

**IN THE ENVIRONMENT COURT
AT AUCKLAND**

**I TE KOTI TAIAO O AOTEAROA
KI TĀMAKI MAKARAU**

IN THE MATTER of the Resource Management Act 1991

A N D

IN THE MATTER of an appeal pursuant to clause 14(1) of Schedule
1 of the Act in relation to the decision on the
proposed Far North District Plan

BETWEEN **FEDERATED FARMERS OF NEW ZEALAND
INCORPORATED**

Appellant

AND **FAR NORTH DISTRICT COUNCIL**

Respondent

NOTICE OF APPEAL

12 August 2026



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NOTICE OF APPEAL TO ENVIRONMENT COURT AGAINST DECISION ON THE PROPOSED FAR NORTH DISTRICT PLAN

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

To: The Registrar
Environment Court
AUCKLAND

1. Federated Farmers of New Zealand Incorporated (**Federated Farmers**) appeals against part of the decision of the Far North District Council (**Respondent**) on the Proposed Far North District Plan (**the Proposed Plan**).
2. Federated Farmers made a submission on the Proposed Plan dated 21 October 2022 (submitter number 421) and further submissions dated 26 July 2023 (further submitter number 584).
3. Federated Farmers is not a trade competitor for the purpose of section 308D of the Resource Management Act 1991 (**RMA**).
4. Federated Farmers received notice of the Respondents' decision on 30 June 2026.
5. Far North District Council made the decision.

The decision (or parts of the decision) that Federated Farmers is appealing:

6. The specific provisions of the Proposed Plan that Federated Farmers are appealing are set out in the table attached as **Appendix 1** to this appeal notice. The general reasons for the appeal are set out below.

The reasons for the appeal are as follows:

7. The general reasons for the appeal are that the Proposed Plan:
 - (a) does not promote sustainable management of natural and physical resources as required by section 5 of the RMA, as certain provisions do not appropriately enable people and communities to provide for their social, economic, and cultural well-being and for their health and safety while managing adverse effects;

- (b) may impose undue costs, consent requirements and uncertainty for landowners and plan users; and
 - (c) does not achieve integrated management of the effects of the use, development, and protection of land, as required by section 31 of the RMA;
8. Without limiting the generality of the above, further specific grounds of appeal are set out in Appendix 1.

Federated Farmers seeks the following relief:

- 9. The relief sought is set out against each provision in the table attached as Appendix 1. Where specific wording changes are sought as relief, Federated Farmers, in the alternative, seeks any wording that would adequately address the reasons for its appeal.
- 10. Federated Farmers also seek such consequential amendments or related relief as may be necessary to give effect to the concerns described in this notice of appeal, including consequential changes needed to policies or other provisions as a result of rules being amended.
- 11. Federated Farmers would be prepared to be involved in negotiations and mediations with the Respondents and other parties if this path were chosen as a way to address issues raised in appeals.

ATTACHMENTS

12. The following documents are attached to this Notice:

- (a) Appendix 1: table of relief sought by provision with reasons provided.
- (b) Appendix 2: a copy of Federated Farmers submission and further submissions (attached as separate documents to the appeal).
- (c) Appendix 3: a copy of the relevant decisions.
- (d) Appendix 4: a list of the names and contact details of persons who made submissions and further submissions on the Proposed Plan.

Signature of person authorised to sign on behalf of the appellant:



Jo-Anne Cook Munro
Senior Resource Management Solicitor

Dated: 12 August 2026

Address for Service of Appellant:

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Advice to recipients of copy of notice of appeal

How to become a party to proceedings

You may be a party to the proceedings 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 274(1) and Part 11A 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 and 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, Wellington, or Christchurch.

Appendix 1: Table of relief sought by provision with reasons provided

Appeal point #	Provision Appealed	Reasons for Appeal	Relief Sought ¹
Part 2 – District-Wide Matters - Strategic Direction			
1	Cultural Prosperity – Objectives – SD-CP-01	Federated Farmers submitted (S421.013) supporting in part the objective as notified in the Proposed Plan. It acknowledges the role tangata whenua play and often lead for outcomes for the district. Minor amendments to objective SD-CP-01 were sought to recognise that involvement of iwi and hapu alongside communities will enable better outcomes for the district as a whole and its communities. Partnerships are by their very nature not one-sided and the objective should be worded to reflect this.	Federated Farmers seeks that Objective SD-CP-01 is amended as follows (or with wording that achieves similar intent): <i><u>SD-CP-01 Te Tiriti o Waitangi partnerships and relationships support iwi and hapū to deliver on the social, economic, environmental, and cultural wellbeing outcomes for tangata whenua and the district as a whole</u></i>
2	Rural Environment – Objectives – New objective	Federated Farmers submitted (S421.017) supporting the existing objectives SD-RE-O1 and SD-RE-O2 and seeking the inclusion of a new strategic objective to recognise the importance of providing for and supporting land use changes and practices change to address biosecurity, climate, and environmental demands as they arise from changing regulation, consumer demand, and environment. Inclusion of such a strategic objective would be consistent with Significant Resource Management Issue 2 – Rural sustainability. It is also necessary to support economic viability for rural producers.	Federated Farmers seeks the inclusion of a new objective SD-RE-O3 that reads (or with wording that has similar effect): <i><u>SD-RE-O3 Primary production activities are able to adapt to changing regulatory, market, biosecurity, climate, and environmental demands, including through changes in land management practices, technologies, and production systems, to maintain and enhance their economic viability and resilience.</u></i>
3	Natural Environment (Environment Prosperity) – Objectives – SD-EP-O4 (now relabelled as SP-NE-O4)	Federated Farmers submitted (S421.018) expressing concern over the use of the phrase “enabling carbon storage.” The wording implied that the prioritisation of carbon farming over land-based primary production activities necessary for food production, such as dairy, dry stock and cropping. Federated Farmers believes that the Council needs to continue to support landowners and businesses in their climate journey by enabling technology and certain practices to reduce emissions.	Federated Farmers seeks the amendment of Objective SD-EP-O4 as shown below (or with wording to similar effect): <i><u>SD-NE-O4 Land use practices that support mitigate climate change mitigation by enabling carbon storage and reducing carbon greenhouse gas emissions through climate sequestration, emissions reduction, adaptive land management, and innovation.</u></i>

¹ The text for the provisions shown in the appeal have been taken from the decisions version of the PDP. The amendments shown in the decisions version have not been shown.

Appeal point #	Provision Appealed	Reasons for Appeal	Relief Sought ¹
Part 2 – District-wide matters – Natural Environment Values – Natural features and landscapes			
4	Natural Features and Landscapes – Policies – NFL-P2	Federated Farmers submitted (S421.153) that the policy should be amended to be consistent with section 6 of the RMA. Section 6(b) seeks provision for the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development.	Federated Farmers seeks the amendment of Policy NFL-P2 to be consistent with section 6 of the RMA, as shown below (or with wording that has similar effect): <i>NFL-P2</i> Avoid adverse effects of <u>from inappropriate subdivision, land use and subdivision development</u> on the characteristics, and qualities and values that make of ONL and ONF within the coastal environment outstanding.
5	Natural Features and Landscapes – Policies – NFL-P3	Federated Farmers submitted (S421.154) seeking this policy be amended to be consistent with section 6 of the RMA. Section 6(b) seeks provision for the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development.	Federated Farmers seeks the amendment of Policy NFL-P3 to be consistent with section 6 of the RMA, as shown below (or with wording that has similar effect): <i>NFL-P3</i> Avoid significant adverse effects and avoid, remedy, or mitigate other adverse effects of <u>from inappropriate subdivision, land use and subdivision development</u> on the characteristics, and qualities and values that make of ONL and ONF outside the coastal environment outstanding.
6	Natural Features and Landscapes – Rules – NFL-R1	Federated Farmers submitted (S421.156) expressing concern over the workability of the 25m ² maximum area for new buildings or structures, relocated buildings and extensions or alterations to existing buildings or structures as a permitted activity. While the rule has been amended to incorporate higher maximum limits, concerns still exist over the limits not being sufficient enough to enable everyday farming operations to occur without the need to obtain resource consent, even where the building would have no more than minor effects on the values of outstanding natural features and landscapes.	Federated Farmers seeks the amendment of rule NFL-R1 to change the size for buildings to a maximum area of 250m ² .
Part 2 – District-wide matters – Natural Environment Values – Ecosystems and Indigenous Biodiversity			
7	Ecosystems and Indigenous Biodiversity – Policies – New Policies	Federated Farmers submitted (S421.137) seeking the inclusion of a new policy that recognised existing, lawfully established grazing, maintenance of improved pasture, and farming provided that their scale or intensity of effects had not increased.	Federated Farmers seeks the addition of a new policy that provides for existing, lawfully established activities to be able to continue, as shown below (or with wording that has similar effect): <i>IB-PXX</i> <u>Provide recognition for grazing and farming existing</u>

Appeal point #	Provision Appealed	Reasons for Appeal	Relief Sought ¹
		The policy regime decided is inflexible and will create unwarranted barriers to normal, everyday activities that have been lawfully established and/or consented.	<u>activities that have not increased in their scale or intensity of effects from the date of notification of the proposed plan.</u>
Part 2 – District-wide matters – Natural Environment Values – Public Access			
8	Public Access - Overview	Federated Farmers submitted (S421.160) seeking recognition of the fact that public access would not be enabled across private land without permission from the landowner. Landowners should not be made to provide access across their land which is both their business and home. Many rural landowners, particularly coastal or riparian margin landowners, have had encounters with unwelcome trespassers that were disruptive to their farming operations and created health and safety issues.	Federated Farmers seeks that the overview to the public Access chapter is amended to address the issue of public access across private property and the need for permission to be obtained from the landowner before access is provided, as follows (or with wording that has similar effect): <u>For the avoidance of doubt, nothing in this chapter creates a right of access to private land. Any access to sites or areas on private land is to occur with the agreement of the landowner, except where access is provided for through a legal mechanism.</u>
9	Public Access – Objectives – New objective	Federated Farmers submitted (S421.163) seeking amendment of the objectives to recognise private property rights as a key consideration in the provision of public access across land in the district. Federated Farmers also made similar submissions in respect of objectives PA-01 and PA-02 (submissions 421.161 and S421.162) and sought that they were amended to address the issue of private property rights or a new objective was added which did.	Federated Farmers seeks the inclusion of a new objective as follows (or with wording that has similar intent): <u>PA-XX Practical and safe public access to and along the margins of lakes and rivers and the coastal environment is provided in a way that respects private property and does not result in adverse effects on natural character, landscape, indigenous biodiversity, historical heritage, or cultural values.</u>
10	Public Access – Policies – New policy	Federated Farmers submitted (S421.169) seeking the inclusion of a new policy in the Public Access chapter related to education and information being made available to the public about when public access over private land was available.	Federated Farmers seeks the inclusion of a new objective as follows (or with wording that has similar intent): <u>PA-P6 To provide information and education to the public regarding where public access is available, and that access over private land is only by the permission of the landowner.</u>
Part 2 – District-wide matters – Subdivision			
11	Subdivision – Policies – SUB-P8 (now relabelled as SUB-	Federated Farmers submitted (S421.175 and S421.176) opposing policies SUB-P8 and SUB-P9 as notified in the Proposed Plan. The policies, as drafted, only provide for	Federated Farmers seeks: (a) the deletion of policies SUB-P7 and SUB-P9; and

Appeal point #	Provision Appealed	Reasons for Appeal	Relief Sought ¹
	P7) and SUB-P9	subdivision in the rural environment in certain circumstances. There is concern that there is no balance provided by the two policies between enabling the managed growth of the rural area and the protection of highly productive land.	(b) the introduction of new policies that provide for the managed growth of the rural area as well as for the protection of highly productive land.
12	Subdivision – Standards – SUB-S1	Federated Farmers submitted (S421.177) opposing the proposed 40ha rural production, controlled activity standard in SUB-S1. The 40ha requirement is too limiting and would require farmers to sacrifice more productive land for subdivision. This will leave less productive farmland on the working farm and more productive land on a smaller lifestyle property. The National Policy Statement on Highly Productive Land prevents subdivision of highly productive land below 20 ha unless certain exemptions apply. What Federated Farmers has sought in reducing the lot size to 20 ha is consistent with the direction given in the National Policy Statement.	Federated Farmers seeks that the lot size for subdivision to occur as a controlled activity in the rural production zone is reduced from 40 ha to 20 ha.
Part 2 – General district-wide matters – Coastal environment			
13	Coastal Environment – Policies – CE-P2	Federated Farmers submitted (S421.183) seeking the amendment of the policy to achieve consistency with s6(a) of the RMA so that it referred to inappropriate activities in the coastal environment rather than all activities.	Federated Farmers seeks the amendment of Policy CE-P2 to read: <i>CE-P2</i> <i>Avoid adverse effects of from inappropriate subdivision, land use and subdivision development on the characteristics, and qualities and values that make an area an outstanding natural character area in of the coastal environment</i>
Part 3 – Area-specific matters – Zones – Rural zones – Rural production			
14	Rural Production - Overview	Federated Farmers submitted (S421.204) seeking the amendment of the overview to the rural production chapter to recognise and provide for landowners to subdivide land in the rural production zone for specific purposes such as creating lifestyle lots for financial purposes and lots for family members as part of succession planning (amongst other matters).	Federated Farmers seeks the amendment of the overview as follows (or with wording that has similar effect): <i><u>It is acknowledged that in some circumstances, smaller areas of highly productive land may need to be subdivided to allow for financial purposes or family succession planning. Any subdivision will need to be consistent with the National Policy Statement on Highly Productive Land.</u></i>
15	Rural Production – Rules – Rule RPROZ-	Federated Farmers submitted (S421.220) seeking the amendment of performance standard PER-1 to delete the site	Federated Farmers seeks the deletion of the 40-ha site area

Appeal point #	Provision Appealed	Reasons for Appeal	Relief Sought ¹
	R3	area requirement per residential unit of 40 ha.	requirement from PER-1 of rule RPROZ-R3.
16	Rural Production – Rules – Rule RPROZ-R11	Federated Farmers submitted S421.223 seeking the amendment of performance standard PER-1 to increase the gross floor area of a building for rural production manufacturing as a permitted activity from 100m² to 250m². The Council accepted in part this submission and increased the gross floor area to 150m². Federated Farmers is still of the view that this gross floor area is unrealistic.	Federated Farmers seeks that the gross floor area for of a building for rural production manufacturing as a permitted activity be increased to 250m ² .

Appendix 2: Federated Farmers submission and further submissions on the Proposed Plan

(Attached separately to the appeal)

Appendix 3: Copies of relevant parts of the decision on the Proposed Plan

Please refer to the Council’s website – link provided below. All extracts have been taken from the appropriate reports on the website.

<https://www.fndc.govt.nz/Council/District-Plan/proposed-district-plan/council-decisions-on-submissions>

Home > Council > District plan > Proposed district plan > Council decisions on submissions

Council decisions on submissions

Decisions on the Proposed District Plan (PDP)

The Far North District Council has made decisions on submissions for the Proposed District Plan. At the [11 June 2026 Extraordinary Council meeting](#) the council adopted the [Hearing Panel's recommendations](#) and reasoning, except for two amendments relating to:

- Amending the Infrastructure Chapter and Planning Maps to recognise and provide for district land drainage infrastructure within the Kaitiāia, Waiharara, Kaikino and Motutangi drainage districts (S257.023, Te Hiku Community Board).
- Rezoning Section 25 SBRS of Kawakawa from Rural Residential Zone to General Residential Zone with the Te Mataora Precinct overlay (PREC-9) and associated provisions (S555.001, Ngā Kaingamaha o Ngāti Hine Charitable Trust).

On the 30 June 2026 pursuant to Clauses 10 and 11 of Schedule 1 of the Resource Management Act 1991 (RMA), Far North District Council advises that decisions on submissions to the Proposed District Plan have been released.

1. Significant Resource Management Issues – Issue 2 - Rural Sustainability

Hearings Panel Recommendation – Recommendation Report 1
Appendix 3.1 Recommended Decisions on Submissions – Part 1 - Introduction and General Provisions 31/03/2026

S421.002	Northland Federated Farmers of New Zealand	Significant Resource Management Issue 2	Oppose	While supporting the inclusion of a significant resource management issue addressing the rural environment, Federated	Amend Issue 2 Rural sustainability as follows: The Rural Environment contains a number of There are competing demands for a range of land use activities in the Rural Environment. A The previous permissive planning framework has resulted led, in some areas,	Accept in part
Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Council Position	Reasons	Summary of Decision Requested	Hearings Panel Recommendation
				Farmers does not support the issue as it is currently drafted. While rural sustainability is a valid resource management issue, it needs to be approached from a holistic perspective and not only focus on the adverse effects that can result from some land use activities in the rural environment. Rural sustainability must include the protection of the existing land use activities such as primary production which have been present and operating in the rural environment for many years, if not decades. Primary production makes a substantial contribution to New Zealand's economy across national, regional and district levels. The current wording of the issue is clumsy and is not easy to understand. The issue needs to be amended so that it is clear what the issue is and what is trying to be achieved.	to in incompatible land uses, land fragmentation and significant adverse effects on rural character, amenity and indigenous biodiversity. In-sSome cases, highly productive land (which includes including versatile soils) have been used in such a way that compromises the future viability of primary production activities, such as horticulture and agriculture has been compromised. and These uses have also been compromised. and These uses have also inappropriately used existing infrastructure and services. The current Rural Production Zone has applied a single set of provisions to the majority of the District, which This approach does has not addressed the specific issues faced by in the different rural areas and their communities. It is also important that the District Plan clearly reflects that rural settlements differ in their ability to access the infrastructure and services available in urban centres.	

2. Cultural Prosperity – Objectives – SD-CP-01

S421.013	Northland Federated Farmers of New Zealand	SD-CP-01	Support in part	Federated Farmers acknowledges the role tangata whenua play and often lead for outcomes for the district. We suggest minor amendments to the objectives to recognise that involvement of iwi and hapu alongside communities will enable better outcomes for the district as a whole and its communities.	Amend Objective SD-CP-01 as follows: Te Tiriti o Waitangi partnerships support iwi and hapu to deliver on the social, economic, environmental and cultural wellbeing outcomes for tangata whenua and the district as a whole	Reject
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3. Rural Environment – Objectives – New objective

S421.015	Northland Federated Farmers of New Zealand	Objectives	Support in part	In respect of the objectives for economic prosperity, Federated Farmers believes that it is more appropriate for the Council to recognise and provide for a high-earning diverse local economy which would include enabling the Māori economy to make a significant contribution. As written, objective SD-EP-01 is unclear and slightly confusing. Is the purpose of the objective to enable Māori enterprises so that these enterprises can make a significant contribution to the district's economy? If this is what is actually intended, then it is more appropriate for an objective to be included which specifically refers to enabling and supporting Māori initiatives within the district's economy. It is also felt that the objective as currently drafted places an unfair burden on Māori initiatives and enterprises to contribute to the district's economy. It is inappropriate to place such an emphasis on one aspect of the district economy's without having the appropriate information that the contribution sought is achievable.	Insert a new objective which supports and enables initiatives and enterprises within the district's economy which are carried out by iwi and hapu.	Reject
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4. Natural Environment (Environment Prosperity) – Objectives – SD-EP-04 (now relabelled as SP-NE-04)

S421.018	Northland Federated Farmers of New Zealand	SD-EP-04	Oppose	It is important to recognise the recent release of the exposure draft for the National Policy Statement for indigenous biodiversity and the impact it will have for indigenous biodiversity in New Zealand. We also need to recognise that certain activities such as farming need to work in conjunction with biodiversity which need to be recognised in the plan. National policy instruments are creating an unfair playing field for less viable land which we do not support council exacerbating Federated Farmers also has concerns with the use of the term 'enabling carbon storage' in objective SP-EP-04. The wording of the objective implies the prioritisation of carbon farming over necessary primary activities such as dairy, dry stock, cropping and general food production. Council needs to continue to support landowners and businesses in their climate journey by enabling technology and certain practices to reduce emissions rather than any short-term carbon storage which is not reducing the carbon emissions the Far North produces	Amend Objective SD-EP-04 as follows: Land use practices reverse climate change by enabling carbon storage and reducing carbon emissions. Council supports landowners to adopt climate change mitigation measures through sequestration, new technologies, land use and science. or wording with similar intent	Reject
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5. Natural Features and Landscapes – Policies – NFL-P2

Hearings Panel Recommendation – Recommendation Report 4

Appendix 4.2 – Recommended Decisions on Submissions - Natural Features and Landscapes

31/03/2026

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Hearings Panel Recommendation
S421.153	Northland Federated Farmers of New Zealand	NFL-P2	Support in part	333.031	Amend Policy NFL-P2 to achieve consistency with section 6 of the Resource Management Act 1991 and to recognise the need to allow appropriate subdivision, use and development	Reject

6. Natural Features and Landscapes – Rules – NFL-R1

S421.156	Northland Federated	NFL-R1	Support in part	Federated Farmers supports the recognition in rule NFL-R1 of the	Amend PER-1 (inferred) of Rule NFL-R1 so that the	Accept in part
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Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Hearings Panel Recommendation
	Farmers of New Zealand			functional need for ancillary to farming structures to be in place. The workability of the 25m ² maximum area in performance standard PER-1 means that almost every ancillary farming structure / building will require a consent under discretionary which is not appropriate. The 25m ² maximum area restriction means that even a small kitset residential garage would be required to apply for a consent. For a farm building/structure this means that the rule does not provide for the necessary buildings (such as barns and machinery storage sheds) that a farmer relies upon to effectively operate within the landscape. Farmers and the Council will find themselves going through the resource consent process for everyday buildings and structures that form part of normal farming operations, and which have no more than minor impacts on the values of outstanding natural landscapes and features.	maximum area of structures is 250m ² instead of 25m ²	

7. Natural Features and Landscapes – Policies – NFL-P3 and NFL-P7

S421.154	Northland Federated Farmers of New Zealand	NFL-P3	Support in part	Policies NFL-P2, NFL-P3 and NFL-P7 need to be amended so that they are consistent with the relief sought by Federated Farmers for objectives NFL-O1 and NFL-O2 above. The policies need to focus on avoiding inappropriate subdivision, use and development within the two layers while recognising certain activities can occur as long as they are appropriate for the areas.	Amend Policy NFL-P3 to achieve consistency with section 6 of the Resource Management Act 1991 and to recognise the need to allow appropriate subdivision, use and development	Reject
S421.155	Northland Federated	NFL-P7	Support in part	Policies NFL-P2, NFL-P3 and NFL-P7 need to be amended so that they are consistent with the relief sought by	Amend Policy NFL-P7 as follows: Prohibit inappropriate land use	Accept in part

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Hearings Panel Recommendation
	Farmers of New Zealand			Federated Farmers for objectives NFL-O1 and NFL-O2 above. The policies need to focus on avoiding inappropriate subdivision, use and development within the two layers while recognising certain activities can occur as long as they are appropriate for the areas.	that would result in any loss of and/or destruction of the characteristics and qualities of ONL and ONF or wording with similar intent	

8. Ecosystems and Indigenous Biodiversity – Policies – New Policies

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Hearings Panel Recommendation
S421.137	Northland Federated Farmers of New Zealand	Policies	Support in part	There are concerns that the policies do not provide for existing activities to continue. There needs to be an additional policy that recognises and provides for existing activities such as grazing and other farming activities to continue as long as the scale and intensity of effects do not / have not increased following the commencement date of the plan.	Insert a new policy as follows: IB-P11 Provide recognition for grazing and farming existing activities that have not increased in their scale or intensity of effects from commencement date of the plan. or wording with similar intent	Reject

9. Public Access – Overview

Hearings Panel Recommendation – Recommendation Report 5

Appendix 3.1 – Recommended Decisions on Submissions - Public Access

31/03/2026

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Hearings Panel Recommendation
S421.160	Northland Federated Farmers of New Zealand	Overview	Support in part	The District Plan needs to be clear that access is not available across private land unless it is with permission from the landowner. The landowner should not be compelled by the District Plan to always provide access across what is essentially their business and home. Many rural landowners, particularly coastal or riparian margin landowners, have encounters with unwelcome trespassers, some with dogs, that are disruptive to their farming operations, create security issues for themselves and their stock, have put themselves into dangerous situations, or created nuisance effects like littering or human waste. It is appropriate and legal to limit access across private property when this access will be unsafe or will disrupt farming activities, such as when tree felling or earthmoving is occurring, or during harvest or lambing activities.	Amend the Overview so that it addresses the issue of public access across private property and the need to ensure that this access is provided with the agreement of the landowner where it is practicable to provide that access	Reject

10. Public Access – Objectives – All - New objective

Hearings Panel Recommendation – Recommendation Report 5

Appendix 3.1 – Recommended Decisions on Submissions - Public Access

31/03/2026

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Hearings Panel Recommendation
S421.163	Northland Federated Farmers of New Zealand	Objectives	Support in part	The landowner's private property rights are a key area of focus which needs to be considered within this chapter.	Insert a new Objective as follows: Practical and safe public access to and along the margins of lakes and rivers and the coastal environment is provided in a way that respects private property and does not result in adverse effects on natural character, landscape, indigenous biodiversity, historical heritage, or cultural values. or wording with similar intent	Reject

11. Public Access – Policies – All - New policy

Hearings Panel Recommendation – Recommendation Report 5

Appendix 3.1 – Recommended Decisions on Submissions - Public Access

31/03/2026

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Hearings Panel Recommendation
S421.169	Northland Federated Farmers of New Zealand	Policies	Support in part	The policy section needs to include private property as a consideration when providing public access to ensure that it does not cause damage or create security risks. As a group, farmers provide more public access across their private property than other landowners (such as residential or industrial). Farmers are familiar with the adverse effects that result from public access such as rubbish, weed incursions and nuisance effects on their homes and places of work. The provision of public access also provides for weed incursions which are of particular concern with Chilean Needle Grass and Yellow Bristle Grass now in the region, which can create significant damage to livestock welfare and pasture quality.	Insert a new Policy as follows: PA-P6 To provide information and education to the public regarding where public access is available, and that access over private land is only by the permission of the landowner or wording with similar intent	Reject

12. Subdivision – Policies – SUB-P8 and SUB-P9

Hearings Panel Recommendation – Recommendation Report 16

Appendix 3 – Recommended Decisions on Submissions - Subdivision

31/03/2026

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Hearings Panel Recommendation
S421.175	Northland Federated Farmers of New Zealand	SUB-P8	Oppose	Federated Farmers opposes policies SUB-P8 and SUB-P9 (inferred) as they are currently drafted in the proposed district plan. The policies only provide for subdivision in the rural environment in certain circumstances. There is no balance provided by the two policies between enabling the managed growth of the rural area and the protection of highly productive land. Council also needs to consider the Benefit lots for environmental gains. For many rural landowners there is significant gain and drive if council was to promote biodiversity gains through the	Delete Policies SUB-P8 and SUB-P9 and replace with new policies that address the issues of managed growth of rural areas, protection of highly productive land and the use of benefit lots	Accept in part

				subdivision process. It is also recommended that the policies contained more recognition for the protection of highly productive soils. There is a significant amount of rural land in Kaipara that is highly productive, and which are significantly important to the economic, sustainable and growth prospects for the district.		
S421.176	Northland Federated Farmers of New Zealand	SUB-P9	Oppose	Federated Farmers opposes policies SUB-P8 and SUB-P9 (inferred) as they are currently drafted in the proposed district plan. The policies only provide for subdivision in the rural environment in certain circumstances. There is no balance provided by the two policies between enabling the managed growth of the rural area and the protection of highly productive land. Council also needs to consider the Benefit lots for environmental gains. For many rural landowners there is significant gain and drive if council was to promote biodiversity gains through the subdivision process. It is also recommended that the policies contained more recognition for the protection of highly productive soils. There is a significant amount of rural land in Kaipara that is highly productive, and which are significantly important to the economic, sustainable and growth prospects for the district.	Delete Policies SUB-P8 and SUB-P9 and replace with new policies that address the issues of managed growth of rural areas, protection of highly productive land and the use of benefit lots	Reject

13. Subdivision – Standards – SUB-S1

Hearings Panel Recommendation – Recommendation Report 9

Appendix 3.1 –Recommended Decisions on Submissions - Rural Production Zone

31/03/2026

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Hearings Panel Recommendation
				original submission seeks consideration of regional consistency with neighbouring Council's for minimum lot sizes.		
S421.177	Northland Federated Farmers of New Zealand	SUB-S1	Support in part	Federated Farmers supports rule SUB-R3 in general but does support the proposed 40ha rural production-controlled standard in SUB-S1. The 40ha requirement is overly limiting and would require farmers to sacrifice more productive land for subdivision. This will leave less productive farmland on the working farm and more productive land on a smaller lifestyle property. We seek that the 40ha requirement in SUB-S1 is amended to the existing 20ha. This will ensure that landowners have suitable options available to react to economic, environmental and farm succession changes as required.	Amend the minimum allotment size threshold for land zoned Rural Production in Standard SUB-S1 (inferred), decreasing it from 40ha to 20ha	Reject

14. Coastal Environment – Policies – CE-P2

Hearings Panel Recommendation – Recommendation Report 4

Appendix 4.3 –Recommended Decisions on Submissions – Coastal Environment

31/03/2026

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Hearings Panel Recommendation
S421.183	Northland Federated Farmers of New Zealand	CE-P2	Support in part	Objective CE-P2 as currently worded is not consistent with section 6 of the Resource Management Act 1991. Federated Farmers seeks the amendment of the policy to be consistent with section 6 and to reflect protection of natural character from only inappropriate activities rather than all.	Amend Objective CE-P2 as follows: Avoid adverse effects of inappropriate development , land use and subdivision on the characteristics and qualities of the coastal environment identified as: ... or wording with similar intent	Reject

15. Rural Production - Overview

Hearings Panel Recommendation – Recommendation Report 9

Appendix 3.1 –Recommended Decisions on Submissions - Rural Production Zone

31/03/2026

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Hearings Panel Recommendation
S421.204	Northland Federated Farmers of New Zealand	Overview	Support in part	Federated Farmers supports the recognition in the overview of the fact it is important to differentiate the rural production zone from the rural lifestyle and rural residential zones. We also support the strong recognition that has been given to rural land as an important resource.	Amend the Overview to recognise and provide for private property rights and allow landowners to subdivide land in the rural production zone for specific purposes such as creating lifestyle lots and lots for family members (amongst other matters)	Reject

				The concern Federated Farmers has is that the overview is focused on the absolute protection of highly productive from any activities other than primary production. The approach taken by the Council to prevent the fragmentation of rural production land is support but acknowledgement is also needed that all highly productive may not be profitable for the landowner. It would be unequitable for the Council to prohibit a rural landowner who has cared for the land for many years from achieving the real potential value of that land. The proposed district plan has strayed into private property rights through dictating what can and cannot be done on rural production land. Returns from farming are variable due to a variety of factors including weather conditions, economic conditions, individual property circumstances and market demands. Like any business, diversification, flexibility, responsiveness, and cash flow are critically important to retaining their viability. Farmers undertake low impact subdivision for a variety of reasons. These vary from diversifying their business into tourism operations (luxury lodges and or associated tourism development and infrastructure), providing for disposing of a surplus dwelling on the property where a neighbouring farm is purchased, providing for a family member or staff member to live on the farm or to implement a succession plan for multiple siblings through small lot subdivision. The proposed chapter has taken away any flexibility for farmers to subdivide their land for specific purposes without undermining the primary production or life-style value of the remaining land.		
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16. Rural Production – Rules – Rule RPROZ-R3

Hearings Panel Recommendation – Recommendation Report 9

Appendix 3.1 –Recommended Decisions on Submissions - Rural Production Zone

31/03/2026

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Hearings Panel Recommendation
S421.210	Northland Federated Farmers of New Zealand	RPROZ-O3	Oppose	Federated Farmers opposes objectives RPROZ-O1 and RPROZ-O3 as they are drafted in the proposed district plan. The objectives promote the absolute protection of the rural production zone and highly productive land. The National Policy Statement for Highly Productive Land sets out the requirements for the management of highly productive land. Policy 8 requires the protection of highly productive land from inappropriate use and development. Clause 3.8 provides for the subdivision of highly productive land provided certain matters are met. Clause 3.11 state that territorial authorities must include objectives, policies, and rules in their district plans to enable the maintenance, operation, or upgrade of any existing activities on highly productive land, and ensure that any loss of highly productive land from those activities is minimised. The proposed district plan needs to be consistent with the requirements of the National Policy Statement. In our opinion, Objectives RPROZ-O1 and RPROZ-O3 do not meet the requirements of the National Policy Statement for Highly Productive Land as they do not provide for the ongoing operation of existing activities.	Amend Objective RPROZ-O3 to achieve consistency with the requirements of the National Policy Statement for Highly Productive Land	Accept in part
				operation, or upgrade of any existing activities on highly productive land, and ensure that any loss of highly productive land from those activities is minimised. The proposed district plan needs to be consistent with the requirements of the National Policy Statement. In our opinion, Objectives RPROZ-O1 and RPROZ-O3 do not meet the requirements of the National Policy Statement for Highly Productive Land as they do not provide for the ongoing operation of existing activities.		

17. Rural Production – Rules – Rule RPROZ-R10

Hearings Panel Recommendation – Recommendation Report 9

Appendix 3.1 –Recommended Decisions on Submissions - Rural Production Zone

31/03/2026

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Hearings Panel Recommendation
S421.222	Northland Federated Farmers of New Zealand	RPROZ-R10	Support in part	While Federated Farmers supports the permitted activity classification for rural produce retail, we question the requirement in performance standard PER-1 for this to be set back a minimum of 30m from any internal boundaries. Stands and stalls for farm produce need to be located where they are visible from the road. A 30m setback is onerous and unrealistic.	Amend PER-1 of Rule RPROZ-R10 to delete the 30m setback requirement, or if Council is not inclined to accept the above relief, amend to reduce the setback from 30m to 5m	Accept in part

Appendix 4: Persons to be served with a copy of this notice

Submitter / Further Submitter	Address for service
Alistair and Cheryl Baxter	Attn. J Dawson PO Box 531 WHANGAREI 0140 julian@rmalawyer.co.nz
Bentzen Farm Limited	Attn. P Hall Level 3 43 High Street AUCKLAND 1010 peter@phplanning.co.nz
Audrey Campbell-Fear	Attn. S Shaw PO Box 4146 KAMO 0141 sarah@sarahshaw.co.nz
Ian Ray (Joe) Carr	703 Motukiore Road RD 1 OKAIHAU 0475 joe.kate.carr@gmail.com
Horticulture New Zealand	Attn. S Cameron PO Box 10-232 WELLINGTON sarah.cameron@hortnz.com
IDF Developments Limited	Attn. S Sanson PO Box 318 PAIHIA 0247 office@bayplan.co.nz
Kapiro Conservation Trust	Attn. Dr Melanie Miller Equestrian Drive KERIKERI 0294 kapiroconservationtrust@gmail.com
Amanda Kennedy, Julia Kennedy Till & Simon Till	Attn. S Sanson PO Box 318 PAIHIA 0247 office@bayplan.co.nz
Kiwi Fresh Orange Limited	Attn. M Doesburg Level 25 Vero Centre 48 Shortland Street PO Box 2401 AUCKLAND 1140 mike.doesburg@wynnwilliams.co.nz robert@robertmakgill.com
Lucklaw Farm Limited	Attn. J G Sturgess 60 Rangiputa Road KARIKARI PENINSULA 0483 john@lucklaw.co.nz

Submitter / Further Submitter	Address for service
Mataka Residents' Association Inc	Attn. D Chandler PO Box 501 KERIKERI 0245 manager@mataka.co.nz
Lynley Newport	59 Cook Road RD1 OKAIHAU 0475 lnewport2015@gmail.com
PF Olsen Limited	Attn. H Arnold PO Box 3353 NELSON 7050 Heather.arnold@pfolsen.com
Paradise Found Developments Limited	Attn. J Dawson PO Box 531 WHANGAREI 0140 julian@rmalawyer.co.nz
Puketotara Lodge Limited	Attn. J Levers 1608E State Highway 10 KERIKERI leversjohn@xtra.co.nz
Royal Forest and Bird Protection Society of New Zealand	Attn. D Baigent-Mercer PO Box 631 WELLINGTON 6011 D.baigent-mercerc@forestandbird.org.nz
Russell Protection Society Inc	Attn. B Brey PO Box 154 RUSSELL 0242 russellprotection@outlook.com
Tokerau Beach Trust	Attn. P Comer PO Box 5760 Victoria Street West AUCKLAND 1142 p.comer@harrisingrierson.com
Top Energy Limited	Attn. Taryn Collins & D Badham taryn.collins@topenergy.co.nz davidb@barker.co.nz
Turnstone Trust Limited	Attn. Burnette O'Connor PO Box 591 WARKWORTH 0941 burnette@thepc.co.nz
Vision Kerikeri 2	Attn. Rolf Mueller-Glodde 28 Landing Road KERIKERI 0230 visionkerikeri@gmail.com
Vision Kerikeri 3	Attn. Rolf Mueller-Glodde 28 Landing Road KERIKERI 0230

Submitter / Further Submitter	Address for service
	visionkerikeri@gmail.com
Waiaua Bay Farm Limited	Attn. Steve Tuck PO Box 149 NAPIER 4140 steve.tuck@mitchelldaysh.co.nz
Nicole Way and C Huljich as Trustees of the Trssh Birnie Settlement Trust	Attn. J Dawson PO Box 531 WHANGAREI 0140 julian@rmalawyer.co.nz