

**IN THE ENVIRONMENT COURT OF NEW ZEALAND
AUCKLAND REGISTRY**

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

ENV-2026-AKL

UNDER	the Resource Management Act 1991 (the Act)
IN THE MATTER OF	an appeal under clause 14(1) of Schedule 1 of the Act
AND IN THE MATTER OF	a decision of the Far North District Council on the Proposed Far North District Plan, as it relates to Submission 530 (points S530.002 and S530.003) and Lot 1 DP 53506, Puketona Road, Haruru

BETWEEN
VICTORIA YORKE AND ANDRE GALVIN
Appellants

AND
FAR NORTH DISTRICT COUNCIL
Respondent

NOTICE OF APPEAL BY VICTORIA YORKE AND ANDRE GALVIN

Dated: 11 August 2026

Clause 14(1) of Schedule 1, Resource Management Act 1991

Notice of appeal to Environment Court against decision on proposed plan

To: The Registrar
Environment Court
Auckland

1. We, Victoria Yorke and Andre Galvin, appeal against part of a decision of the Far North District Council (Council) on the Proposed Far North District Plan (PDP), as it relates to Submission 530 and Lot 1 DP 53506, Puketona Road, Haruru (the Site).
2. We made Submission 530 on the PDP. This appeal relates to two of its points: amendment of the High Natural Character overlays affecting the Site (S530.002); and deletion of the Rural Production zoning from, and residential zoning of, the approximately 3.9 ha modified portion of the Site (S530.003). Submission 530 also included a point on the Significant Natural Area boundary (S530.001), which is not the subject of this appeal.
3. Submission 567 (S567.004) was also made in relation to the Site; we are not appealing the decision on Submission 567.
4. We are not trade competitors for the purposes of section 308D of the Resource Management Act 1991.
5. We received notice of the decision on 30 June 2026.
6. The decision was made by the Far North District Council, on the recommendation of the independently appointed Hearings Panel for the Proposed Far North District Plan.

Decision appealed

7. The Council accepted aspects of Submission 530 in part, including by reducing the extent of the High Natural Character overlays affecting the Site and introducing the Haruru Development Area, but it did not grant the residential zoning relief sought for the approximately 3.9 ha modified portion of the Site.
8. Instead, the Council retained the Rural Production zoning, applied the Haruru Development Area (DEV1) provisions (Recommendation Report 15C, Appendix 2.1), retained the High Natural Character overlays (HNC 409 and HNC 422) over substantial parts of the Site, and limited subdivision within the Haruru Development Area to a maximum of 5 allotments in identified development/building areas outside the applicable HNC overlay (SUB-R3, Recommendation Report 16, Appendix 2).

Reasons for appeal

9. The High Natural Character overlay boundaries (HNC 409 and HNC 422) do not appropriately distinguish between the materially modified portion of the Site and land that warrants High Natural Character protection.

10. The approximately 3.9 ha portion of the Site has been materially modified, including through historic quarrying, earthworks and associated disturbance, and does not exhibit the same natural character values as the remnant vegetated portions of the Site.
11. The modified land adjoins existing residential development and is appropriate for residential zoning and development.
12. By creating DEV1, the decision recognises that additional residential development of the Site can appropriately occur, but the five-allotment cap does not adequately reflect the development potential of the materially modified portion of the Site.
13. The decision does not appropriately recognise and give effect to the relevant provisions of the National Policy Statement on Urban Development 2020, including the direction concerning responsive planning, urban development and development capacity.
14. The Council's housing capacity analysis does not justify restricting appropriate development at Haruru solely by reference to theoretical or aggregated development capacity elsewhere in broader reporting areas.
15. Site-specific evidence demonstrates that servicing and access issues are capable of being appropriately addressed and do not justify retaining the Rural Production zoning or imposing a maximum five-allotment limit on the modified portion of the Site.
16. The relief sought in Submission 530 (points S530.002 and S530.003) provides a more appropriate balance: enable residential development on the materially modified land while retaining protection over land that properly warrants natural character protection.

Relief sought

17. We seek the following relief:
 - (a) Allow the appeal.
 - (b) Grant the relief sought in Submission 530 in relation to points S530.002 and S530.003.
 - (c) Amend the High Natural Character overlays (HNC 409 and HNC 422) so that they do not apply to the materially modified portion of the Site.
 - (d) Rezone the approximately 3.9 ha materially modified portion of the Site General Residential, or alternatively apply such other residential or site-specific provisions as enable a materially greater residential development capacity consistent with the relief sought in Submission 530.
 - (e) Remove or amend the DEV1 - Haruru Development Area provisions and the five-allotment cap in SUB-R3, to the extent necessary to give effect to that residential zoning.
 - (f) Make any consequential amendments to the PDP maps, objectives, policies, rules, standards and schedules necessary to give effect to the relief.

- (g) Grant such further or alternative relief within the scope of Submission 530 (points S530.002 and S530.003) as the Court considers appropriate.

Attachments

18. We attach:

- (a) a copy of Submission 530:
- (b) the relevant parts of the Council's decision relating to S530.002 and the High Natural Character overlays affecting the Site:
- (c) Recommendation Report 15C and the relevant appendices relating to S530.003 and the Haruru Development Area:
- (d) the relevant parts of Recommendation Report 16 concerning SUB-R3:
- (e) the relevant decision-version planning maps:
- (f) any other documents necessary for an adequate understanding of the appeal:
- (g) a list of names and addresses of persons to be served with a copy of this notice.

**These documents constitute part of this notice and must be attached to both copies lodged with the Environment Court. The appellants do not need to attach a copy of the PDP itself, and copies of the submission and decision need not accompany service copies if the service copy lists these documents and states that copies may be obtained, on request, from the appellants.*

Date: 11/08/2026

Signature:  Victoria Yorke
Victoria Yorke (Aug 11, 2026 14:54:44 GMT+12)

Signature:  Andre Galvin

(or person authorised to sign on behalf of the appellants)

Address for service of appellants: 42 Goffe Drive, Haruru 0204, New Zealand

Telephone: 021 195 2061

Email: victoriayorke88@gmail.com

Contact person: Victoria Yorke

Advice to recipients of this notice

How to become a party to proceedings

You may be a party to the appeal if you made a submission or a further submission on the matter of this appeal. To become a party, you must, within 15 working days after the period for lodging a notice of appeal ends, lodge a notice of your wish to be a party to the proceedings (Form 33) with the Environment Court and serve copies on the Far North District Council and the appellants; and within 20 working days after that period ends, serve copies of your notice on all other parties.

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

Advice

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