997)) 'Rural Lifestyle'.

Highly Productive Land definition

- 5.2 That the definition of 'Highly Productive Land' in the PDP is amended to align with the NPS HPL. Specifically, the definition should be amended to exclude the specific reference to LUC 4 soils. An amended wording is provided as follows:

Highly Productive Land

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.*

RLZ minimum lot size criteria

- 5.3 That the minimum lot size criteria for subdivision in the RLZ in the SUB Chapter is reduced from 4ha (controlled activity) and 2ha (discretionary activity) to 2ha (controlled activity) and 1ha (discretionary activity).

Other relief sought

- 5.4 Any other relief from compliance with provisions in the proposed plan changes where those provisions are inconsistent with the outcomes sought for the land subject to this submission.

6. The reasons for making the submission on the plan changes are as follows:

Mapping

- 6.1 This submission proposes to rezone the subject sites 'Rural Lifestyle'. The reasons for this are outlined below:

- The site does not contain soils that are suitable for productive purposes. The site contains only a thin layer of topsoil that is underlaid by heavy clay and some brown rock. Much of the site is also encumbered by volcanic rocks, which inhibits the site for productive use.
- There is already subdivision approved for the subject site (referenced 2220308-RMASUB). An additional subdivision consent is currently in the process of being processed by FNDC. Therefore, the proposed rezoning will reflect the existing/approved uses of the site.
- The land is close to Kerikeri Centre (6ks), has good road access to town and Marina. School Bus service etc.
- The neighbouring land (across Redcliffs Rd) is rezoned in PDP. Neighbouring land (ex-horticultural land) across the Rangitane River is used for residential.
- To fertilise the poor clay soil means inevitable run off into Rangitane River that borders land.

Highly Productive Land definition

6.2 Section 3.4 of the NPS for Highly Productive Land (NES HPL) directs regional council's to, as soon as practicably possible, map highly productive land (HPL) within its region. Until a regional policy statement with this mapping is made operative, Section 3.5(7) of the NPS HPL directs territorial authorities to apply the NPS as if references to HPL were references to land that is:

- Zoned general rural or rural production; and
- LUC 1, 2 or 3 land.

6.1 Section 3.5(7) of the NPS HPL is set out in Figure 4 below:

- (7) Until a regional policy statement containing maps of highly productive land in the region is operative, each relevant territorial authority and consent authority must apply this National Policy Statement as if references to highly productive land were references to land that, at the commencement date:
- (a) is
 - (i) zoned general rural or rural production; and
 - (ii) LUC 1, 2, or 3 land; but
 - (b) is not:
 - (i) identified for future urban development; or
 - (ii) subject to a Council initiated, or an adopted, notified plan change to rezone it from general rural or rural production to urban or rural lifestyle.

Figure 5: Section 3.5(7) of the NPS HPL

- 6.3 Notwithstanding the direction provided above, the PDP definition of 'highly productive land' also includes LUC class 4 soils. This is not considered to align with the aforementioned direction provided by the NPS HPL.

RLZ minimum lot size criteria

- 6.4 The PDP minimum lot sizes for subdivision in the RLZ are not considered to provide for an efficient use of land and resources. A 4ha minimum lot size for subdivision will result in landholdings that are too small to be used for commercially viable productive uses, yet also too large for typical lifestyle purposes. This will also result in a cadastral pattern that will not provide a sufficient supply of rural-residential development to service demand in the Far North District. It is therefore the submitters opinion that these lot sizes should be reduced.

Conclusions

- 6.5 The proposed changes represent a more efficient and effective use of the land, particularly given the constraints to using the land for productive purposes.
- 6.6 The proposed approach best achieves sustainable management under Part 2 of the RMA.

7. The submitter seeks the following decision by the FNDC:

- 7.1 That the amendments/relief set out in section 5 of this submission are adopted by FNDC.
- 7.2 Alternative relief with similar effect.

8. The submitter wishes to be heard in support of their submission at a hearing.



Joseph Henehan

Planning Consultant

On behalf of Meridian Farm Ltd

Dated this 21st of October 2022

Encl – approved subdivision consent decision

To: Proposed District Plan
Strategic Planning and Policy, Far North District Council
Far North District Council
Private Bag 752
KAIKOHE 0400
Email: pdp@fndc.govt.nz

RE: Further Submission on the Proposed Far North District Plan

1. Details of persons making further submission

Meridian Farm Ltd
Original submission number: 403
Ref: 17329
C/- Reyburn and Bryant
Attention: Joseph Henehan
PO Box 191
WHANGAREI

2. General statement

Meridian Farm Ltd has an interest in the submission that is greater than the interest of the general public. They own land directly adjacent to the original submitter's site and have also lodged a submission seeking similar relief.

They are directly affected by the plan changes.

Meridian Farm Ltd **support** submission number **401** by Breadon and Cook Ltd.

3. Background and context

The original submission

The original Breadon and Cook Ltd submission sought the following relief:

- To rezone the subject site (being RT NA60C/189) 'Rural Lifestyle'.
- That the definition of 'Highly Productive Land' in the PDP is amended to align with the NPS HPL. Specifically, the definition should be amended to exclude the specific reference to LUC 4 soils.

-
- That the minimum lot size criteria for subdivision in the RLZ in the SUB Chapter is reduced from 4ha (controlled activity) and 2ha (discretionary activity) to 2ha (controlled activity) and 1ha (discretionary activity).

4. The specific provisions of the submission this further submission relates to are:

Meridian Farm Ltd support submission number **401** in its entirety.

5. The reasons for making the further submission are as follows:

As noted earlier in this submission, Meridian Farm Ltd own land directly adjacent to the original submitter's site and have also lodged a submission seeking similar relief. Meridian Farm Ltd would be interested in presenting a joint case at the Proposed District Plan hearings.

6. Meridian Farm Ltd seek that the whole of submission 401 be adopted.

7. Meridian Farm Ltd wish to be heard in support of their further submission at a hearing if one is held. Meridian Farm Ltd would be interested in presenting a joint case with Breadon and Cook Ltd at the Proposed District Plan hearings.



Joseph Henehan
Planning Consultant

On behalf of the Meridian Farm Ltd

Dated this 4th of September 2023

Attachment B – Copy of the Relevant Parts of the Decision

**MINUTES OF FAR NORTH DISTRICT COUNCIL
EXTRAORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, MEMORIAL AVE, KAIKOHE
ON THURSDAY, 11 JUNE 2026 AT 10:01 AM**

PRESENT: Kohepu - Deputy Mayor Chicky Rudkin, Cr Arohanui Allen, Cr Rachel Baucke, Cr Ann Court, Cr Felicity Foy, Cr Hilda Halkyard-Harawira (online), Cr Davina Smolders, Cr Kelly Stratford, Cr John Vujcich.

IN ATTENDANCE: Belinda Ward (Bay of Islands-Whangaroa Community Board Chair)(online).

STAFF PRESENT: Guy Holroyd (Chief Executive Officer), Tanya Proctor (Head of Infrastructure), Aaron Taikato (Manuhautu Te Hono – Group Manager Te Hono), Roger Ackers (Head of Strategic Reform Initiatives), Kate Ivicheva (Group Manager – Planning & Policy), Jacine Warmington (Group Manager – Strategic Relationships), Charlie Billington (Group Manager – Corporate Services), Emma Healy (Chief of Staff), AK Taihia (Submissions and Hearings Administrator), Sarah Trinder (Senior Policy Planner), Tammy Wooster (Manager – Integrated Planner), Kenton Baxter (Policy Planner), Aisha Huriwai (Manager – Democracy Services), Marysa Maheno (Democracy Advisor).

1 KARAKIA TIMATANGA / OPENING PRAYER

Kohepu-Deputy Mayor Chicky Rudkin commenced the meeting with a karakia at 10:01AM.

2 NGĀ KŌRERO A KOHEPU / DEPUTY MAYOR ANNOUNCEMENTS

Acknowledgements

Acknowledged the passing of two Rangatira of Te Hiku o te Ika, Lenny Bristowe and Tarati Buckley, and extended thoughts and condolences to their whānau.

Also acknowledged the absence of Kahika–Mayor Moko Tepania, who is in Auckland with his Nan following her major heart surgery. Thoughts and prayers are with Kahika Moko Tepania, his Nan, and their whānau.

Meeting Announcements

Advised that there is no Kaiwhakawhiti Reo – Language Interpreter available for this Extraordinary Council meeting.

Informed members of the public that the meeting is being livestreamed and requested that paper-shuffling and side conversations be kept to a minimum, as these can interfere with sound quality.

Advised that the agenda for today's meeting is available online.

Stated that, for the public excluded part of the meeting, Council will resolve to move into public excluded and then adjourn briefly to allow members of the public to leave the room.

3 NGĀ WHAKAPĀHA ME NGĀ PĀNGA MEMA / APOLOGIES AND DECLARATIONS OF INTEREST

APOLOGY

RESOLUTION 2026/33

Moved: Kohepu - Deputy Mayor Chicky Rudkin

Seconded: Cr John Vujcich

That the apology received from Kahika-Mayor Moko Tepania and Cr Tāmati Rākena be accepted and leave of absence granted.

CARRIED

4 NGĀ PŪRONGO / REPORTS

4.1 FAR NORTH DISTRICT COUNCILS PARTICIPATION IN THE LOCAL GOVERNMENT REFORM HEAD START PATHWAY PROCESS

Agenda item 5.1 document number A5808859, pages 7 - 14 refers

RESOLUTION 2026/34

Moved: Kohepu - Deputy Mayor Chicky Rudkin

Seconded: Cr John Vujcich

That Council:

- a) **Approves the Council's continued participation, alongside Northland Regional Council, Whangārei District Council and Kaipara District Council, in the Government's Head Start pathway for local government reform;**
- b) **Agrees that further analysis is progressed on structural options, including:**
 - i) **a single unitary authority; and**
 - ii) **two sub-regional unitary authorities;**

CARRIED

At 10:15AM Cr Stratford left the room and returned at 10:16AM.

The meeting adjourned at 10:17AM and resumed at 10:25AM.

Bay of Islands-Whangaroa Community Board Chair Belinda Ward removed herself from the meeting at 10:17AM.

4.2 DECISIONS ON SUBMISSIONS ON FAR NORTH PROPOSED DISTRICT PLAN

Agenda item 5.2 document number A5809164, pages 15 - 27 refers

MOTION

Moved: Cr John Vujcich

Seconded: Cr Ann Court

That Council:

- a) **receive the report "Decisions on Submissions to the Far North Proposed District Plan";**
- b) **receive the Hearings Panel recommendation reports and associated documents;**
- c) **~~accept the recommendations of the Hearings Panel and makes decisions on submissions in accordance with clause 10 of Schedule 1 of the Resource Management Act 1991 and for the reasons set out in the recommendation reports, including in relation to Proposed Plan Variation;~~**
- d) **accept and make the recommendations of the PDP Hearings Panel on notices of**

requirement to requiring authorities in accordance with clause 9(1) of Schedule 1 of the Resource Management Act 1991;

- e) accept the recommendations of the hearings panel and makes the decisions relating to designations for Far North District Council as requiring authority in accordance with clause 9(2) of Schedule 1 of the Resource Management Act 1991;
- f) approve public notification of Council's decisions on submissions and Far North District Council designations, and its recommendations on designations from other requiring authorities no later than 30 June 2026;
- g) recognise formally the significant time and input that submitters within the process have put into the submissions, further submissions and hearings process; and
- h) recognise formally the significant time and input that the staff and the Hearings Panel appointed to make recommendations with the process have put into the submissions, further submissions and hearings process.

Secretarial Note:

- After all amendments were passed, the committee returned to the original motion, without option C, to be able to debate the original motion on the table.
- Cr Smolders spoke in support to the original motion.
- Cr Stratford acknowledged all the staff, past and present, who contributed to the proposed district plan process and reflected on the long journey it has been.
- Cr Foy, again, acknowledged the years of work put in to the plan, praised staff and thanked commissioners.

In Favour: Kohepu Chicky Rudkin, and Crs Arohanui Allen, Rachel Baucke, Ann Court, Felicity Foy, Hilda Halkyard-Harawira, Davina Smolders, Kelly Stratford and John Vujcich

Against: Nil

CARRIED 9/0

AMENDMENT

Moved: Cr Kelly Stratford

Seconded: Cr Felicity Foy

c) **Except that Council rejects the Hearings Panel recommendation in relation to Submission S555.001 (Ngā Kaingamaha o Ngāti Hine Charitable Trust) and accepts the relief sought to rezone Section 25 SBRS of Kawakawa from Rural Residential Zone to General Residential Zone with the Te Mataora Precinct overlay.**

Secretarial Notes:

- Cr Stratford spoke to her amendment and provided supporting statements to the amendment.
- Cr Foy spoke to the amendment as seconder and praised the Council staff involved that went out of their way to address concerns of the community. Also voiced that it would be unfortunate if Kawakawa were to miss out on the \$26.5M going toward infrastructure upgrades which is a significant opportunity.
- Cr Court noted that amendments are procedural, however, is uncomfortable with amendments being brought to the table without the full evidence being at hand as the Proposed District Plan Process is a process that goes over several years where the same elected members are not present throughout the whole process.
- Cr Vujcich spoke in support of the amendment.
- Cr Court spoke further to her concerns and noted that she will not be supporting any

amendments to the hearing panel's recommendations.

- *Cr Smolders stated she believes the Commissioners' process was robust and thorough, and supports their recommendations in principle. While there may be limited circumstances where amendments are justified, nonetheless she does not support cherry-picking of recommendations by Councillors, nor has the confidence in selectively overriding the Commissioners' conclusions without compelling evidence to do so.*
- *Cr Stratford provided her closing statement.*

The meeting adjourned at 11:17AM and resumed at 11:29AM

In Favour: Crs Arohanui Allen, Felicity Foy, Hilda Halkyard-Harawira, Kelly Stratford and John Vujcich

Against: Crs Ann Court and Davina Smolders

Abstained: Kohepu Chicky Rudkin and Cr Rachel Baucke

CARRIED 5/2

AMENDMENT

Moved: Cr Kelly Stratford

Seconded: Cr Hilda Halkyard-Harawira

Further, Council rejects the Hearings Panel recommendation in relation to Submission 257.023 (Te Hiku Community Board) and accepts the relief sought to amend the Infrastructure Chapter and Planning Maps to recognise and provide for district land drainage infrastructure within the Kaitāia, Waiharara, Kaikino and Motutangi drainage districts.

Secretarial Notes:

- *Cr Stratford noted that submitters raised concerns around the land drainage infrastructure, drainage channels and associated maintenance corridors. She stated that the current plan does not identify land drainage infrastructure on the planning maps. A section 32aa evaluation would recognise land drainage infrastructure within the district plan would be more effective and efficient method of managing effects on the land drainage assets.*
- *Cr Halkyard-Harawira supported all of Cr Stratford's statements.*
- *Cr Baucke stated that she supports the amendment, however, will be abstaining from voting as she sees that there would be a perceived conflict being a previous member of the Te Hiku Community Board. Cr Baucke gave her supporting statements for the amendment.*
- *Cr Smolders spoke against the proposed amendment due to her same concerns for the first amendment.*
- *Cr Stratford, in closing, urged the committee to support this amendment and to see the views of the panellists.*

In Favour: Crs Arohanui Allen, Hilda Halkyard-Harawira, Kelly Stratford and John Vujcich

Against: Crs Ann Court and Davina Smolders

Abstained: Kohepu Chicky Rudkin, and Crs Rachel Baucke and Felicity Foy

CARRIED 4/2

The meeting adjourned at 11:57AM and resumed at 12:35PM.

The meeting adjourned at 1:00PM and resumed at 1:06PM.

AMENDMENT

Moved: Cr Kelly Stratford

Seconded: Cr John Vujcich

and that by amending the proposed district plan, I am referring to the amendments proposed in the evidence (in particular s32aa and Te Mataora Precinct document) provided by the submitter in the 1st amendment;

and that by amending the proposed district plan, I am referring to the amendments proposed in the evidence and the appendices named 1 and 2 and s32aa tabled for the second amendment

In Favour: Crs Arohanui Allen, Hilda Halkyard-Harawira, Kelly Stratford and John Vujcich

Against: Crs Ann Court and Davina Smolders

Abstained: Kohepu Chicky Rudkin, and Crs Rachel Baucke and Felicity Foy

CARRIED 4/2

AMENDMENT

Moved: Cr Kelly Stratford

Seconded: Cr Felicity Foy

- i) **And that the appeals optioning report is brought back to Council for decision as referenced in the appeals section of the report.**

In Favour: Crs Arohanui Allen, Rachel Baucke, Felicity Foy, Hilda Halkyard-Harawira, Kelly Stratford and John Vujcich

Against: Cr Ann Court

Abstained: Kohepu Chicky Rudkin and Cr Davina Smolders

CARRIED 6/1

Secretarial Note:

- *Cr Court, for public record, restated that her opposition to the amendments are based on the concerns regarding procedural fairness, adherence to the principles of natural justice, and the need for decisions to be made on the basis of proper evidence and due process.*

The meeting adjourned at 1:33PM and resumed at 1:43PM.

THE AMENDMENTS BECAME THE SUBSTANTIVE MOTION

RESOLUTION 2026/35

Moved: Cr Kelly Stratford

Seconded: Cr Arohanui Allen

That Council:

- a) **receive the report “Decisions on Submissions to the Far North Proposed District Plan”;**
 - b) **receive the Hearings Panel recommendation reports and associated documents;**
 - c) **accept the recommendations of the Hearings Panel and makes decisions on submissions in accordance with clause 10 of Schedule 1 of the Resource Management Act 1991 and for the reasons set out in the recommendation reports, including in relation to Proposed Plan Variation except that;**
- i) **Council rejects the Hearings Panel recommendation in relation to Submission S555.001 (Ngā Kaingamaha o Ngāti Hine Charitable Trust) and accepts the relief sought to rezone Section 25 SBRS of Kawakawa from Rural Residential Zone to General Residential Zone with the Te Mataora**

- Precinct overlay;**
- ii) that by amending the proposed district plan, referring to the amendments proposed in the evidence (in particular s32aa and Te Mataora Precinct document) provided by the submitter in the 1st amendment;
 - d) accept and make the recommendations of the PDP Hearings Panel on notices of requirement to requiring authorities in accordance with clause 9(1) of Schedule 1 of the Resource Management Act 1991;
 - e) accept the recommendations of the hearings panel and makes the decisions relating to designations for Far North District Council as requiring authority in accordance with clause 9(2) of Schedule 1 of the Resource Management Act 1991;
 - f) approve public notification of Council's decisions on submissions and Far North District Council designations, and its recommendations on designations from other requiring authorities no later than 30 June 2026;
 - g) recognise formally the significant time and input that submitters within the process have put into the submissions, further submissions and hearings process; and
 - h) recognise formally the significant time and input that the staff and the Hearings Panel appointed to make recommendations with the process have put into the submissions, further submissions and hearings process.
 - i) And that the appeals optioning report is brought back to Council for decision as referenced in the appeals section of the report.

The meeting adjourned at 1:33PM and resumed at 1:42PM

In Favour: Kohepu Chicky Rudkin, and Crs Arohanui Allen, Felicity Foy, Hilda Halkyard-Harawira, Kelly Stratford and John Vujcich

Against: Crs Ann Court and Davina Smolders

Abstained: Cr Rachel Baucke

CARRIED 6/3

RESOLUTION 2026/36

Moved: Cr Kelly Stratford

Seconded: Cr Arohanui Allen

C) accept the recommendations of the Hearings Panel and makes decisions on submissions in accordance with clause 10 of Schedule 1 of the Resource Management Act 1991 and for the reasons set out in the recommendation reports, including in relation to Proposed Plan Variation except that;

- iii) Further, Council rejects the Hearings Panel recommendation in relation to Submission 257.023 (Te Hiku Community Board) and accepts the relief sought to amend the Infrastructure Chapter and Planning Maps to recognise and provide for district land drainage infrastructure within the Kaitāia, Waiharara, Kaikino and Motutangi drainage districts
- iv) and that by amending the proposed district plan, referring to the amendments proposed in the evidence and the appendices named 1 and 2 and s32aa tabled for the second amendment

In Favour: Kohepu Chicky Rudkin, and Crs Arohanui Allen, Hilda Halkyard-Harawira, Kelly Stratford and John Vujcich

Against: Crs Ann Court and Davina Smolders

Abstained: Crs Rachel Baucke and Felicity Foy

CARRIED 5/2

Attachments tabled at meeting

- 1 Attachment 3 Recommended Amendments
- 2 Attachment 4 S32AA Evaluation Further Evidence
- 3 Land Drainage Infrastructure Appendix 1 Provisions
- 4 Land Drainage Infrastructure Appendix 2 map drainage districts
- 5 Land Drainage Infrastructure s32aa

5 TE WĀHANGA TŪMATAITI / PUBLIC EXCLUDED

RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION 2026/37

Moved: Kohepu - Deputy Mayor Chicky Rudkin

Seconded: Cr John Vujcich

That the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
6.1 - Appointment of Adjudication Panel	s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons s7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7

CARRIED

Kohepu Chicky Rudkin stated that agenda item 6.1 has been withdrawn and was not considered.

6 KARAKIA WHAKAMUTUNGA / CLOSING PRAYER

Kohepu Chicky Rudkin closed the meeting with a karakia.

7 MEETING CLOSE

The meeting closed at 2:00PM.

The minutes of this meeting will be confirmed at the Extraordinary Council Meeting held on 25 June 2026.

.....

CHAIRPERSON

We acknowledge the concerns regarding the Landing Drive Bridge, being a wooden single lane bridge and connecting to the Heritage Highway and Kerikeri town centre. Without diminishing these concerns, we are also satisfied that a RRZ at Tubbs Farm would not significantly increase likely traffic numbers beyond that which has already been approved through the consent process.

3.8.3 Hearings Panel Recommendations

For the reasons above, we recommend the following:

- a) That the submission from Neil Construction Limited (S349.001) and others¹⁶ seeking that change of zoning from RLZ to RRZ at Tubbs Farm be accepted.
- b) That the submissions from Kapiro Conservation Trust / Vision Kerikeri / Carbon Neutral Trust / Kapiro Residents Association (S426.001) be rejected.

3.9 Key Issue 6 – Meridian Farm

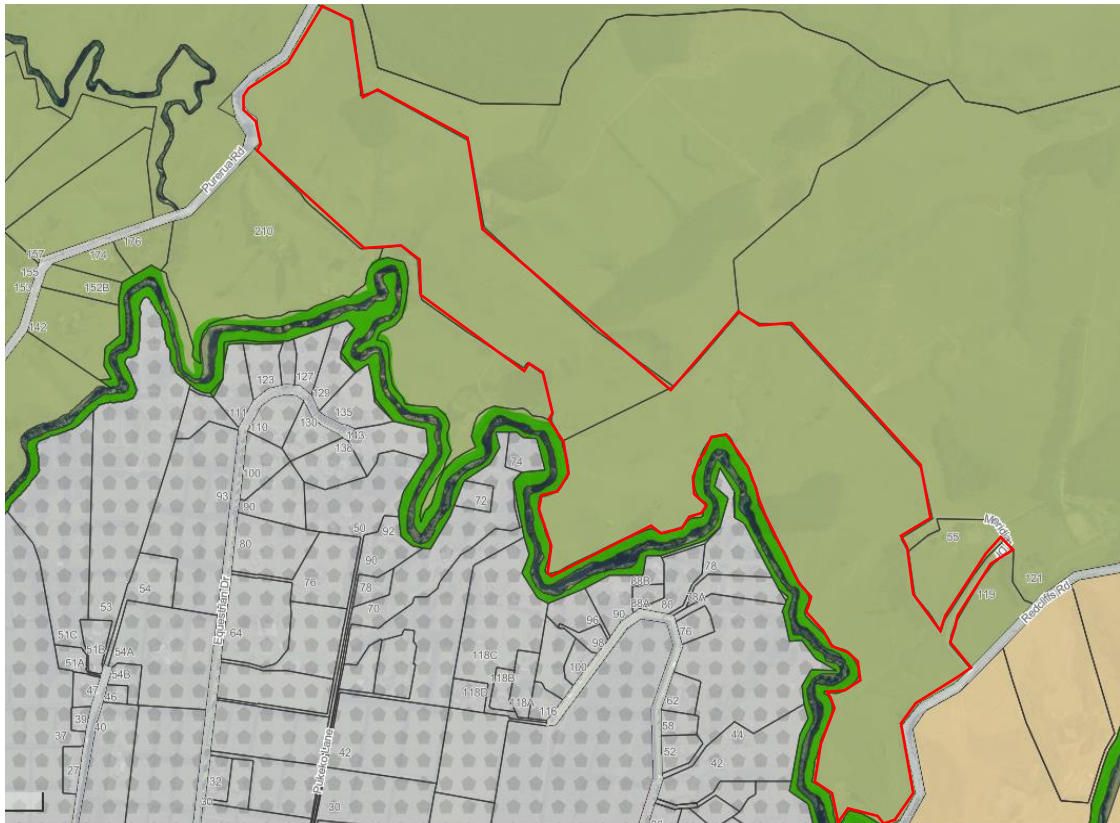
3.9.1 Matters Raised in Submissions

Meridian Farm Ltd (S403.001) requested that the property at 119 Redcliffs Road, Kerikeri (consisting of Lot 1 DP 94462 and Lot 2 DP 376997) is rezoned from Rural Production to Rural Lifestyle zone. Meridian Farm Ltd requests this relief as the site does not contain productive soils and to use fertiliser on poor soils would mean inevitable run off into the bordering Rangitane River. Meridian Farm Ltd notes that a subdivision is already approved for the site and an additional consent is being processed (at the time the original submission was made). Meridian Farm Ltd also consider that Rural Lifestyle zone is appropriate given the proximity of the site to Kerikeri and the fact that some neighbouring land is already being used for rural residential activities.

The 68ha of land subject to Meridian Farm's rezoning request is adjacent to both the Horticulture zone (now recommended to be Precinct), Rural Production zone and Rural Lifestyle zone on the northern side of the Rangitane River, as shown in the figure below.

¹⁶ Deidre Putt (S68.001), Christopher Baker (S83.001), Jeffrey Putt (S76.001), Dianne Margret Pope (S88.001) Ian Harold Pope (S89.001), Terry Clarke (S144.001), Fiona Clarke (S145.001), Jeff Christensen (S564.001), John Neison (S558.001), Craig and Mary Sawers (S181.001), Denyse Pope (S162.001), Kapiro Residents Association (S426.001), Carbon Neutral NZ Trust (S29.110), Vision Kerikeri (S526.001) Kathryn and Al Panckhurst (S537.001), Kapiro Conservation Trust (S444.001)

The hearing report advised that the parcel fronting Redcliffs Road is in the process of being subdivided into four rural lifestyle lots ranging between 2-4ha in size and one larger



balance site with an area of 37.3260ha. The rear parcel has also been recently granted
 Figure 6: Meridian Farm Ltd (S403.001) requested that the property at 119 Redcliffs Road, Kerikeri

subdivision consent to subdivide into three lots, ranging in size from 5.35ha to almost 17ha.

Meridian Farm Evidence

Planning evidence of Joseph Henehan highlighted that four rural lifestyle lots had already been created and that the rezoning of the entire property to RSZ would be consistent with the purpose of the RLZ. He advised that the land was comprised of mainly LUC Class 4 and 6 soils and as such were not highly productive land under the NPS-HPL. He stated that the steep topography of much of the land limited its use for other rural production activities.

Mr Henehan stated that the site is located approximately 5km from Kerikeri township and has good access to roads, services, and school bus routes. His evidence took us through the relevant national and regional planning instruments and he also addressed the KKWSP and its focus on consolidating future growth within and immediately around Kerikeri and Waipapa townships. In his view the KKWSP is “aspirational and long-term” in nature and should only be regarded as a “useful guide” and not treated as a prescriptive framework.

At the hearing Mr Henehan clarified that under a RLZ a further 19 lots could be created using a controlled activity pathway and potentially 33 sites under - a discretionary pathway – based on recommended subdivision standards as set out in Hearing 9 - Rural.

Council Hearing Report

The hearing report acknowledged that four rural lifestyle lots adjoining Redcliffs Road have been approved but reiterated the Council’s view that fragmentation created through the currently permissive ODP provisions alone should not be used to justify a RLZ. Ms Pearson also noted that some of the newly created sites were larger than 40ha in area meaning that they could also be further subdivided under the recommended RLZ provisions.

In the reporting officer’s view an RLZ would actually facilitate an opportunity for further subdivision that is not in accordance with the scale of development and that the proposed rezoning would be inconsistent with the KKWSP, a spatial plan that we should “have regard to” under the NPS:UD. The reporting officer stated that the current northern extent of RRZ and RLZ was defined by the Rangitane River which, in her view, was a defensible boundary - similar to the natural boundary of the Tubbs Farm property. The reporting officer stated:

Rezoning Meridian Farm as Rural Lifestyle would continue the fragmentation creep outside of these defensible boundaries, as well as create an illogical pattern of zoning whereby parcels caught between Purerua Road, the Rangitane River and the Meridian Farm land would remain Rural Production, creating a small finger of Rural Production land between the Horticulture Precinct and Rural Lifestyle Zone.¹⁷

In the reporting officer’s view, the rezoning request was not a “logical” extension of the RLZ and as such, the proposal fails to be consistent with the evaluation criteria as set out in Minute 14.

3.9.2 Hearings Panel Evaluation

We visited the site on the day following the hearing of evidence and we observed the general topography of the property and the location of the Rangitane River and Redcliffs Road relative to the property.

We agree with the reporting officer that the Rangitane River in conjunction with Redcliffs Road are effective topographical and cadastral features and establish a clearly defensible boundary for both RRZ and RLZ and the northern extent of these rural living zones relative to the Kerikeri township.

We have had regard to the KKWSP and agree with the reporting officer’s interpretation with its direction to focus growth within Kerikeri and Waipapa townships. While this is primarily an urban growth spatial planning tool the KKWSP also acknowledges that rural and residential and rural lifestyle development on the periphery of Kerikeri has, over time, eroded the ability to maintain a vibrant town centre and retain a functional rural environment. The KKWSP therefore directs growth to within and immediately adjacent to

¹⁷ Hearing Report 15C – Rural – paragraph 204(e)

the existing built-up environments of Kerikeri and Waipapa and away from rural areas¹⁸. Having regard to the provisions of the KKWSP we find that the rezoning of this property to RLZ would be inconsistent with the KKWSP.

For the reasons set out above, we recommend that the submission from Meridian Farm Limited to rezone the land from RPROZ to RLZ be rejected.

3.9.3 Recommendations and Reasons

For the reasons set out in 3.9.2 above we recommend the following:

- a) That the submission from Meridian Farm Ltd (S403.001) to rezone the property at 119 Redcliffs Road, Kerikeri (consisting of Lot 1 DP 94462 and Lot 2 DP 376997) from RPROZ to RLZ be rejected.

3.10 Key Issue 7 – Gray Gilraine Holdings Limited

3.10.1 Matters Raised in Submissions

The submission by Gray Gilraine Holdings Ltd (S295.001) (**Gray Gilraine**) asserts that there is a lack of additional land zoned for residential purposes around Kerikeri and seeks more land released for development. Gray Gilraine understand that there are limited options for providing for additional growth around Kerikeri due to the presence of versatile soils but notes that large areas of land around Shepherd Road, Okura Drive and Riddell Road (i.e. to the east of Kerikeri township) with poor soils have been zoned Rural Production rather than enabling more rural residential development via the Rural Residential zone.

Gray Gilraine request that land to the south-east of Shepherd Road, including the properties at 99 and 101 Shepherd Road, 19 Okura Drive (Lot 2 DP 555928 and Lot 1 DP 548286) and 27C Riddell Road (Lot 3 DP 156034) are rezoned from Rural Production to Rural Residential.

A further submission was lodged by the Okura Trust supporting the Gray Gilraine submission and specifically requesting that the properties at 99 and 101 Shepherd Road and 19 Okura Drive be rezoned RLZ.

¹⁸ Kerikeri Waipapa Spatial Plan – Page 16 and 17

Attachment C – List of Names and Addresses to be Served

Name	Email address
Far North District Council	pdp@fndc.govt.nz
Audrey Campbell-Frear	c/o Sarah Shaw – Barrister sarah@sarahshaw.co.nz
Breadon and Cook Ltd	c/o Joseph Henehan - Planner joseph@reyburnandbryant.co.nz
Kapiro Conservation Trust 2	kapiroconservationtrust@gmail.com
Vision Kerikeri 2	visionkerikeri@gmail.com
Vision Kerikeri 3	visionkerikeri@gmail.com