

**IN THE ENVIRONMENT COURT
AUCKLAND REGISTRY**

ENV-2026-AKL-

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

UNDER

the Resource Management Act 1991
("RMA")

IN THE MATTER

of appeals under clause 14 of Schedule 1
to the RMA against a decision on the Far
North Proposed District Plan

BETWEEN

AUDREY CAMPBELL-FREAR

Appellant

AND

FAR NORTH DISTRICT COUNCIL

Respondent

**NOTICE OF APPEAL BY AUDREY CAMPBELL-FREAR
AGAINST DECISION ON FAR NORTH PROPOSED DISTRICT PLAN**

11 August 2026


SARAH SHAW
BARRISTER

Counsel acting:
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INTRODUCTION

1. Audrey Campbell-Frear (**Appellant**) appeals against part of a decision of Far North District Council (**Decision**) on the Far North Proposed District Plan (**PDP**).
2. The Appellant:
 - a. Made a submission on the PDP.
 - b. Is not a trade competitor for the purposes of section 308D of the Resource Management Act 1991 (**Act**).
 - c. Received notice of the Decision on 30 June 2026.
3. The Decision was made by Far North District Council.
4. The part of the Decision that the Appellant is appealing against is adoption of the Independent Hearings Panel (**Panel**) Recommendation Report 15D relating to rezoning requests within the Kerikeri Waipapa Spatial Plan areas and specifically:
 - a. Panel recommendation 3.4.3(a) that the zoning of the Packhouse and Redwoods spatial areas in Kerikeri is Rural Production Zone and Horticulture Precinct.
 - b. Panel recommendation 3.4.3(b) that the area about Dove Lane in Kerikeri is zoned Rural Residential zone and is not included in the proposed Horticulture Precinct, with respect to not extending that zoning to Kerikeri Road.

GENERAL REASONS FOR THE APPEAL

5. The Appellant considers that these parts of the Decision:
 - a. Do not promote the sustainable management of resources.
 - b. Do not achieve the purpose of the RMA.
 - c. Are contrary to Part 2 of the RMA.
 - d. Do not represent the efficient use and development of natural and physical resources.
 - e. Do not manage natural and physical resources in a manner that enables the community to provide for its social and economic wellbeing.
 - f. Will not meet the reasonably foreseeable needs of future generations.
 - g. Do not give effect to relevant provisions of higher order planning documents.
 - h. Do not appropriately avoid, remedy, or mitigate adverse effects on the environment.

- i. Do not represent the most appropriate means of exercising the Council's functions.
- j. Are not appropriate under section 32 of the RMA.

SPECIFIC REASONS FOR THE APPEAL

- 6. Without limiting the above, the Appellant appeals the relevant parts of the Decision on the following grounds.

Commercial area

- 7. The submission sought to rezone land to an appropriate commercial or mixed use zone, or to establish an overlay/precinct or similar or amend the provisions of the applicable zone, to legitimise and enable tourist and horticulture based commercial activities to occur:
 - a. Along both sides of Kerikeri Road from the roundabout with State Highway 10 to Kerikeri town centre; and
 - b. At the Redwoods (an area identified by a map annexed to the submission).
- 8. Commercial activities, particularly tourist and horticulturally based commercial activities, are well established along Kerikeri Road and at the Redwoods. These activities contribute to the vibrancy, character and amenity of the introduction to Kerikeri town centre. The PDP should provide for and enable these activities along Kerikeri Road and at the Redwoods.
- 9. Failure to recognise and enable the existing commercial activities results in inefficient resource management, relying on existing use rights or requiring onerous resource consents under the Rural Production Zone and Horticulture Precinct.

Rural residential area

- 10. The submission sought to rezone land on the edge of Kerikeri, south-west of Access Road, to Rural Residential Zone (in an area identified by a map annexed to the submission).
- 11. The land in this area is consistent with the intended purpose of the Rural Residential Zone and follows a logical and defensible boundary. The character and amenity of this area is consistent with the PDP zoned land Rural Residential Zone, establishing a coherent peri-urban pattern and character to Kerikeri. The Rural Residential Zone is intended to provide for development around existing urban areas where they are

contiguous with the urban environment, to cater for growth and to provide a transition between urban and rural zones. This area will achieve these outcomes.

12. The Panel accepted the submission point but the Decision did not rezone all of the mapped area in the submission, excluding the Kerikeri Road frontage, resulting in split zoning of several sites. The split zoning is inefficient, lacks defensible boundaries, and is contrary to the Panel's findings that:

- a. The land is fragmented to the degree that horticultural use is unlikely and is currently partly committed to rural residential type activity, both in terms of the existing activity and future activity given the size of the individual sites.
- b. An effective buffer to avoid or manage reverse sensitivity effects can be provided by the Rural Residential and the Rural Living zonings to the north of the land and by the river to the south-west of it.
- c. Those zonings support the case for similar zoning for the land.
- d. Future use of the land for activities other than housing is unlikely and that it is preferable to recognise the existing activity and the likely future activity on these sites.
- e. The Urban Zoning Evaluation Criteria includes recognising the adjoining zonings, the fragmented nature of the land, its suitability for rural residential development, and assisting to meet the demand for such at Kerikeri.

RELIEF SOUGHT

13. For the reasons set out above and in its original submission the Appellant seeks that:
- a. The appeal is allowed.
 - b. Land on both sides of Kerikeri Road and at the Redwoods is rezoned to an appropriate commercial or mixed use zone, or an overlay/precinct or similar or amended provisions of the applicable zone, to legitimise and enable tourist and horticulture based commercial activities to occur.
 - c. The land south-west of Access Road is uniformly rezoned to Rural Residential Zone (without Horticulture Precinct) out to Kerikeri Road.
 - d. Consequential or alternative relief as necessary or appropriate to address the Appellant's concerns.
 - e. Costs.

ATTACHMENTS

14. The following documents are attached to this notice:

- a. Attachment One: Submission.
- b. Attachment Two: Relevant part of the Decision (Panel Recommendation Report 15D).
- c. Attachment Three: A list of names and addresses of persons to be served with a copy of this notice.

DATED 11 August 2026



For Audrey Campbell-Frear

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To:	The Registrar at the Environment Court in Auckland
And to:	Far North District Council pdp@fndc.govt.nz
And to:	Submitters on Far North Proposed District Plan

Advice to recipients of copy of notice of appeal

How to become 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 to the appeal, 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 (in form 33) with the Environment Court and serve copies of your notice on the relevant local authority and the appellant; and
- within 20 working days after the period for lodging a notice of appeal ends, serve copies of your notice on all other parties.

Your right to be a party to the proceedings in the court may be limited by the trade competition provisions in section 27 4(1) and Part 11 A of the Resource Management Act 1991.

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).

How to obtain copies of documents relating to appeal

The copy of this notice served on you does not attach a copy of the appellant's submission/further submission or the decision appealed. These documents may be obtained, on request, from the appellant.

Advice

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

Audrey Campbell-Frear appeal on Far North Proposed District Plan

Service list

Submitter / Further Submitter Name	Email address
Far North District Council	pdp@fndc.govt.nz
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