

**Notice of appeal to the Environment Court against parts of a decision  
on a proposed plan**

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

**To** the Registrar  
Environment Court  
Auckland, Wellington, and Christchurch  
**cc:** Far North District Council: [pdp@fndc.govt.nz](mailto:pdp@fndc.govt.nz)

Four not-for-profit community groups (formal legal entities) - **Vision Kerikeri, Our Kerikeri Community Trust, Kapiro Conservation Trust and Carbon Neutral NZ Trust** – appeal against parts of a decision of the Far North District Council on the following plan:

Far North Proposed District Plan – Decisions Version (“PDP-DV”).

We made submissions on the notified PDP in 2022, further submissions in 2023, and provided information to the hearings panel in 2024-2025.

We are not a trade competitor for the purposes of section 308D of the Act.

We received notice of the decision on the PDP-DV on 30 June 2026.

The decision was made by the Far North District Council.

The parts of the decision that we are appealing against are indicated in Annex 1 (attached).

Reasons for the appeal:

Community wellbeing, community values and environmental values are not adequately supported by PDP-DV provisions. Parts of the decision do not give effect to the sustainable management purpose and Part 2 of the RMA, related RMA clauses and/or relevant specific aspects of national or regional policy direction;

Parts of the decision, particularly rules/standards, implement inadequately, or fail to implement, various positive Policies stated in the PDP and key themes in our submissions relating to community wellbeing, community values and environmental values. We seek to ensure that these important matters are supported by the PDP provisions.

We seek the following relief:

- a) The relief indicated in Annex 1 (attached);
- b) Any alternative relief of like effect or that addresses our concerns in a satisfactory manner;
- c) Any further or consequential relief as may be necessary to address the issues raised in appeal.

We attach the following documents to this notice where relevant:

- (a) a copy of our submission and further submission (with a copy of the submission opposed or supported by our further submission);
- (b) a copy of the relevant decision;
- (c) any other documents necessary for an adequate understanding of the appeal:

(d) a list of names and addresses of persons to be served with a copy of this notice.

Date: 12 August 2026

Signature of person authorized to sign on behalf of appellants:

Rolf Mueller-Glodde [authorised signature]

Address for service of appellant:

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Contact person: Rolf Mueller-Glodde, Chair, Vision Kerikeri

**Vision Kerikeri**  
*Growth with Vision*  
website: [www.visionkerikeri.org.nz](http://www.visionkerikeri.org.nz)  
email: [visionkerikeri@gmail.com](mailto:visionkerikeri@gmail.com)

**Note to notified submitters**

*How to obtain copies of documents relating to appeal*

The copy of this notice served on you does not have attached a copy of the appellant's submission and (*or* or) the decision (*or* part of the decision) appealed. These documents may be obtained, on request, from the appellant.

## Annex 1 Appealed parts of the decision and relief sought

This table addresses parts of the decision appealed, brief indication of reasons, and indication of the relief we seek.

### We seek the following relief:

- a) The relief set out in the table below;
- b) Alternative relief with like effect or that satisfactorily addresses our concerns.
- c) Any further or consequential relief as may be necessary to address the issues raised in appeal.

| Parts of the decision appealed                           | Reasons for appeal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Relief sought                                                                                                                                                                                                                                                                                          |
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| Excessive and inappropriate densification in urban zones | <p>We support <i>appropriate</i> forms of intensification and development in Kerikeri. However, we strongly oppose the excessive degree and style of densification introduced by 'PDP-R'. PDP-R was based on flawed assumptions, and will enable inappropriate forms of development as permitted activity without adequate safeguards.</p> <p>Parts of PDP-DV do not give adequate effect to RMA sustainable management purpose, Part 2 and other policy direction. s42 HBA modelling indicates that PDP-R densification would not solve Kerikeri's housing affordability issues in short-medium term.</p> <p>PDP-DV has inadequate provisions for built form outcomes and well-functioning urban environment; adverse effects on 'village' character, human scale, amenity, landscaping, other elements valued by hapu and community, and essential initiatives for local economic regeneration re: visitor tourism, arts/artisans, crafts etc.</p> <p>Practical implications of some PDP-DV urban rules/standards were not properly considered by FNDC, resulting in issues such as reduced pedestrian areas in CBD; fragmented areas of ground floor retail/commercial in TCZ and gaps in verandah protection, while the entire large new MUZ area will have continuous ground floor retail/commercial.</p> <p>s42 reports claimed Kerikeri is "infrastructure-ready", however Kerikeri wastewater treatment facility is at capacity and inflows can be as high as 3 times design-capacity during rain events, and parts of the stormwater</p> | <p>Remove excessive and inappropriate densification elements in PDP-DV; amend urban zone provisions as indicated below. Add further provisions and safeguards to address issues.</p> <p>NB. Points relating to MUZ refer to Kerikeri specifically, and may not be applicable to MUZ in other towns</p> |

| Parts of the decision appealed                                                                                                                                   | Reasons for appeal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Relief sought                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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|                                                                                                                                                                  | infrastructure are also overwhelmed. LTP is not scheduled to increase treatment capacity substantially until 2031. <sup>1</sup> Details of PDP-R's longer-term impact on traffic and road infrastructure are not publicly available.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Building height and number of storeys:<br>height and number of storeys in urban zone rules/standards and where stated in Objectives, Policies, chapter Overviews | Unacceptable urban building heights and <i>permitted</i> activities without adequate safeguards, e.g. MDRZ 11m + 1m, TCZ 16m height (plus chimney, other roof structures). TCZ Overview states " <i>The typical built form within the town centre is anticipated to be up to six storeys....</i> ".<br>Tall buildings will impact amenity value of central areas, e.g. create vortex wind effects or shade in pedestrian areas and outdoor café tables at key times/seasons. Tall buildings along roads will create tunnel appearance because Kerikeri CBD has relatively narrow streets. <sup>2</sup> Adverse effects on community values, visual amenity, outdoor cafes and pedestrian areas (important for residents and the visitor economy), unsuitable building bulk and form. MUZ-S1 provides graduated height restrictions in Paihia but not in Kerikeri. | Amend urban zone standards and rules on heights, and amend activity status so effects can be considered and avoided or mitigated.<br>TCZ, MUZ: up to 8m + 1m (2 storey) <i>permitted</i> ; up to 11m + 1m <i>discretionary</i> ; more than 11m + 1m <i>non-complying</i> .<br>MDRZ, GRZ: 1 storey <i>permitted</i> ; up to 8m + 1m <i>discretionary</i> ; more than 8m + 1m <i>non-complying</i> .<br>However MDRZ up to 11m + 1m may be acceptable in areas of lower topography, away from ridgeline, if visual dominance can be avoided.<br>Consequential amendments to reflect points above |
| Storey setbacks (HIRB):<br>Height at which storey setbacks (HIRB) apply in urban zones                                                                           | Storey setback provisions only apply to excessively high storeys. TCZ-S4(4) applies a setback from the 4 <sup>th</sup> floor. This will not avoid the problems caused by tall, visually dominant buildings. Moreover, TCZ-S4 setback would only apply in <i>pedestrian frontage</i> overlay, which is only about 40% of TCZ street frontage.<br>Storey setbacks should apply from 2 <sup>nd</sup> floor to support the appearance of human scale structures, reduce building bulk, reduce the loss of sunlight in                                                                                                                                                                                                                                                                                                                                                 | Amend TCZ, MUZ, MDRZ to require street-front HIRB of 8 m + 60°. This would ensure buildings either (a) angle roofs away from the street or (b) are set back. Either action would help address the issues                                                                                                                                                                                                                                                                                                                                                                                       |

<sup>1</sup> Moreover, FNDC did not collect any development contributions for the past decade. DCs have recently re-started, but are unlikely to generate sufficient/timely funding for a long time.

<sup>2</sup> Kerikeri lacks the wide generous streets that exist in other better-planned towns eg. Taupo, Rotorua, Cambridge, etc.

| Parts of the decision appealed                                                                                                                                                    | Reasons for appeal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Relief sought                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
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|                                                                                                                                                                                   | pedestrian and CBD areas, help retain amenity and street character while allowing limited height                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <p>Standards to achieve high quality urban form:</p> <p>Additional standard applicable in TCZ-R1, MUZ-R1, MDRZ-R1, I-R7 and amendments in other urban provisions where needed</p> | <p>Rules/standards in urban chapters do not implement key statements in chapter Objectives/Policies about achieving high quality urban form, amenity, sense of place, etc. For example -</p> <ul style="list-style-type: none"> <li>• TCZ-O3: “development ... achieves high quality urban form that is visually attractive... and responds positively to local character...”,</li> <li>• TCZ-P5: “<b>require</b> new development within the town centre to be high quality in a manner that provides an attractive urban environment with distinctive sense of place and quality public places... Provides high quality street environments...”</li> <li>• MUZ-O2: “development... contributes positively to the vibrancy... and amenity of the zone”</li> <li>• MUZ-P2: “high quality streetscapes; pedestrian amenity ...” etc.</li> </ul> <p>We are concerned that rules, standards and key matters of discretion often omit these types of policy points. Our submissions and statements called for Urban Design Guidelines, masterplanning and a number of safeguards to support high quality urban form, amenity, distinctive character and other elements valued by the community. Also to avoid negating existing economic initiatives/strategies (e.g. visitor tourism based on local Maori and European history and culture and arts/artisan/crafts) which are urgently needed for local economic wellbeing etc. We therefore seek further standard(s) to implement relevant points stated in Objectives and Policies.</p> <p>Also need to minimise adverse visual effects (noted in Policy I-P6, for example) by controlling placement of visually dominant infrastructure such as mobile phone structures, antennae, towers, substations, overhead lines and similar.</p> | <p>Additional standards for TCZ-R1, MUZ-R1 and MDRZ-R1 and I-R7 specifying elements to be met by new development – ie. design and character elements that would achieve ‘high quality urban form that is visually attractive’, ‘distinctive sense of place’, ‘quality public places’, ‘high quality street environments’, ‘pedestrian amenity’ and similar points in O/Ps; also to support Kerikeri hapu and community values re: character and amenity, and support existing initiatives for visitor tourism to maintain local economic wellbeing, etc.</p> <p>Our group will supply draft text for standard including list of elements</p> |
| <p>Urban design and community input:</p> <p>New provision in urban zones and amended TCZ Note 3.</p>                                                                              | <p>TCZ <i>Note 3</i> refers to an <i>urban design assessment</i>, however this concept does not provide a workable solution. Note 3 would only trigger an urban design assessment in extremely limited circumstances, i.e. only if a</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <p>Amend TCZ Note 3 and add new provision in urban zones to provide a standing urban design committee with members of stakeholder groups including community</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

| Parts of the decision appealed                                                                                                                                                 | Reasons for appeal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Relief sought                                                                                                                                                                                                                                                                                                                                                                                   |
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|                                                                                                                                                                                | <p>proposed development infringes a permitted activity and only if it's in the TCZ pedestrian frontage area (about 40% of TCZ street frontage).</p> <p>Moreover this approach would not take into account the values of community stakeholders and existing local economic strategies and initiatives for visitor tourism, artisans/arts and crafts, etc. which are important for local economic wellbeing.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <p>groups and Kerikeri hapu, to support PDP Policy statements re: high quality urban design and support values that are important to the community, and local economic strategies e.g. existing initiative for visitor tourism, artisan/arts, crafts etc. Committee could operate in conjunction with the process of masterplanning, urban design guideline and spatial plan implementation</p> |
| <p>Residential units on ground floor in TCZ and MUZ:</p> <p>TCZ-R5, MUZ-R3, MUZ-R4, MUZ-R9, any other relevant clauses.</p> <p>Pedestrian frontage overlay in planning map</p> | <p>TCZ-R5 PER-2 requires residential units to be located <b>above</b> the ground floor only in the <i>pedestrian frontage</i> overlay area. Pedestrian frontage covers only 40% of the street frontage in TCZ; in effect this supports retail/commercial activity on only 40% of TCZ street frontage. However, ground floor retail/commercial ought to be required on higher percentage of TCZ, perhaps covering 100% of street frontage.</p> <p>In strange contrast, the entire MUZ zone (which is now very large) encourages continuous retail/business on ground floor; it does not support residential activity on ground floor level (see MUZ-R3, MUZ-R4, MUZ-R9 re: residential, visitor accommodation, and residential care). This would create a very large area continuous new area of retail/commercial in MUZ. However, TCZ would have discontinuous retail/business on ground floor, and verandah protection for pedestrians in TCZ would also be discontinuous.</p> <p>We consider that the amount of ground floor retail/commercial vs. residential in TCZ and MUZ was not properly considered in FNDC's PDP-R approach</p> | <p>Requirements for ground floor activity, i.e. amount of retail/commercial vs. residential activity in TCZ and MUZ needs to be properly assessed to ensure that rules will support appropriate extent and location of retail/commercial on ground floor</p>                                                                                                                                    |
| <p>Pedestrian-friendly provisions: Amend TCZ-S4(1) and MUZ-S5(1).</p>                                                                                                          | <p>It is very important that TCZ, MUZ and other urban zones will ensure pedestrian-focused, walkable township that is highly attractive for pedestrians, with wide pavements, suitable pedestrian areas without traffic, multiple laneways and networks of pedestrian pathways to ensure</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <p>Pedestrian benefits such as verandahs need to be continuous in key street frontage areas.</p>                                                                                                                                                                                                                                                                                                |

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| <p>Pedestrian frontage on planning map.</p> <p>Clarification and further provisions to support pedestrian activity in urban zones</p> | <p>good pedestrian connectivity within the CBD and links with destination points and residential areas.</p> <p>Aspects such as verandahs, for example, are important for protecting pedestrians from rain and hot sun, as well as providing dry spaces for outdoor café tables and seating, etc. However, there will be no verandahs in the large new MUZ zone, although theoretically required by MUZ-S5, because the planning map does not indicate any <i>pedestrian frontage</i> in MUZ. The gap in <i>pedestrian frontage</i> overlay in TCZ, noted above, would mean no verandah for some parts of TCZ street frontage. MUZ-S4 and MUZ-S5 standards for glazing and public entrance cannot be implemented in MUZ.</p> <p>TCZ-S4 and MUZ-S5 state that new buildings, extensions or façade alterations ‘must’ be built up to the road boundary in pedestrian frontage areas. This will result in a significant reduction in the existing pedestrian area in TCZ, which is unacceptable.</p> | <p>Amend TCZ-S4(1) and MUZ-S5(1) to avoid the loss of existing pedestrian spaces and ensure wide pedestrian areas, particularly in situations where legal roads are less than 25 m wide.</p> <p>Further rules/standards to ensure pedestrian-friendly, attractive walkable town centre, with wide, well-connected pedestrian areas, landscaping, wider verandahs where suitable, multiple pedestrian access laneways and pathways, ensuring attractive networks of pedestrian walkways for good connectivity, with good quality landscaping.</p> |
| Clarification in MUZ-P8                                                                                                               | <p>MUZ-P8 (d) (ii) appears to be unfinished sentence.</p> <p>To support quality development, this provision should support amenity of the general area</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Insert ‘adjacent <u>and surrounding areas</u> ’                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <p>Non-complying status:</p> <p>TCZ-R1 PER-1, MUZ-R1 PER-1, any provisions with similar effect</p>                                    | <p>When a building/structure or alteration is <i>non-complying</i>, TCZ-R1 PER-1 and MUZ-R1 PER-1 indicate that it would be treated as discretionary rather than non-complying; this is an inappropriate approach.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <p>Non-complying activities should be treated as non-complying - TCZ-R1 and MUZ-R1 and any provisions with similar effect</p>                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <p>Ground floor area (GFA):</p> <p>Urban zones.</p> <p>Clarify TCZ-R10.</p>                                                           | <p>During Hearings, we called for Ground Floor Area (GFA) limit of 400m<sup>2</sup>, and/or limit of 400m<sup>2</sup> per tenancy in Kerikeri. These restrictions are essential for maintaining Kerikeri’s economic viability and character. However, TCZ rules allow GFA 450m<sup>2</sup> for supermarkets and commercial activity (TCZ-R2), and up to 800m<sup>2</sup> for educational facilities (TCZ-R11) (<i>permitted</i> activities).</p> <p>TCZ does not set any limit on GFA for other <i>permitted</i> activities such as visitor accommodation, overall GFA of residential buildings, healthcare, community activity, conservation or community corrections facility. These buildings will be <i>permitted</i> without any GFA limit.</p>                                                                                                                                                                                                                                             | <p>TCZ, MUZ: GFA limit of 400m<sup>2</sup> in Kerikeri. (Retain GFA limit 300m<sup>2</sup> for offices as stated in TCZ-R2.)</p> <p>Infringements of GFA need to be <i>non-complying</i> (not <i>restricted discretionary</i> or <i>discretionary</i>).</p> <p>Katerina’s evidence recommended a GFA limit per retail tenancy:</p> <p>“No individual retail tenancy shall exceed 400 m<sup>2</sup> gross floor area within the Kerikeri</p>                                                                                                      |

| Parts of the decision appealed                                      | Reasons for appeal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Relief sought                                                                                                                                                                                                                                                                                                                    |
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|                                                                     | <p>TCZ rules allow GFAs larger than 450m<sup>2</sup> as <i>restricted discretionary</i>, which means FNDC planners would decide larger size, normally without any public input.</p> <p>MUZ rules allow GFA of 450m<sup>2</sup> for supermarkets, any commercial activity, healthcare activity, community facility, conservation activity, supported residential care, community corrections facility.</p> <p>Clarification is needed in TCZ-R10 could be interpreted to mean an extension or alteration could be up to 450m<sup>2</sup> in size. i.e. the GFA limit could apply to a single extension rather than the total supermarket area.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <p>Town Centre.... Retail activity that exceeds 400 m<sup>2</sup> GFA per tenancy is a non-complying activity.”</p> <p>Infringements should be non-complying, or at least discretionary.</p> <p>Clarify TCZ-R10 PER-1 text so it is clear that <u>total</u> supermarket area cannot exceed the GFA limit [400m<sup>2</sup>].</p> |
| <p>Appropriate activities in TCZ, MUZ:</p> <p>Rules in TCZ, MUZ</p> | <p>We support Objectives/Policies that seek to avoid inappropriate activities in TCZ and MUZ (e.g. TCZ-P3, MUZ-O2, MUZ-P1(a), MUC-P4). However these zone chapters do not contain rules that will implement such statements in an effective manner. Examples –</p> <ul style="list-style-type: none"> <li>• MUZ-R15 allows large format retail as a <i>discretionary</i> activity, however large format retail is an inappropriate activity in Kerikeri. Waipapa is the only appropriate location for large format retail in the Kerikeri/Waipapa area.</li> <li>• MUZ-R16 allows for other unspecified activities, which potentially opens the door to a very wide range.</li> <li>• TCZ and MUZ rules fail to restrict inappropriate types of retail/activity such as: additional laundromats, additional dairies, vape suppliers, liquor suppliers (except boutique beer or wine retail), “adult” (porn) shops, storage and warehousing, relocated buildings, ....</li> </ul> <p>inappropriate activities include large format retail (including "big box" retail); additional laundromats, additional dairies or convenience stores, vape suppliers, liquor suppliers (excluding boutique wine, craft beer and specialty food retailers that contribute to the visitor experience), ‘adult’ (porn) shops, ‘adult’ entertainment parlours, storage and warehousing, relocated buildings, machinery hire yards, etc.</p> <p>On the other hand, certain activities should be specifically encouraged (e.g. boutique retail, hospitality, cafes, artisan producers, galleries, professional,</p> | <p>Adjust TCZ and MUZ to specifically exclude inappropriate activities and to actively support and encourage appropriate activities.</p> <p>We can supply a list of inappropriate activities, and activities that should be specifically encouraged.</p>                                                                         |

| Parts of the decision appealed                                                                             | Reasons for appeal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Relief sought                                                                                                                                                                                                                                                                                                                                                     |
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|                                                                                                            | <p>medical and wellness services, offices, etc) to ensure that the town centre becomes/remains:</p> <ul style="list-style-type: none"> <li>• The commercial, cultural and social heart of Kerikeri township.</li> <li>• A pedestrian-oriented destination.</li> <li>• Attractive to visitors and residents.</li> <li>• Supportive of independent and locally owned businesses.</li> <li>• Distinct from Waipapa's role as the district's large-format retail and commercial service hub.</li> <li>• Protected from activities that erode the vitality, character and economic function of the town centre.</li> </ul>                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                   |
| <p>Infrastructure capacity:<br/>Zone provisions, infrastructure chapter</p>                                | <p>PDP-DV contains various statements that promise appropriate infrastructure (e.g. MUZ Overview), however the PDP will allow consents for new buildings/developments in urban zones where the council-owned essential infrastructure is at capacity, noted above. Kerikeri does not have adequate existing wastewater capacity (in the short to medium term) to support the density allowed by PDP-R.</p> <p>The provision of essential infrastructure capacity needs to be coordinated with the timing and sequencing of consenting and new development. This applies to council or CCO infrastructure as well as infrastructure provided by developers. PDP provisions need to ensure that development in each area/location will occur in a sequenced and coherent manner, at a rate that is supported by the necessary capacity of infrastructure put in place.</p> | <p>Provision to ensure, before granting consent for developments, that relevant infrastructure capacity is available or ensure it will be in place before buildings are occupied.</p> <p>Require best practice for infrastructure and related development, to prevent problems associated with more climate change and more extreme rainfall events in future</p> |
| <p>Cumulative impermeable surface coverage:<br/>TCZ, MUZ, industrial zones and other relevant chapters</p> | <p>Increasingly, development and density will lead to impermeable surface cover on high percentage of urban land (buildings, concrete, tarmac, roads, drives, carparks, paths). Cumulative increases pose risks to urban stormwater infrastructure (overloading, failures), water quality in local waterways and amenity values.</p> <p>We support the areas of impermeable coverage in MDRZ-S9, and landscaping in MDRZ-S6, and consider that such points need to be strengthened in TCZ, MUZ.</p>                                                                                                                                                                                                                                                                                                                                                                      | <p>Update rules/standards to include best practice environmentally sustainable techniques for new developments, including permeable materials wherever feasible for surfaces such as driveways, paths etc.</p> <p>Limit the cumulative total percentage impermeable coverage in urban and industrial zones (per local mapped zone), or</p>                        |

| Parts of the decision appealed                                                                                                        | Reasons for appeal                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Relief sought                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
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|                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | equivalent measure. Require rain capture tanks and similar                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Energy efficiency and renewable energy:<br>All zones                                                                                  | PDP should include objectives, policies and rules/standards that support best practice environmentally sustainable techniques for new developments, including energy-efficient technologies and appropriate renewable energy technologies.<br><br>e.g. MUZ-P6 states a key policy point which should be added in other zone chapters: “Promote energy efficient design and the use of renewable electricity generation in the construction of ... development” in the zone.               | Update rules/standards in the light of improved technologies, to require best practice environmentally sustainable techniques in new developments, including energy-efficient technologies and renewable energy. For example, standards should implement RMA s7 ,s74(2) and RPS clause <sup>3</sup> : “New subdivision, use and development should: ... adopt, where appropriate, sustainable design technologies such as the incorporation of energy-efficient (including passive solar) design, low-energy street lighting, ... renewable energy technologies”. |
| Esplanade Priority:<br>Esplanade Priority in PDP planning map<br>SUB-S8<br>Further provisions on esplanade in other relevant chapters | Esplanade Priority has been deleted from PDP map.<br><br>Esplanade for access to waterways and coastal beaches; also essential for walkable town centres, active modes of transport, connections between towns/destinations. Urgent issue re: Kerikeri River where significant development could occur before spatial plan implemented. PDP provisions not applicable to large gated communities or retirement villages (land use) or lots > 4ha. RMA s77(2), s230, s237F, LGA 2002 s200. | PDP map: Retain Esplanade Priority, especially where significant development anticipated.<br><br>SUB-S8; relevant policy/rules: Provision for esplanade / connectivity re: lots >4 ha and land use in key locations where PDP anticipates significant growth (e.g. Kerikeri urban zones); and access to coastal beach for towns that lack access                                                                                                                                                                                                                  |
| Fragmentation and loss of productive land:<br>SUB-R3, SUB-R6, SUB-R7, relevant rural zones.                                           | S32 and other reports have highlighted issues of fragmentation and loss of productive land, and problems related to residential sprawl and sporadic unplanned development in rural areas. However PDP-DV provisions                                                                                                                                                                                                                                                                       | Amendments that will reduce fragmentation and loss of productive land, and address problems of residential sprawl and sporadic development in rural areas.                                                                                                                                                                                                                                                                                                                                                                                                        |

<sup>3</sup> NRC, Regional Policy Statement, p.163, Appendix 2, Part A, clause (p).

| Parts of the decision appealed                                                          | Reasons for appeal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Relief sought                                                                                                                                                                                                                                                                                                                             |
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| APP3 criteria<br>Strengthen provisions referring to productive land                     | include a number of loopholes that encourage on-going problems of fragmentation etc. above.<br>App3 criteria need to be clarified and should support higher standards.<br>PDP-DV provisions seek to protect 'highly' productive land (which represents a very small fraction of district land area), and does not provide adequate protection for other types of productive land, although this comprises the majority of land area in this district.                                                                                                                                                                                                                                                                                                  | Provisions should protect productive land, not only 'highly' productive land.<br>Amend APP3 criteria and statements to support higher standards.                                                                                                                                                                                          |
| Outdoor lighting:<br>LIGHT-R1<br>Note in Light chapter                                  | Light rules implement Overview and policies only partly. LIGHT-R1 refers to 'emission'; AS/NZS 4282:2019 covers light spill, glare, and skyglow, omitting other key aspects.<br>RPS Appendix 2 specifies that " <i>New subdivision, use and development should: ... Adopt, where appropriate, sustainable design technologies such as the incorporation of energy-efficient (including passive solar) design, low-energy street lighting...</i> " <sup>4</sup> LIGHT-R1 does not appear to require energy-efficient, low-energy lighting.<br>AS/NZS 4282 normally applies to private lighting (unless specified for public), so R1 may not cover public lighting. Auckland Transport guidelines are available for public streets and amenity lighting. | LIGHT-R1: Lighting designs should support energy efficiency, and any street lighting should comply with <i>Street Lighting</i> design guidelines for roads and amenity lighting (Auckland Transport) <sup>5</sup> .<br>Note: include <i>Principles for Responsible Outdoor Lighting (International Dark Sky Association)</i> <sup>6</sup> |
|                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                           |
| Amenity and community values<br>- landing site for private helicopters:<br><br>NOISE-R7 | (These comments do not refer to emergency helicopters)<br>PDP allows landing sites in residential areas as <i>permitted</i> activity for private-use helicopters, based on inappropriate noise standard, without any consideration of other adverse effects. Although a private helicopter user would benefit from this approach, many other residents will lose the 'peaceful enjoyment' of their property.                                                                                                                                                                                                                                                                                                                                           | Require alternative solution - private helicopters should be based at existing local airports/airfields or similar rather than creating private landing sites in areas that affect others.                                                                                                                                                |

<sup>4</sup> NRC, *Regional Policy Statement*, p.163, Appendix 2, Part A, clause (p).

<sup>5</sup> <https://at.govt.nz/media/1982229/engineering-design-code-street-lighting.pdf>

<sup>6</sup> <https://darksky.org/resources/guides-and-how-tos/lighting-principles/>

| Parts of the decision appealed                                                                | Reasons for appeal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Relief sought                                                                                                                                                                         |
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| <p>NOISE-S4</p> <p>Other chapters that should contain provisions on this type of land use</p> | <p>PDP should cover full range of effects of this type of land use, including amenity values, public safety, adverse effects on people with health issues who require rest; people and native species sensitive to disturbance, vibration, infrasound, noise, [wind] pulses and other issues.</p> <p>There is no <i>functional</i> need /justification for private helicopter landing sites where an existing local airport or similar is accessible. Local airports provide safer and more suitable location than creating private landing sites among residential houses.</p> <p>Inadequate rules in Auckland allowed private helicopter sites in residential areas to proliferate; they are now strongly opposed by large numbers of residents, and Auckland Council has been forced to take action. It is essential that the Far North Council should avoid opening the door to similar problems here.</p> | <p>Address omissions in PDP provisions so that land uses such as new private helicopter sites will be assessed on the full range of adverse effects.</p>                              |
| <p>Crop protection structures:</p>                                                            | <p>Major adverse effects on visual amenity in rural and suburban areas. Amendments on crop protection structures as stated in our submissions.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <p>Standard to reduce visual dominance: 3m setback from boundaries (as in ODP); landscaping on boundaries adjacent to public roads and residential properties; specified colours.</p> |
| <p>Rezoning proposed by Kiwi Fresh Orange (KFO)</p>                                           | <p>KFO site is important future growth area. It is the only development location that offers essential new connectivity, bridges, road links and cycleways between SH10, Waipapa Road, Kerikeri (essential for reducing Kerikeri's ever-increasing traffic issues); more compact urban footprint for Kerikeri Waipapa area overall<sup>7</sup>; large-scale integrated development plan; large public reserves protecting river margins, wetland; cycling/walking networks; wastewater treatment system, bridges and other infrastructure paid by developer. Significantly, KFO site offers affordable housing of the type demanded by the market and community (due to lower land price and efficiency of scale). PDP-R is unable to achieve this.</p>                                                                                                                                                        | <p>Rezone KFO site for development, and amend PDP-R provisions as indicated in this table</p>                                                                                         |

<sup>7</sup> It would be more compact than the Spatial Plan ribbon development and long-term results of PDP-R which would drive more development in areas outside urban zones.

| Parts of the decision appealed                                    | Reasons for appeal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Relief sought                                                                                                                                                                                                                                                  |
|-------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                   | <p>KFO has suitable site for large hotel (needed in this area), and offers considerable employment boost for local economy.</p> <p>Spatial Plan<sup>8</sup> planners did not provide fair, balanced information about pros and cons of KFO site and development options in public consultation documents.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                |
| Rezoning proposed by Neil Construction (NC)                       | <p>s42 evidence identified huge over-supply of rural residential capacity in notified PDP of 2022. Additional supply not needed.</p> <p>NC seeks to upzone Tubbs and neighbouring areas. Upzoning is contrary to SD-UFD-O2 which “supports a more compact urban form”. Tubbs area is too far from CBD, 100% reliant on cars, not walkable (about 1 hour 17 min. walk to Kerikeri CBD High School or post office, or 1 hr 36 min. to Waipapa services). Tubbs was not included in growth location options (6 scenarios) identified in Kerikeri-Waipapa spatial plan.</p> <p>If rezoned, Tubbs area would create large new ‘bubble’ of denser RRZ development at substantially further distance from the CBD than any other part of RRZ (refer to map). Adverse effects on areas with high ecological values, amenity and safety around historic Waipapa Landing and one-lane bridge; traffic on Heritage Bypass; traffic hazards around road junction of new Tubbs development.</p> <p>The EC decision limited the total number of sections in west area (stage 3-6) following detailed debate on this point.</p> | Retain Rural Lifestyle zoning                                                                                                                                                                                                                                  |
| <p>Vegetation clearance:</p> <p>IB-R1(7), IB-R1(10), IB-R3(2)</p> | <p>Clarifications in <i>permitted</i> activity rules to address cumulative effects and support IB policies stated in chapter.</p> <p>IB-R3 annual amount of clearance may be repeated multiple times; no cumulative total.</p> <p>IB-R1(7) should apply where existing clear area is not suitable.</p> <p>IB-R1(10) amounts noted in R3 should apply.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <p>IB-R1(7): if existing clear area is not suitable; and there is no clearance of areas of vegetation that meets RPS Appendix 5 significance criteria.</p> <p>IB-R1(10): apply m<sup>2</sup> amounts noted in R3.</p> <p>IB-R3: include amount per decade.</p> |

<sup>8</sup> Te Pātukurea, Kerikeri-Waipapa Spatial Plan

| Parts of the decision appealed                                                                                                                              | Reasons for appeal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Relief sought                                                                                                                                                                                                                              |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                             | <p>R1 (relevant parts) &amp; R3 should refer to standard safeguards e.g. nesting season (timing), 'kiwi safe' practices, significance criteria, aspects to improve the alignment of rules with stated policies.</p> <p>Need to address misalignment between policies and rules.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <p>R3 and relevant parts of R1: include standard clause to support safeguards for nesting season, 'kiwi safe' practices, address other policy clauses.</p>                                                                                 |
| <p>Omissions, insufficient alignment with key policies, and clarifications:</p> <p>Further points inserted in zone chapters and other relevant chapters</p> | <p>A number of PDP provisions/rules do not adequately implement parts of RMA s2 and matters raised in our submissions and statements, including provisions to support well-functioning environments, amenity (including visual amenity), community values, ecological values or significance criteria. For example, provisions should support visual amenity and landscaping, and also avoid or minimise adverse effects of visually dominant infrastructure structures (e.g. mobile phone towers, substations, bus shelters, etc) by requiring setbacks, good quality landscaping and other means.</p> <p>A number of matters of discretion fail to include key points that are stated in Policies. Also need to address cumulative and long-term effects and introduce further points in provisions to improve alignment with related Policies.</p> | <p>Further provisions needed, particularly standards, to support community wellbeing, community values, especially amenity, ecological values, and to implement similar points stated in RMA, national direction, and Policies of PDP.</p> |