



**FURTHER SUBMISSION ON THE PROPOSED FAR NORTH DISTRICT PLAN**  
**Clause 8 of Schedule 1 Resource Management Act 1991**

To: Far North District Council  
By Email: [pdp@fndc.govt.nz](mailto:pdp@fndc.govt.nz)

**4 September 2023**

**Further Submitter Details**

Name of further submitter: Royal Forest and Bird Protection Society of New Zealand Inc.  
(Forest & Bird).  
Contact person: Dean Baigent-Mercer  
Regional Conservation Manager  
Postal address: PO Box 631, Wgtn 6011  
Email address for service: [D.Baigent-Mercer@forestandbird.org.nz](mailto:D.Baigent-Mercer@forestandbird.org.nz)

**Forest & Bird is:**

- a) A person representing a relevant aspect of the public interest; and
- b) A person who has an interest in the proposal that is greater than the interest of the general public.

Forest & Bird is New Zealand's largest non-governmental conservation organization representing its members and supporters, and made a submission Proposed Far North District Plan.

**Hearing**

Forest & Bird wishes to be heard in support of its further submission. If others make a similar submission, Forest & Bird would consider presenting a joint case with them.

**Submission**

The submission points, support or opposition, reasons and decisions sought are set out in the below table.

Submitter (original submission)	Submission number/point number	Support/Oppose original submission/point	Plan Section/provision	Reasons for support/Oppose	Seek that the submission be allowed/disallowed
Northland Fish and Game Council	436	Support	All	<p>The amendments sought give effect to the NPS FM, the RPS and Part 2 of the RMA and the NPS IB.</p> <p>Forest &amp; Bird supports the full submission of Fish and Game other than where the relief sought would conflict with that sought in Forest &amp; Birds submission.</p>	<p>Allow</p> <p style="text-align: center; color: red;">FS346.087-127</p>
Ventia Ltd	424	Oppose	All	<p>The amendments sought seek to expand the Mineral Extraction Overlay. It also seeks to weaken some of the provisions applying to mineral extraction activities, including the expansion of the existing mining activities undertaken by the submitter. The submission is opposed, as it would not give effect to the requirement to recognise and provide for s6 matters, or allow the Council to appropriately manage mineral extraction activities.</p> <p>F&amp;B does agree that there is some uncertainty in the way that the overlay provisions work, and has addressed this in our primary submission.</p>	<p>Disallow</p> <p style="text-align: center; color: red;">FS346.128-140</p>
Director-General of Conservation	364	Support	All	<p>The amendments sought give effect to the NPS FM, the RPS, Part 2 of the RMA, and the NPSIB.</p> <p>Forest &amp; Bird supports the full submission of the Director General for Conservation other than where the relief sought would conflict with that sought in Forest &amp; Bird's submission.</p>	<p>Allow</p> <p style="text-align: center; color: red;">FS364.141-234</p>
Northland Federated Farmers of New Zealand	421	Oppose	All	<p>The amendments sought will result in a loss of indigenous biodiversity values which is inconsistent with council's functions and responsibilities under section 31(1)(b)(iii) and Section 6 the RMA and do not give effect to the RPS, NPSFM, NPSIB and the NZCPS.</p>	<p>Disallow</p> <p style="text-align: center; color: red;">FS364.235-461</p>

Horticulture NZ	159.001	Oppose	New definition of ancillary earthworks	Forest & Bird oppose any relaxation of the earthworks rules, which we presume this amendment is intended to facilitate. It is not clear that the amendment would adequately recognise and provide for s6(a)-(c) matters, or allow for adequate effects management generally.	Disallow  FS346.001
Horticulture NZ	159.021	Oppose	Definition of sensitive water body	The amendment sought does not adequately protect surface water bodies.	Disallow  FS346.002
Horticulture NZ	159.025	Oppose	Definition of wetlands etc margins and associated rules	It is not clear that the amendment sought adequately protects water bodies and their margins.	Disallow  FS346.003
Horticulture NZ	159.029	Oppose in part	SD-RE O1	Oppose the very enabling focus (provided for and enable), without reference to management of effects. Reference to not being compromised by incompatible development is supported.	Allow in part.  FS346.004
Horticulture NZ	159.050	Support	IB Chapter and Schedule 4	The Plan should be redrafted to give effect to the NPSIB.	Allow  FS346.005
Horticulture NZ	159.052	Support	IB-P7	The amendment sought makes the policy clearer.	Allow  FS346.006
Horticulture NZ	159.057	Oppose	NATC-R1 PER-5	It is not clear that the amendment will adequately protect waterbodies and their margins.	Disallow  FS346.007
Horticulture NZ	159.058	Oppose	NATC-R2	It is not clear that the amendment will adequately protect waterbodies and their margins.	Disallow  FS346.008
Horticulture NZ	159.060	Oppose	NFL-P4	Existing uses should already be covered by existing use rights, further provision for them in policy is not necessary.	Disallow  FS346.009
Horticulture NZ	159.061	Oppose	NFL-R1	The amendment does not adequately recognise and provide for s6(b) matters.	Disallow  FS346.010
Horticulture NZ	159.063	Oppose	NFL-R6	Existing uses should already be provided for by existing use rights.	Disallow  FS346.011

Horticulture NZ	159.073-074	Oppose	CE-R1	The amendments sought do not adequately manage effects in the coastal environment.	Disallow <b>FS346.012-.013</b>
Horticulture NZ	159.075	Oppose	CE-R2	The amendments sought do not adequately manage effects in the coastal environment.	Disallow <b>FS346.014</b>
Horticulture NZ	159.076	Oppose	CE-R3	The amendments sought do not adequately manage effects in the coastal environment.	Disallow <b>FS346.015</b>
Horticulture NZ	159.077	Oppose	CE-R4	The amendments sought do not adequately manage effects in the coastal environment.	Disallow <b>FS346.016</b>
Horticulture NZ	159.079	Oppose	EW-S1	The amendments do not provide the Council with the ability to adequately manage effects of earthworks.	Disallow <b>FS346.017</b>
Transpower NZ	454.015	Support in part	Definition of biodiversity offset	Forest & Bird would be comfortable with the offsetting principles being placed in an Appendix, as long as the definition makes clear that the principles must be met for an action to qualify as an offset. Similarly, any plan provisions referring to biodiversity offsets must make clear that adherence to the principles is mandatory.	Allow with further amendments <b>FS346.018</b>
Transpower NZ	454.018	Support in part	Definition of biodiversity compensation	Forest & Bird would be comfortable with the compensation principles being placed in an Appendix, as long as the definition makes clear that the principles must be met for an action to qualify as compensation. Similarly, any plan provisions referring to biodiversity compensation must make clear that adherence to the principles is mandatory.	Allow with further amendments <b>FS346.019</b>
Transpower NZ	454.032-034	Oppose	Energy, infrastructure and transport section and whole of plan	Forest & Bird opposes amendments that would give Infrastructure and transport provisions primacy over other sections of the plan, particularly IB, NATC, ONFLs and Notable Trees.	Disallow <b>FS346.020-.022</b>
Transpower NZ	454.043	Oppose	I-P2	Amendment sought is inconsistent with the NZCPS.	Disallow <b>FS346.023</b>
Transpower NZ	454.044	Oppose	New Infr. policy	Amendment sought does not adequately recognise and provide for s6(a)-(c) matters. Also	Disallow <b>FS346.024</b>

				oppose the direction that this policy would have primacy over others in the plan.	
Transpower NZ	454.045	Oppose	I-P3	Amendment sought is inconsistent with the NZCPS.	Disallow FS346.025
Transpower NZ	454.053	Oppose	I-P10	Amendment sought considerably widens the policy, which is inappropriate for new activities such as upgrading or relocation.	Disallow FS346.026
Transpower NZ	454.056	Oppose	I-P11	Amendment does not clearly recognise and provide for s6(a)-(c) matters.	Disallow FS346.027
Transpower NZ	454.057	Oppose	I-P14	Forest & Bird seeks to ensure that effects on s6(a)-(c) matters are appropriately managed. It is not clear that the amendment sought will achieve that.	Disallow FS346.028
Transpower NZ	454.083-086	Oppose	IB-P2,3,5,10.	Amendments sought are inappropriate to recognise and provide for s6(c) matters.	Disallow FS346.029- .032
Transpower NZ	454.088-089	Oppose	NATC O2, P4	Amendments sought are inappropriate to recognise and provide for s6(a) matters.	Disallow FS346.033-.034
Transpower NZ	454.090-092	Oppose	NFL-O2, P2, P3	Amendments sought are inappropriate to recognise and provide for s6(b) matters.	Disallow FS346.035-.037
Transpower NZ	454.093	Oppose	NFL-R1	Amendment sought is inappropriate, particularly in the coastal environment. A seek to avoid requirement is not met by permitted activity status.	Disallow FS346.038
Transpower NZ	454.096	Oppose	New CE Objective	The amendment sought does not give effect to the NZCPS.	Disallow FS346.039
Transpower NZ	454.097-098	Oppose	CE-P2,P3	The amendment sought does not give effect to the NZCPS.	Disallow FS346.040-.041
Transpower NZ	454.099	Oppose	New CE Policy	The amendment sought does not give effect to the NZCPS and is overly enabling to ensure appropriate management of effects.	Disallow FS346.042
Transpower NZ	454.122 and 123	Oppose	New NOSZ Objective and Policy	The amendment sought is too enabling to ensure adequate management of effects in this zone.	Disallow FS346.043-.044
Northland Regional Council	359	Support	All	The amendments sought give effect to the NPS FM, the RPS and Part 2 of the RMA and the NPS IB.	Allow FS346.462-506

				Forest & Bird supports the full submission other than where the relief sought would conflict with that sought in Forest & Birds submission.	
Waka Kotahi	356.030	Oppose	IP2	Amendment sought is inconsistent with the NZCPS.	Disallow <b>FS346.045</b>
Waka Kotahi	356.063	Oppose	IB-P2	Amendment sought is inconsistent with the NZCPS.	Disallow <b>FS346.046</b>
Waka Kotahi	356.064	Oppose	IB-P3	Amendment sought does not adequately recognise and provide for s6(c)/s31 matters.	Disallow <b>FS346.047</b>
Waka Kotahi	356.066	Oppose	NATC-P1	Amendment sought does not adequately recognise and provide for s6(a) matters.	Disallow <b>FS346.048</b>
Waka Kotahi	356.069	Oppose	NATC-R1	Amendment sought does not adequately recognise and provide for s6(a) matters.	Disallow <b>FS346.049</b>
Waka Kotahi	356.095	Support	CE-P1	Provision will assist plan users	Allow <b>FS346.050</b>
Waka Kotahi	356.097	Oppose	CE-P3	Amendment sought is inconsistent with the NZCPS.	Disallow <b>FS346.051</b>
Waka Kotahi	356.099-102	Support in part	EW-P8, R7, R8, R10	Support provided that the Notes preceding the Rules in the IB section remains as notified.	Allow <b>FS346.052-.055</b>
Top Energy Ltd	483.031	Oppose	New objective	The amendment sought does not appropriately recognise and provide for s6(a)-(c) matters.	Disallow <b>FS346.056</b>
Top Energy Ltd	483.036	Oppose	I-O4	The amendment sought does not appropriately recognise and provide for s6(a)-(c) matters.	Disallow <b>FS346.057</b>
Top Energy Ltd	483.040 and 041	Oppose	I-P2 and P3	The amendment sought does not appropriately recognise and provide for s6(a)-(c) matters.	Disallow <b>FS346.058-.059</b>
Top Energy Ltd	483.051	Oppose	I-P13	The amendment sought does not appropriately recognise and provide for s6(a)-(c) matters.	Disallow <b>FS346.060</b>
Top Energy Ltd	483.076	Oppose	REG provisions	Not appropriate to specify that the REG provisions have precedence over other plan provisions.	Disallow <b>FS346.061</b>
Top Energy Ltd	483.079	Oppose	REG O3	Not all important values are mapped in the plan. The amendment sought would therefore be inadequate to manage effects on values.	Disallow. <b>FS346.062</b>
Top Energy Ltd	483.082	Oppose	REG P2	Oppose inserting the word enable, as it doesn't provide enough scope for effects management.	Disallow <b>FS346.063</b>

Top Energy Ltd	483.085 and 086	Oppose	REG P5 and 6	Not all important values are mapped in the plan. The amendment sought would therefore be inadequate to manage effects on values.	Disallow <b>FS346.064-.065</b>
Top Energy Ltd	483.093	Oppose	New REG policy	Policy is inappropriate without management of effects.	Disallow <b>FS346.066</b>
Top Energy Ltd	483.095	Oppose	REG R1	Upgrading or repowering is not appropriate as a permitted activity, particularly where there are not standards associated with that rule.	Disallow <b>FS346.067</b>
Top Energy Ltd	483.101	Oppose	REG R7/new REG rule	Large scale solar can have adverse effects, and these are not well understood for biodiversity and other natural values. Discretionary status is therefore appropriate.	Disallow <b>FS346.068</b>
Top Energy Ltd	483.106-108	Oppose	New objective, policy and rule	Upgrading can have adverse effects on natural values, and it is not appropriate for provisions to enable this activity as a permitted activity.	Disallow, at least in respect of upgrading. <b>FS346.069-.071</b>
Top Energy Ltd	483.145-149	Oppose	IB provisions	The amendments sought do not adequately recognise and provide for s6(c) matters.	Disallow <b>FS346.072-.076</b>
Top Energy Ltd	483.151-156	Oppose	NATC provisions	The amendments sought do not adequately recognise and provide for s6(a) matters.	Disallow <b>FS346.077-.082</b>
Top Energy Ltd	483.160 and 161	Oppose	New ONFL rule	Upgrading is not appropriate as a permitted activity, particularly where there are not standards associated with that rule.	Disallow <b>FS346.083-.084</b>
Top Energy Ltd	483.174 and 175	Oppose	New CE rules	Upgrading is not appropriate as a permitted activity, particularly where there are not standards associated with that rule.	Disallow <b>FS346.085-.086</b>
Summit Forests NZ Ltd	148	Oppose	All	The amendments sought will result in a loss of indigenous biodiversity values which is inconsistent with council's functions and responsibilities under section 31(1)(b)(iii) and Section 6 the RMA and do not give effect to the RPS, NPSFM, NPSIB and the NZCPS. Loss of natural character, coastal environment values and the values of outstanding landscapes could also result.	Disallow <b>FS346.507-570</b>
Manulife Forest Management Ltd	160	Oppose	All	The amendments sought will result in a loss of indigenous biodiversity values which is	Disallow <b>FS346.571-611</b>

				inconsistent with council's functions and responsibilities under section 31(1)(b)(iii) and Section 6 the RMA and do not give effect to the RPS, NPSFM, NPSIB and the NZCPS. Loss of natural character, coastal environment values and the values of outstanding landscapes could also result.	
Kapiro Conservation Trust	442	Support	All	The amendments sought give effect to the NPS FM, the RPS and Part 2 of the RMA and the NPS IB. Forest & Bird supports the full submission other than where the relief sought would conflict with that sought in Forest & Birds submission.	Allow  FS364.612-800
Bellingham Quarries Ltd	7	Oppose	All	Forest & Bird opposes extension of the Mineral Extraction overlay. The submission is opposed, as it would not give effect to the requirement to recognise and provide for s6 matters, or allow the Council to appropriately manage mineral extraction activities.	Disallow  FS364.801-806
Imerys Performance Minerals Asia Pacific	65	Oppose in part	All	Forest & Bird agrees that there is some uncertainty created by the use of overlay vs zoning, as set out in paragraph 8 of its original submission. However, Forest & Bird opposes any relaxation of the rules/provisions relating to mineral extraction activities, particularly where that would lessen the protection afforded to areas of indigenous biodiversity, natural character or outstanding natural landscapes. Forest & Bird also opposes the extension of the MEO.	Disallow  FS364.807-823
Michael Winch	67	Support	All	The amendments sought give effect to the NPS FM, the RPS, Part 2 of the RMA, and the NPSIB. Forest & Bird supports the full submission than where the relief sought would conflict with that sought in Forest & Birds submission.	Allow  FS364.824-863



Marianna Fenn	542	Support	All	The amendments sought give effect to the NPS FM, the RPS, Part 2 of the RMA, and the NPSIB. Forest & Bird supports the full submission other than where the relief sought would conflict with that sought in Forest & Birds submission.	Allow  FS364.864-882
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