



SECTION 42A REPORT

Sweep Up (Interpretation, Mapping, Plan Variation 1 and other matters)

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List of Abbreviations

Table 1: List of Submitters and Abbreviations of Submitters' Names

Submitter Number	Abbreviation	Full Name of Submitter Section 32
S158	Department of Corrections	Ara Poutama Aotearoa the Department of Corrections
S364	DOC	Director-General of Conservation (Department of Conservation)
S368	FNDC	Far North District Council
S512	FENZ	Fire and Emergency New Zealand
S363	Foodstuffs	Foodstuffs North Island Limited
S159	Horticulture NZ	Horticulture New Zealand
S561	Kāinga Ora	Kāinga Ora Homes and Communities
S331	MOE	Ministry of Education Te Tāhuhu o Te Mātauranga
S518	NZ Kiwifruit Growers Inc	New Zealand Kiwifruit Growers Incorporated
S421	Federated Farmers	Northland Federated Farmers of New Zealand
S359	NRC	Northland Regional Council
S344	Paihia Properties	Paihia Properties Holdings Corporate Trustee Limited and UP Management Ltd
S425	Twin Coast Cycle Trail	Pou Herenga Tai Twin Coast Cycle Trail Charitable Trust
S489	RNZ	Radio New Zealand
S511	Forest & Bird	Royal Forest and Bird Protection Society of New Zealand
S521	VKK	Vision Kerikeri (Vision for Kerikeri and Environs, VKK)
S360	Waste Management	Waste Management NZ Limited
S458	Woolworths	Woolworths New Zealand Limited

Note: This table contains a list of submitters relevant to this topic which are abbreviated and does not include all submitters relevant to this topic. For a summary of all submitters please refer to Section 5.1 of this report (overview of submitters). Appendix 2 to this Report also contains a table with all submission points relevant to this topic.

Table 2: Other Abbreviations

Abbreviation	Full Term
FNDC	Far North District Council
NPS	National Policy Statement
PDP	Proposed District Plan
RMA	Resource Management Act
RPS	Regional Policy Statement



1 Executive Summary

1. The Far North Proposed District Plan ("PDP") was publicly notified in July 2022. In total, 580 submissions (with over 8,500 individual submission points) and 549 further submissions (with 26,174 further submission points) were received. Hearings commenced in May 2024, with a total of 20 hearings held across a broad range of topics covering each chapter of the PDP.
2. This report provides a Section 42A evaluation and recommendations for the 'Sweep Up' hearing (Hearing 17) of the PDP. It covers interpretation, mapping, Plan Variation 1 and other matters. 'Interpretation' and mapping includes submissions on the definitions, glossary and maps that are not topic-specific and have not been covered by Section 42A reports in earlier hearings (refer to Sections 5.3 to 5.6). The definitions addressed in these sections of the report are those which are used across several chapters of the plan and as such, could not be addressed as part of one "topic".
3. 'Other matters' addressed in this report (at Sections 5.6) include consequential changes or plan-wide integration matters identified by reporting officers based on key recommendations in response to submissions from earlier hearings.
4. Lastly, a summary of outstanding matters on designations not addressed at Hearing 10 is provided in Section 5.7.
5. This report evaluates to 264 original individual submission points and 540 individual further submission points which have been coded to the "Sweep Up" topic. 100 original submission points indicated general support for the provisions to be retained as notified, 87 submission points indicated support in part, with changes requested, whilst 58 submission points were either neutral or did not state their position and 21 submissions points opposed the provisions.
6. The submissions are categorised into a number of key issues that sit broadly within the headings of:
 - a) Interpretation and Definitions (Section 5.3)
 - b) Mapping Matters (Section 5.4)
 - c) Plan Variation 1 Matters (Section 5.5)
 - d) Sweep Up and General Integration Matters (Section 5.6)
 - e) Designations (Section 5.7)
7. This report has been prepared in accordance with Section 42A of the Resource Management Act ("RMA") and outlines recommendations in response to the issues raised in submissions. This report is intended to both assist the Hearings Panel to make decisions on the submissions and



further submissions on the PDP and also provide submitters with an opportunity to see how their submissions have been evaluated, and to see the recommendations made by officers prior to the hearing.

8. A number of changes are recommended in this Report, including the following key changes:
 - a) Deletion of the definition '*Plantation Forestry Activity*' and other consequential amendments to align with the NES-CF and the new terms relate to forestry activities recommended in Hearings 4 and 9.
 - b) Introduction of new definitions of Emergency service training activity, Internal boundary, to improve clarity and comprehension.
 - c) Replacement of the term '*Low Impact Design*' with '*Water Sensitive Design*' throughout the PDP.
 - d) Amendment of the definition of '*Wetland, lake and river margins*' to include references to new zones and to exclude artificially constructed ponds.
 - e) Amendment of definition of surface waterbody to exclude "artificial watercourses including drains".
 - f) Minor amendments to the definitions to ensure accuracy, clarity and achieve better integration and alignment between definitions and provisions of the PDP.
 - g) Removal of definitions and terms not referenced or used within the PDP.
 - h) Amendment to definition of "impermeable surface" to add an exclusion for "Permeable surfacing that does not create a barrier to water entering the ground."
 - i) Replace reference to "significant natural areas" with "significant indigenous vegetation and significant habitats of indigenous fauna" throughout the PDP to align with recommendations made at Hearing 4.
 - j) Addition of a new rule across various zones regarding vegetation within the airport protection surface areas.
 - k) Consequential amendments to policies and district wide chapters to reflect changes to zones and spatial layers and to reflect recommendations made at earlier hearings.

2 Introduction

2.1 Authors and Qualifications

9. This report has been prepared by Chloe Mackay, Jaimee Cannon and Lynette Morgan. Ms Mackay is the author of Key Issues 1 to 7 (Sections



5.3 to 5.5). Ms Cannon is the author of Key Issues 8 to 11 (Sections 5.6), an Ms Morgan is the author of Section 5.7 Designations.

2.2 Author 1 (Chloe Mackay, Author of Key Issues 1 to 7)

10. My full name is Chloe Mackay, and I am a Policy Planner at Far North District Council.
11. I hold the qualifications of a Bachelor of Architectural Studies from the University of Auckland in 2023.
12. I have 1 years' experience in planning and resource management, including submission research, consultation and assisting in the preparation of s42A reports. Additionally, I have 1.5 years of experience as an architectural designer, applying technical expertise to architectural drafting.
13. I (Chloe Mackay) prepared the recommendations for Key Issue 1 to 7 in this Report (Sections 5.3 to 5.5).

2.3 Author 2 (Jaimee Cannon, Author of Key Issues 8 to 12)

14. My full name is Jaimee Maree Cannon, and I am a Consultant Planner at Boffa Miskell Limited.
15. I hold the qualification of Master of Planning from University of Otago, and Bachelor of Arts (major in Geography) from the University of Otago. I am a full member of the New Zealand Planning Institute.
16. I have 13 years' experience in planning and resource management including policy development, formation of plan changes and associated Section 32 assessments; Section 42A report preparation; and the preparation of and processing of resource consent applications, outline plans and notices of requirement.
17. I have worked on several district plan reviews at various stages of the Schedule 1 process, including the South Taranaki District Plan Review and New Plymouth District Plan Review, during which I was responsible for preparing proposed provisions, preparing S32 reports and S42A reports across several topics. Since January 2022 I have been working with Far North District (FNDC) District Plan Team on the Proposed Far North District Plan.
18. I (Jaimee Cannon) prepared the recommendations for Key Issue 8 to 12 of this Report (contained in Section 5.6).
19. I note that Boffa Miskell, my employer, provides policy advice and assistance to Ara Poutama Aotearoa the Department of Corrections ("Ara Poutama"), with reviewing and submitting on RMA planning documents including the Far North PDP. Therefore, in preparing this Section 42A report, where submissions have been made by Ara Poutama, I am not the author of those evaluation or recommendations due to potential or perceived conflict of interest. Those evaluations and

recommendations (which refer to first person) are authored by Chloe Mackay and I have not had any involvement in those recommendations. This includes the recommendations previously made by Mr Wyeth with respect to adding "Corrections Special Purpose Zone" to the PDP (that are referred to in Key Issue 10: New Spatial Layers and Zones of this Report) where this report simply summarises the reporting officer's previous recommendations in Tables 6 and 7 to assist the Hearing Panel to understand the District Wide changes required as a result of new spatial layers and tools recommended by other reporting officers.

2.4 Author 3 (Lynette Morgan, Author of Section 5.7 Designations)

20. My name is Lynette Morgan, and I am employed as a Policy Planner in the District Planning Team at the Far North District Council.
21. I hold the qualifications of a Post Graduate Diploma of Public Policy from the University of Victoria and a Bachelor of Laws from the University of Otago.
22. I have 8 years' experience in central government policy development, including the development, report writing, drafting and carriage of Local Government and related Legislation through the New Zealand House of Representatives. I have two years of Local Government policy development formation, drafting and writing of bylaws and delegations including planning and resource management, including consultation and the preparation and writing of s42A reports and over 25 years of practice in the Law.

2.5 Code of Conduct

23. We confirm that we have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023 and that we have complied with it when preparing this report. Other than when we state that we are relying on the advice of another person, this evidence is within our area of expertise. We have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.
24. We are authorised to give this evidence on the Council's behalf to the Proposed District Plan hearings commissioners ("Hearings Panel").

2.6 Expert Advice

25. In preparing this report I (Chloe Mackay) has sought advice from Tom Kiddle / Blair Masefield from Beca on the use of the term 'water sensitive design' throughout the PDP rather than 'low impact design' in response to submission S215.056. The scope of this advice was to review the Council's recommendation to shift to "water sensitive design" and provide advice on the merits and implications of this change from an engineering perspective. The advice has been included in the evaluation of this Section 42A report (at paragraphs 354 to 361).

3 Scope/Purpose of Report

26. This report has been prepared in accordance with Section 42A of the Resource Management Act to:

- a) Assist the Hearings Panel in making their decisions on the submissions and further submissions on the Proposed District Plan; and
- b) Provide submitters with an opportunity to see how their submissions have been evaluated and the recommendations being made by officers, prior to the hearing.

27. This report provides a Section 42A evaluation and recommendations for the 'Sweep Up' hearing (Hearing 17) of the PDP covering interpretation, mapping, Plan Variation 1 and other matters. 'Interpretation' and mapping includes submissions on the definitions, glossary and maps that are not topic-specific and have not been covered by Section 42A reports in earlier hearings. The definitions addressed in this report are those which are used across several chapters of the PDP, or were omitted from earlier reports (refer Key Issue 12). 'Other matters' include consequential changes or plan-wide integration matters identified by reporting officers based on recommendations in response to submissions from earlier hearings.

28. Definitions are important to the interpretation of objectives, policies and rules in the PDP. Any recommended amendments to a defined term are likely to have consequences for how that term is applied elsewhere in the PDP. This S42A report is being considered at the end of the hearing timetable, allowing recommendations based on an understanding of how the definitions are used in practice in the PDP, and the recommendations of reporting officers from the earlier topic-specific hearings (Hearing 1 to Hearing 16). This report does not make recommendations on definitions where submissions have already been addressed in earlier hearings.

29. Wherever possible, we have provided a recommendation to assist the Hearings Panel.

30. Separate to the Section 42A report recommendations in response to submissions, Council has made a number of Clause 16(2) amendments to the PDP¹. These changes are neutral and do not alter the effect of the rules or standards, they simply clarify the intent.

4 Statutory Requirements

4.1 Statutory Documents

31. I note that the relevant Section 32 reports provide detail of the relevant statutory considerations.

¹ Available at: [Clause 16 Amendments | Far North District Council](#)

32. It is not necessary to repeat the detail of the relevant RMA sections and full suite of higher order documents here. Consequently, no further assessment of these documents has been undertaken for the purposes of this report.
33. However, it is important to highlight the higher order documents which have been subject to change since notification of the Proposed Plan which must be given effect to. Those that are relevant to the Sweep Up hearing matters are discussed below.

4.1.1 Resource Management Act

34. On the 24 March 2025, the Government announced that RMA will be replaced with two new pieces of legislation:
- a) A Natural Environment Act – focused on managing the natural environment.
 - b) A Planning Act – focused on planning to enable development and infrastructure.
35. In the announcement, the Government stated that the new legislation will narrow the scope of the resource management system and the effects it controls, with the enjoyment of private property rights as the guiding principle. It was also signalled that there will be a shift has from a precautionary to a more permissive approach to better enable development, streamline processes, and enhance New Zealand’s ability to meet its housing, infrastructure, and environmental objectives. This includes nationally standardised land use zones, one combined plan per region (including a regional spatial plan) and more cohesive and streamlined national direction. The intention is that the two new pieces of legislation will be introduced to Parliament by the end of 2025, with a Select Committee process in 2026, and with the aim of passing them into law before the 2026 general election. The RMA continues to be in effect until when and if this new replacement legislation is passed.

4.1.2 National Policy Statements

4.1.2.1 National Policy Statements Gazetted since Notification of the PDP

36. The PDP was prepared to give effect to the National Policy Statements that were in effect at the time of notification (27 July 2022). This section provides a summary of the National Policy Statements, relevant to Strategic Direction that have been gazetted since notification of the PDP. As District Plans must be “prepared in accordance with” and “give effect to” a National Policy Statement, the implications of the relevant National Policy Statements on the PDP must be considered.
37. The National Policy Statement for Indigenous Biodiversity (NPS-IB) took effect on 4 August 2023. This was after the PDP was notified (27 July 2022), but while it was open for submissions. The objective of the NPS-IB is to maintain indigenous biodiversity so there is at least no overall



loss in indigenous biodiversity. The objective is supported by 17 policies. These include Policy 1 and Policy 2 relating to the principles of the Treaty of Waitangi and the exercise of Kaitiakitanga by tangata whenua in their rohe.

38. The National Policy Statement for Highly Productive Land (NPS-HPL) took effect on 17 October 2022. The NPS-HPL has a single objective: Highly productive land is protected for use in land-based primary production, both now and for future generations. The objective is supported by nine policies and a set of implementation requirements setting out what local authorities must do to give effect to the objective and policies of the NPS-HPL, including restrictions on the urban rezoning, rural lifestyle rezoning, and subdivision of highly productive land and requirements to protect highly productive land from inappropriate use and development.

4.1.2.2 National Direction – Proposed Changes

39. Between May and August 2025, the Government consulted on proposed changes to national direction under the Resource Management Act 1991 (RMA). The proposed changes are broad and wide ranging, with proposed amendments to 12 instruments and four new instruments.

40. The packages of changes are:

- a) Package 1: Infrastructure and Development
- b) Package 2: Primary Sector
- c) Package 3: Freshwater
- d) Package 4: Going for Housing Growth

41. The Government is progressing proposals for changes to national direction in relation to Infrastructure and Development, the Primary Sector, Freshwater, and Going for Housing Growth. Consultation has closed and changes to national direction instruments are expected to be completed by the end of 2025.

42. The changes summarised below are directly relevant to the submissions addressed in this Report. Other proposed national direction changes that are not directly relevant have not been included, and are summarised in other Section 42A Reports.

Package 1: Infrastructure and Development

Proposed New National Policy Statement for Infrastructure

43. Package 1 includes a proposal for new a National Policy Statement for Infrastructure (NPS-I) that will provide:



- a) Consistent definitions to support the proposed policies.
- b) An objective setting out a range of infrastructure outcomes expected from the resource management system.
- c) General policies to better enable and protect infrastructure, while managing its effects on various environments, and recognising and providing for Māori rights and interests.
- d) Policies on managing the interface between infrastructure and other activities.
- e) Policies to enable infrastructure while managing its effects on the environment.

44. In summary it will:

- a) Cover energy (except where covered by other NPSs), three waters, transport networks and asset, social infrastructure (e.g. hospitals, emergency services, defence and corrections facilities), parks, resource recovery or waste disposal facilities, and “green” infrastructure that delivers flood management services.
- b) Apply to all RMA decisions affecting the operation, maintenance, renewal and upgrade of existing infrastructure, and to development of new infrastructure.
- c) Require decision-makers to recognise and provide for the benefits of infrastructure, and the functional need or operational need of infrastructure to locate in particular environments.
- d) Include requirements for addressing the long timeframes and costs of consenting infrastructure projects are proposed.
- e) Set national requirements for providing for Māori interests.
- f) Provide nationally consistent direction for assessing and managing adverse effects of infrastructure on the environment and aims to manage the tensions between providing long-term certainty for infrastructure services and providing for compatible housing and other development.

Proposed New National Environmental Standards for Papakāinga

45. The Government is proposing new National Environmental Standards for Papakāinga (NES-P) to permit limited scale papakāinga development (up to 10 homes) on certain types of land in rural zones, residential zones and Māori-purpose zones.

46. In summary it will:



- a) Apply to Māori freehold land, Māori customary land, Māori reservations and reserves, former land that was compulsorily converted under the Māori Affairs Amendment Act 1967 and returned land taken for public works.
- b) Permit non-residential activities ancillary to the residential activities of the papakāinga (e.g. limited commercial activities).
- c) Include standards relating to building coverage and setbacks from boundaries depending on the zone.
- d) Provide that where permitted activity standards are not met, 11-30 residential units are proposed, or proposal relates to Treaty settlement land, it will be a restricted discretionary activity.
- e) Provide for all other (larger) Papakāinga to be discretionary.

Package 2: Primary Sector

Proposed Changes to National Policy Statement for Highly Productive Land

- 47. A range of changes to the National Policy Statement for Highly Productive Land (NPS-HPL) are proposed.
- 48. A summary of the proposed changes is provided below:
 - a) The proposal includes that class LUC 3 land will be removed from NPS-HPL restrictions.
 - b) It provides for new special agricultural areas (SAA), intended to recognise that some areas important for primary production may be compromised by the removal of LUC 3.
 - c) Depending on consultation, further amendments to how HPL is defined may be considered.
 - d) Changes to the timeframes for mapping HPL in regional policy statements to either extend the timeframes to 2027 or 2028 or suspend mapping requirements until further direction is provided in the replacement resource management system.

Proposed Changes to Resource Management (National Environmental Standards for Commercial Forestry) Regulations 2017

- 49. A range of amendments to the National Environmental Standards for Commercial Forestry (NES-CF) are proposed. These include:
 - a) Amend regulation 6(1)(a) (circumstances in which a rule in a plan may be more stringent than the NES-CF) to be more specific about the criteria for how councils can impose stricter rules. The intent is to enable councils to consider making a rule in a plan more stringent only if:



- It is required to manage the risk of severe erosion from a commercial forestry activity in a defined area that would have significant adverse effects on receiving environments, including the coastal environment, downstream infrastructure and property.
 - The risk cannot be managed through the current rules in the NES-CF.
 - An underlying risk has been identified within the defined area through mapping at a 1:10,000 scale or using a 1 square metre digital elevation model.
- b) Repeal regulation 6(4A) which gives councils a separate broad discretion to have more stringent rules to control aspects of afforestation. There would still be an ability for councils to consider making a more stringent rule under proposed amended regulation 6(1)(a) if the requisite requirements were met.
- c) Amend regulation 69 to require a slash mobilisation risk assessment (SMRA) for all forest harvests as part of the existing harvest management plan, and/or amend regulation 69(5) which applies to orange and red zone land to require all slash above an identified size to be removed from the forest cutover.
- d) Repeal regulations 10A and 77A (which, respectively, require afforestation and replanting plans) and repeal Schedule 3 (which sets out the requirements for these plans).
- e) Remove the undefined term "woody debris" from all forest planning requirements in Schedules 4, 5 and 6.
- f) Amend wilding tree risk and control regulations 11(4)(b) and 79(5)(b) to simplify wording and link the required activity to the notice requirement.
- g) Amend regulation 71A(b) to state that low-intensity harvesting is permitted if "any relevant forest planning requirement is complied with."

Proposed Changes to National Policy Statement for Indigenous Biodiversity

50. As part of the reform package proposed to better enable quarrying and mining activities, amendments to the National Policy Statement for Indigenous Biodiversity (NPS-IB) are proposed. These amendments, which are accompanied by amendments to the NPS-FM, NES-FW and NPS-HPL have been proposed to provide consistency as to terminology, gateway tests and consent pathways for mining and quarrying across existing national direction.



51. The proposal to amend the NPS-IB by making changes to clause 3.11(1)(a)(ii) and (iii) which provides a consenting pathway for mineral and aggregate extraction as follows:

- a) In clause 3.11(a)(ii) replace "mineral extraction" with "the extraction of minerals and ancillary activities" and in clause 3.11(a)(iii) replace "aggregate extraction" with "quarrying activities" (to be consistent with the National Planning Standards, NPS-FM and NES-F).
- b) Removes "could not otherwise be achieved using resources in New Zealand", from clauses 3.11(1)(a)(ii) and (iii) for consistency with the NPS-FM and NES-F.
- c) Removes the requirement for the benefit in clauses 3.11(1)(a)(ii) and (iii) to be "public" (i.e., allowing any benefits to be considered); and
- d) Adds consideration of "regional benefits" to the mining consent pathway in clause 3.11(1)(a)(ii).

52. The proposal to amend the NPS-FM and NES-F is to amend those documents by adding "operational need" as a gateway test (to the existing "functional need" test) in wetlands in clauses 3.22(1)(d)(iii) and (e)(iii) of the NPS-FM and regulation 45A(6)(b) and 45D(6)(b) for mining and quarrying, to make the pathways consistent with the other national direction instruments.

53. The proposal to amend the NPS-HPL is to:

- a) Replace "mineral extraction" with "the extraction of minerals and ancillary activities" in clause 3.9(2)(iii) and "aggregate extraction" with "quarrying activities" (to be consistent with the National Planning Standards, NPS-FM and NES-F);
- b) Amend the test for mineral extraction in clause 3.9(2)(j)(iii) to remove the requirement that the benefits of the activity "could not otherwise be achieved using resources in New Zealand" and replacing with a requirement for proposals that provide a national or regional public benefit; and
- c) Amend the test for aggregate extraction in clause 3.9(2)(j)(iv) to remove the requirement that the benefits of the activity "could not otherwise be achieved using resources in New Zealand").

Proposed Changes to New Zealand Coastal Policy Statement

54. A range of amendments to the New Zealand Coastal Policy Statement (NZCPS) are proposed. These include:

- a) Better enabling priority activities (i.e., specified infrastructure, renewable electricity generation, electricity transmission,



aquaculture and resource extraction) while still protecting the environment.

- b) Policy 6 to be amended to be more directive, and to make it easier to give consent to priority activities in the coastal environment, and to expand the functional need test into a 'functional or operational needs' test.
- c) Changes intended to better enable aquaculture activities, particularly to Policy 8.

Package 3: Freshwater

55. The consultation document for Freshwater proposes amendments to the National Policy Statement for Freshwater Management 2020 (NPS-FM) and the National Environmental Standards for Freshwater (NES-F) to 'better reflect the interests of all water users'.

56. The key proposal includes consideration of whether to replace the NPS-FM's single objective (clause 2.1 of the NPS-FM, which establishes a hierarchy of obligations) with multiple new objectives. The potential new objective proposed is one that will direct councils to safeguard the life-supporting capacity of freshwater and the health of people and communities while enabling communities to provide for their social, cultural and economic well-being, including productive economic opportunities. This objective would not operate as a hierarchy but would require councils to provide for these matters equally within their planning documents. The proposal also includes consideration of rebalancing Te Mana o te Wai. Three options are proposed: Remove hierarchy of obligations and clarify how Te Mana o te Wai applies. Reinstate Te Mana o te Wai provisions from 2017. Remove Te Mana o te Wai provisions.

57. It also considers:

- a) Whether or not to retain some elements of the National Objectives Framework in the NPS-FM and making it more flexible to implement. The National Objectives Framework in the NPS-FM requires councils and communities to develop a long-term vision and identify the values they want to see provided for.
- b) Whether to give councils flexibility to deviate from:
 - Nationally defined thresholds (including bottom lines) that guide where the environmental limits (targets) are set.
 - Detailed methods for monitoring attributes.
- c) Whether national bottom lines are required at all, or if instead councils should determine where limits are set based on community input.



- d) Whether to introduce a new requirement in the NPS-FM for source water risk management areas to be mapped.
- e) Amendments to wetland regulations, fish passage regulations and further encouraging wetland construction and edge-of-field mitigations through a new objective and/or policy in the NPS-FM.
- f) Removing the requirement for councils to map natural inland wetlands within 10 years (currently in clause 3.23 of the NPS-FM).

58. The document notes that the Government has already paused regional councils' ability to notify freshwater planning instruments while it is working through changes to national direction and a significant reform programme to replace the RMA. Feedback is also sought on timing for implementation changes.

4.1.2.3 Going for Housing Growth Programme

59. The Going for Housing Growth programme, consulted on between 19 June and 17 August 2025, seeks to progress the key policy and regulatory changes needed to address issues associated with the barriers to housing supply. Going for Housing Growth is structured around three pillars which span a range of legislation and work programmes across government. These are:

- Pillar 1 – Freeing up land for urban development, including removing unnecessary planning barriers.
- Pillar 2 – Improving infrastructure funding and financing to support urban growth.
- Pillar 3 – Providing incentives for communities and councils to support growth.

60. The Pillar 1 proposals are intended to increase development capacity available for housing and business uses, improve land use flexibility, remove unnecessary planning barriers, and provide for well-functioning urban environments. The changes are aimed at ensuring that councils are providing an abundance of development capacity, including in areas of high demand and accessibility, while providing more certainty for councils and communities about what is required.

4.1.2.4 Draft Government Policy Statement on Housing and Urban Development (GPS-HUD)

61. Consultation on the draft GPS-HUD 2025 closes on 21 September 2025. The Draft Proposed Government Policy Statement on Housing and Urban Development (GPS-HUD) sets a long-term (30 year) direction for housing and urban development in Aotearoa New Zealand. It was developed alongside MAIHI Ka Ora – the National Māori housing strategy. The statement sets out four main outcomes it aims to achieve:

- a) An adaptive and responsive system that that is integrated and self-adjusting and is able to deliver in response to changing



circumstances. The system includes private industry and local and central government.

- b) The provision of housing that is affordable where people have a choice in quality housing in all locations and price points.
 - c) Māori and the Crown working together in partnership to ensure all whānau have stable, affordable, healthy homes. Enabling Māori housing solutions led by Māori and delivered locally.
 - d) Thriving and resilient communities that are well functioning with physical and community infrastructure. Where towns and cities are resilient to natural hazards and address the impacts of climate change (reducing emissions and adaptation).
62. The Government has indicated that these outcomes are intended to remain relevant and constant for future governments. He oranga kāinga, he oranga hāpori – the housing and urban development system indicators – measure progress against the GPS-HUD outcomes.
63. The Government has set five key priorities to achieve these outcomes which include reforming the resource management system to increase the supply of housing within a more efficient process, improving efficiency and competition in building and construction, and incentivising investment in the build to rent market.

4.2 Council's Response to Current Statutory Context

64. The evaluation of submissions and recommendations in this report are based on the current statutory context (that is, giving effect to the current National Policy Statements that are gazetted at the time of writing). We note that the proposed amendments and replacement National Policy Statements and National Environmental Standards do not have legal effect until they are adopted by Government and formally gazetted.
65. However, some new national directions came into force after the PDP was notified. Sections 55(2A) to (2D) of the RMA sets out the process for changing District Plans to give effect to National Policy Statements. A council must amend its District Plan to include specific objectives and policies or to give effect to specific objectives and policies in a National Policy Statement if it so directs. Where a direction is made under Section 55(2), Councils must directly insert any objectives and policies without using the Schedule 1 process and must publicly notify the changes within five working days of making them. Any further changes required must be done through the RMA schedule 1 process (such as changing rules to give effect to a National Policy Statement).
66. Where there is no direction in the National Policy Statement under Section 55(2), the Council must amend its District Plan to give effect to the National Policy Statement using the RMA schedule 1 process. The amendments must be made as soon as practicable, unless the National



Policy Statement specifies a timeframe. For example, changes can be made by way of a Hearin Panel recommendation and Council decision in response to submissions, if the submissions provide sufficient 'scope' to incorporate changes to give effect to the National Policy Statements.

67. I have been mindful of this when making my recommendations, noting that at the time of writing this report, the current statutory context applies. I believe the changes I have recommended give effect to the relevant National Policy Statements (gazetted at the time of writing) and are either within scope of the powers prescribed under Section 55 of the RMA or within the scope of relief sought in submissions.

4.3 Implications of National Direction Changes on PDP Process and Decisions

68. The Council is required to make decisions on the PDP by 27 May 2026². The new National Direction is expected to come into effect late 2025 and early 2026 after the completion of 18 months of hearings on PDP submissions.

69. The RMA requires current national policy statements to be given effect to in plan-making decisions, although the precise timing requirements are often specified in implementation clauses (that may set compliance dates or otherwise require implementation "*as soon as practicable*"). Any new national directions which are gazetted while the PDP process is live should therefore be considered in terms of whether they could or should be partially implemented through the PDP process, as soon as practicable. However, there are procedural constraints on amending the PDP to implement new national directions that are gazetted during or after hearings have been concluded. In particular, any changes to the PDP must be within the scope of submissions and procedural requirements of the national directions themselves may make it impracticable to comply immediately.

70. Because the final form of any new or amended national directions is not yet known, and it is unclear what the transitional arrangements will be, it is premature to comment on how potential changes would affect the PDP decision-making process. The extent to which new or amended national directions can or should be implemented through the PDP may need to be considered by the Hearings Panel when the final form of the national directions is known, having regard to matters such as procedural fairness, scope, timeframes, complexity, administrative efficiency and potential outcomes.

71. It is expected that by 4 November (commencement of Hearing 17) there will be greater certainty on timeframes for gazettal and implementing the new National Direction. The Council intends to provide legal submissions the beginning of Hearing 17 on these matters.

² As per Clause 10A exemption application issued by MfE ([Clause 10A Timeframe Extension Approval from Minister Simmonds.pdf](#))



4.3.1 National Environmental Standards

72. The National Environment Standards for Commercial Forestry 2017 (NESCF), which amend the NES-PF, came into effect on 3 November 2023. In addition to regulating the effects of plantation forestry, the NES-CF now regulates “exotic continuous-cover forestry”, which is commercial forestry not intended to be harvested (i.e. carbon forestry). As such, the NES-CF now applies to all types of forestry deliberately established for commercial purposes (permanent indigenous forestry is not regulated under the NES- 11 CF). In addition to bringing exotic continuous-cover forestry within scope, the changes in the NES-CF:

- a) Allow plan rules to be more stringent or lenient to manage afforestation relating to both types of forestry.³
- b) Introduce a range of operational changes, including a new permitted activity standard for managing forestry slash at harvest and new requirements around management of wilding trees.

4.3.2 National Planning Standards

73. The purpose of the national planning standards is to improve efficiency and effectiveness of council plans and policy statements by providing nationally consistent format and content, including definitions. Pursuant to s75(3)(ba), a district plan must give effect to a national planning standard. Section 14 Definitions Standard of the National Planning Standards 2019, provides the following mandatory directions:

1. *Where terms defined in the Definitions List are used in a policy statement or plan, and the term is used in the same context as the definition, local authorities must use the definition as defined in the Definitions List. However, if required, they may define:*
 - a. *terms that are a subcategory of, or have a narrower application than, a defined term in the Definitions List. Any such definitions must be consistent with the higher level definition in the Definitions List.*
 - b. *additional terms that do not have the same or equivalent meaning as a term defined in the Definitions List.*
2. *Te reo Māori terms used in rules must be defined or translated in English in the Definitions chapter.*
3. *When a definition in the Definitions List is used, consequential amendments may be required to the policy statement or plan to ensure that the application of the definition does not alter the effect or outcomes of policy statements or plans.*

³ Regulation 6(4A) of the NES-CF



4. *Where the Definitions List incorporates a definition from legislation, the definition applied is the version included in the legislation on the date of gazettal of this standard.*

5. *Local authorities must consider whether to:*

a. include, or cross reference to, diagrams to illustrate definitions

b. include instructions on how definitions relate to one another (eg, nesting tables or Venn diagrams).

6. *If a term is used in more than one context (eg, 'bed' may relate to the bottom of a river or a place to sleep), local authorities must, in their Definitions chapter, add the context in which the term is defined in brackets after the term name eg, bed (in relation to lakes, rivers and the sea).*

7. *Definitions of terms, whether from the Definitions List or other sources, must be listed numerically and then alphabetically as one list.*

74. In addition, the Planning standards prescribe the structure and format of the District Plan, and the mapping standard prescribes the colours that must be used when preparing planning maps, including the grey colour for Special Purpose Zones.

75. These mandatory directions have been considered when making recommendations within this report.

4.3.3 Treaty Settlements

76. There have been no further Deeds of Settlement signed to settle historic Treaty of Waitangi Claims against the Crown, in the Far North District, since the notification of the PDP.

4.3.4 Iwi Management Plans – Update

77. Ngā Tikanga mo te Taiao o Ngāti Hine' the Ngāti Hine Environmental Management Plan was in draft form at the time of the notification of the PDP. This was updated, finalised and lodged with the Council in 2022, after notification of the PDP in July 2022. The direction of the Ngāti Hine Environmental Management Plan that is relevant to the matters raised in this report is summarised as follows:

Objectives

- Water is a sacred resource and a taonga of special significance to Ngāti Hine and therefore requires our absolute protections.



- The mauri of water is protected and enhanced in ways which enable Ngāti Hine to provide for our physical, social, economic and cultural wellbeing.
- The protection and enhancement of water, soil and air, on an integrated catchment basis that considers all flow-on effects.
- A set of water quality standards, especially for freshwater, that are acceptable to Ngāti Hine are developed and implemented.
- Healthy riparian margins for all the water bodies.
- Bio security risks are actively managed.

Policies

- To ensure that no hierarchical values will be placed on water bodies within any external stakeholders, entitles and groups planning documents in terms of protection.
- All discharge of pollutants or contaminants into natural waterways within Ngāti Hine is to be avoided at all times.
- All activities within a catchment will be managed on an integrated catchment basis.
- Management to reduce the amount of pollution going into our oceans.
- Nga ingoa of Ngāti Hine links us to our whakapapa as tangata whenua and our tupuna and therefore it is those ingoa that are to be used in all maps, charts, plans and other records.
- The advice and input of Ngāti Hine should be sought and adhered to by District and Regional council in the naming of any places or features within our rohe.
- Ngāti Hine supports low impact design and innovative solutions which improve the quality of urban centres and our rohe generally. Where the landscape, taonga and resources are maintained as much as possible.

78. The Ahipara Takiwā Environmental Management Plan was in draft form at the time of the notification of the PDP. This was updated, finalised and lodged with Council in 2023, after notification of the PDP in July 2022. The direction of the Ahipara Takiwā Environmental Management Plan that is relevant to the matters raised in this report is summarised as follows:

Objectives

- Issues relating to water ownership and fair allocation are addressed in a way which recognises the traditional rights of mana whenua.

- The spiritual and cultural significance of water to Nga Marae o Ahipara is recognised in all water management.
- Waters of the Ahipara Catchment are health and support customary uses.
- There is no discharge of human or animal waste directly to water.
- Flow regimes and water quality standards are consistent with cultural values of Ngā Marae o Ahipara and promote ecological integrity.

Policies

- To protect and restore the mauri of all water.
- To develop a monitoring programme for water quality and quantity in the Takiwā.
- To require an assessment of instream values for all activities affecting water.
- To encourage the use of cultural tools for monitoring waterways.
- To require the collection and storage of rainwater for all new and existing dwellings within the Takiwā.
- To require that water takes are metered and the effects monitored, and information be made available to Ngā Marae o Ahipara on require.
- To oppose the granting of water, take and discharge consents for 35 years. Either reduced term or a review clause may be sought.
- To encourage those that extract water for irrigation to use the most efficient method of application.
- To encourage sustainable land uses which are appropriate to the particular site and any constraints it may have.
- To oppose indiscriminate use of chemicals near waterways.
- To oppose draining of wetlands. All wetlands are to be protected.

4.4 Section 32AA Evaluation

79. This report uses 'key issues' to group, consider and provide reasons for the recommended decisions on similar matters raised in submissions. Where changes to the provisions of the PDP are recommended, these have been evaluated in accordance with Section 32AA of the RMA.

80. The s32AA further evaluation for each key issue considers:

- a) Whether the amended objectives are the best way to achieve the purpose of the RMA.

- b) The reasonably practicable options for achieving those objectives.
 - c) The environmental, social, economic and cultural benefits and costs of the amended provisions.
 - d) The efficiency and effectiveness of the provisions for achieving the objectives.
 - e) The risk of acting or not acting where there is uncertain or insufficient information about the provisions.
81. The s32AA further evaluation contains a level of detail that corresponds to the scale and significance of the anticipated effects of the changes that have been made. Recommendations on editorial, minor and consequential changes that improve the effectiveness of provisions without changing the policy approach are not re-evaluated.

4.5 Procedural Matters

82. Due to the clarity of submissions, no correspondence or meetings with submitters needed to be undertaken and there are no procedural matters to consider for this hearing.
83. This report provides recommendations on 18 submission points (in Key Issue 12) that were omitted in error from earlier topic-specific hearings.
84. For completeness, it is noted that the following submission points were addressed in earlier hearings where those submitters were invited to attend the respective hearing however the specific points were omitted from the respective Appendix 2 Summary of Decisions Requested tables:
- a) S542.016 (addressed in Section 6.2.17 of Ecosystems S42A report)
 - b) S518.005 (addressed in para 475 and 486 of the Rural Production Zone S42A report (Hearing 9) where a new rule for seasonable worker accommodation was introduced)
 - c) S477.020 (addressed in paragraph 77 of Rural Lifestyle Zone S42A report (Hearing 9), where no changes requested by submitter but general support for retaining RLZ rules for rural amenity and residential activities)
 - d) S399.012 (addressed in paragraph 124 of Tangata Whenua S42A report (at Hearing 1) where changes were recommended in response to the submission)
85. Submission points deferred from earlier hearings and considered in this report include:
- a) Waka Kotahi's submission (S356.126) seeking that designation CNZ17 (Te Kao Exchange) is accurately mapped (was omitted from the



Designations S42A report at Hearing 10) addressed Section 5.7 of this report.

- b) Doug's Opuia Boat Yard submissions (S185 and S21) (the parts of the submission points that were not comprehensively addressed at earlier hearings) addressed in Section 5.5.2 of this Report (including matters of scope).

4.5.1 Proposed Plan Variation 1

- 86. FNDC notified Proposed Plan Variation 1 (Minor Corrections and Other Matters) for public submissions on 14 October 2024. The submission period closed on 12 November 2023. Proposed Plan Variation 1 proposes minor amendments to; correct minor errors, amend provisions that are having unintended consequences, remove ambiguity and improve clarity and workability of provisions. This includes amendments to the zoning of some properties, and the Coastal flood hazard areas.
- 87. Submissions received on Plan Variation 1 were heard with the relevant reporting topic alongside the Proposed District Plan hearings, as shown in Table 1 below.

Table 1 Plan Variation 1 Proposed Changes and Reporting Topics

Plan Variation 1 – Summary of Proposed Change	Reporting Topic/ Hearing Stream
Adding the Coastal Flood Hazard Layers to certain areas that were inadvertently omitted from the notified Proposed District Plan	Natural Hazards (Hearing 13).
Correcting GIS maps where some private properties were incorrectly zoned as Natural Open Space or have other identified GIS errors related to the Natural Open Space zone	Rezoning General (Hearing 15A).
Rezoning four private properties to General Residential that were incorrectly included within the Kawakawa 'Hospital zone'.	No submissions received.
Rezoning five properties held as part of the Kaitaia Airport to 'Airport zone'.	No submissions received.
Rezoning four properties to 'Kororāreka Russell Township' at the top of Gould Street, Russell, which were zoned General Residential in error	No submissions received.
Include the Kohukohu Heritage Area in the activity status table for rule HA-R9, which relates to new buildings/structures within Heritage Area	Historic and Cultural Values (Hearing 12).

Plan Variation 1 – Summary of Proposed Change	Reporting Topic/ Hearing Stream
Overlays. The Kohukohu Heritage Area was accidentally omitted from this rule within the PDP.	
Remove the catchall rule for heritage areas (Rule HA-R11) due to unintended consequences. This rule requires resource consent for various activities that were not intended to be regulated.	Historic and Cultural Values (Hearing 12).
Insert the correct rule wording for rule QR-R8, which relates to bush protection, and weed and pest control within the Quail Ridge zone ⁴ .	No submissions received.
Amend the wording of notable tree rule NT-R8, which relates to the removal or relocation of a notable tree, so that it does not undermine the permitted rule NT-R3	Notable Trees (Hearing 12).
Amend the Heavy Industrial Zone, Horticulture Processing Facilities Zone, and Māori Purpose Zone – Rural so that the exclusion for decks in relation to the setback rule (Standard 3) is a maximum of 1m in height, not 0.5m.	No submissions received.
Amend the wording of new buildings and structures rules within zones covered by the Airport protection surfaces overlay to ensure the airport protection surface limitations apply in relevant zones, and to ensure that buildings on land surrounding airports are built to a height that they do not penetrate the airport protection surfaces.	Sweep Up (Hearing 17) (this report).

88. Submissions made that were not “on” plan variation 1 have not been evaluated by reporting officers as they are out of scope (as directed in Panel Minute 20).

5 Consideration of Submissions Received

5.1 Overview of Submissions Received

89. A total of 264 original individual submissions and 540 individual further submissions were received on the Integration, mapping and Plan Variation 1 matters (and not addressed as part of earlier, topic specific hearings).

⁴ The wording of this rule was duplicated from another Quail Ridge rule in error and is not fit for purpose



90. The main submissions addressed in this Report came from:
- a) Central and Local Government organisations such as Ministry of Education (S331) and Kāinga Ora (S561).
 - b) Local Planning companies such as Northland Planning and Development 2020 Limited (S502).
 - c) Iwi Authorities such as Te Runanga o Ngāti Takoto Trust (S390) and Te Rūnanga Ā Iwi O Ngapuhi (S498).
 - d) Hapu and marae such as Te Rūnanga o Ngāti Rēhia (S559).
 - e) Key Interest Groups such as Kapiro Conservation Trust (S442, S446) and Our Kerikeri Community Charitable Trust (S271).
 - f) Individuals such as Lynley Newport (S121) and Richard G A Palmer (S248).
91. The key issues identified in this report are set out below:
- a) Key Issue 1: Definitions with support.
 - b) Key Issue 2: National Planning Standard Definitions (where submitters seek amendments).
 - c) Key Issue 3: Other Definitions.
 - d) Key Issue 4: New Definitions/Terms.
 - e) Key Issue 5: Other Interpretation Matters.
 - f) Key Issue 6: Special Purpose Zoning Colours/Symbology.
 - g) Key Issue 7: Zoning of the CMA/Esplanade Reserves.
 - h) Key Issue 8: Airport Protection Surface Area Rules.
 - i) Key Issue 9: Natural Environment Matters.
 - j) Key Issue 10: New Spatial Layers and Zones.
 - k) Key Issue 11: Other Matters.
92. Sections 5.3 to 5.5 of this report considers and provides recommendations on the decisions requested in submissions (on plan interpretation, mapping and plan variation 1 matters not addressed in earlier hearings). Section 5.6 provides a summary of Sweep Up and General Integration matters relevant to the PDP.
93. Due to the large number of submissions received and the repetition of issues, as noted above, it is not efficient to respond to each individual

submission point raised in the submissions. Instead, this part of the report groups similar submission points together under key issues. This thematic response assists in providing a concise response to, and recommended decision on, submission points.

5.2 Officer Recommendations

94. Unlike previous Section 42A reports, which were topic or chapter based, the recommended decisions on submissions cover interpretation (submissions on the definitions and glossary) and mapping matters not addressed as part of the topic / chapter hearings. It also covers consequential amendments as a result of earlier recommendations and a summary of outstanding matters on designations not addressed at Hearing 10.
95. The track changed version of recommended amendments to the definitions is appended to this report, which includes:
 - a) Appendix 1.1 – Officer’s Recommended Amendments to Definitions.
 - b) Appendix 1.2 - Officers Recommended amendments to Glossary.
 - c) Appendix 1.3 - Officer’s Recommended Amendments to Airport Protection Surface Rules/Standards.
 - d) Appendix 1.4 - Officer’s Recommended Amendments to Designations.
96. As stated above the definitions that clearly sat within a specific reporting topic were considered at the relevant topic hearing. For consistency with recommendations made on other topics, these documents also include the recommendations (to date) on definitions made by other reporting officers, as follows:
 - a) Recommendations associated with this Section 42A Report on definitions are shown in black text (with underline for new text and ~~strikethrough~~ for deleted text).
 - b) Section s42A recommendations to definitions associated with other topics (including officers written replies) are shown in blue text (with blue underline for new text and blue ~~strikethrough~~ for deleted text). A footnote explains the source of the recommended amendment from earlier hearings.
97. A full list of submissions and further submissions for Hearing 17⁵ is contained in **Appendix 2 – Officer’s Recommended Decisions on Submissions to this report.**
98. A record of the key consequential amendments referred to in this report is also provided in Appendix 3.

⁵ Note this includes all submissions on the Interpretation, mapping and Plan Variation matters allocated to Hearing 17 i.e. matters which have not been heard.

99. Additional information can also be obtained from the Summary of Submissions (by Chapter or by Submitter), the associated Section 32 reports (fndc.govt.nz) the overlays and maps on the ePlan Map - Far North Proposed District Plan.

5.3 Interpretation and Definitions (Chloe Mackay)

5.3.1 Key Issue 1: Definitions with Support

Overview

Provision(s)	Officer Recommendation(s)
Community Corrections Activity, Transport Infrastructure, Visitor Accommodation, Temporary Military Training Activity, Retirement Village, Residual Adverse Effect, Regionally Significant Infrastructure, Māori Land, Functional Need, Emergency Service Facility, Operational Need	<ul style="list-style-type: none"> Retain as notified.

Analysis of Submissions on Key Issue 1

100. 10 definitions received submissions in support, seeking they be retained as notified, with no submissions in opposition or seeking amendments. Refer to Table 2: Definitions with support.

Table 2: Definitions with Support

Definition	Submitter(s)
Community Corrections Activity	<ul style="list-style-type: none"> Department of Corrections (S158.001)
Transport Infrastructure	<ul style="list-style-type: none"> Our Kerikeri Community Charitable Trust (S271.004) Kapiro Conservation Trust (S446.004) KiwiRail Holdings Limited (S416.009) Kāinga Ora (S561.006) Carbon Neutral Trust (S529.069) VKK (S524.004)
Visitor Accommodation	<ul style="list-style-type: none"> Waiau Bay Farm Limited (S463.003)
Temporary Military Training Activity	<ul style="list-style-type: none"> New Zealand Defence Force (S217.001)
Retirement Village	<ul style="list-style-type: none"> Arvida Group Limited (S165.003)
Residual Adverse Effect	<ul style="list-style-type: none"> DOC (S364.017) Forest and Bird (S511.013) Kapiro Conservation Trust (S442.033)
Regionally Significant Infrastructure	<ul style="list-style-type: none"> Ara Poutama Aotearoa the Department of Corrections (S158.004) KiwiRail Holdings Limited (S416.007) Transpower New Zealand Ltd (S454.007)

Definition	Submitter(s)
	<ul style="list-style-type: none"> • RNZ (S489.005) • Top Energy Limited (S483.013)
Māori Land	<ul style="list-style-type: none"> • Kāinga Ora (S561.004)
Functional Need	<ul style="list-style-type: none"> • Forest and Bird (S511.007) • Transpower New Zealand Ltd (S454.004) • Kapiro Conservation Trust (S442.027) • Top Energy Limited (S483.005)
Emergency Service Facility	<ul style="list-style-type: none"> • FENZ (S512.002)
Operational Need	<ul style="list-style-type: none"> • KiwiRail Holdings Limited (S416.006) • FENZ (S512.006) • MOE (S331.006) • Royal Forest and Bird Protection Society and of New Zealand (S511.010) • Transpower New Zealand Ltd (S454.006) • Kapiro Conservation Trust (S442.030)

Recommendation

101. I recommend that the above submissions are accepted, and the definitions are retained as notified because:

- a) The definitions received strong support in submissions.
- b) The definitions as notified provide clarity and certainty to plan users on the correct application of relevant provisions.
- c) Several of the above submissions are prescribed by the National Planning Standards and cannot be changed.

Section 32AA Evaluation

102. A section 32AA Evaluation is not required because I recommend that the definitions are retained as notified.

5.3.2 Key Issue 2: National Planning Standard Definitions (where submitters seek amendments)

Overview

Provision(s)	Officer Recommendation(s)
Building, Educational Facility, Height, Home Business, Quarry, Quarrying Activities, River, Structure, Wetland, Operational Need	<ul style="list-style-type: none"> • Retain as notified because the definitions are prescribed by the National Planning Standards and cannot be changed.

Analysis of Submissions on Key Issue 2

Matters Raised in Submissions

Table 3: National Planning Standard Definitions and Submitter Requests

Definition	Submitter(s) and Request
Building <i>Means a temporary or permanent movable or immovable physical constructure that is:</i> a. partially or fully roofed; and b. fixed or located on or in land; <i>but excludes any motorised vehicle or other mode of transport that could be moved under its own power.</i>	New Zealand Pork Industry Board (S55.002) <ul style="list-style-type: none"> Seeks to exempt mobile pig shelters from building regulations. New Zealand Motor Caravan Association (S438.002) <ul style="list-style-type: none"> Seeks a revised 'Building' definition to exclude motor vehicles and non-motorised caravans, with two amendment options proposed.
Educational Facility <i>Means land or buildings used for teaching or training by child care services, schools, and tertiary education services, including any ancillary activities.</i>	MOE (S331.004) <ul style="list-style-type: none"> Supports and requests retention. Te Rūnanga Ā Iwi O Ngāpuhi (S498.020), Te Rūnanga o Whaingaroa (S486.029) and Te Rūnanga o Ngāi Takoto Trust (S390.019) <ul style="list-style-type: none"> Supports the definition but seeks the inclusion of Kura Kaupapa and Whare Wānanga.
Height <i>Means the vertical distance between a specified reference point and the highest part of any feature, structure or building above that point.</i>	FENZ (S512.005) <ul style="list-style-type: none"> Seeks to exclude hose drying towers, either through definition or zone-specific standards.
Home Business <i>Means a commercial activity that is:</i> a. Undertaken or operated by at least one resident of the site; and b. Incidental to the use of the site for a residential activity.	Northland Planning and Development 2020 Limited (S502.003) <ul style="list-style-type: none"> Seeks to clarify that commercial activity must be linked to residential use, proposing to remove clause b.
Quarry <i>Means a location or area used for the permanent removal and extraction of aggregates (clay, silt, rock or sand). It includes the area of aggregate resource and surrounding land associated with the operation of a quarry and which is used for quarry activities.</i>	Federated Farmers (S421.010) <ul style="list-style-type: none"> Supports defining 'Quarry' but requests an amendment to exclude farm quarries and their activities. Forest & Bird (S511.012) and Kapiro Conservation Trust (S442.032) <ul style="list-style-type: none"> Concerned that the term 'permanent' may confuse plan users. They request its removal for clarity.
Quarrying Activities <i>Means the extraction, processing (including crushing, screening, washing,</i>	Manulife Forest Management (S160.007) <ul style="list-style-type: none"> Supports and requests retention.

Definition	Submitter(s) and Request
<p><i>and blending), transport, storage, sale and recycling of aggregates (clay, silt, rock and sand), the deposition of overburden material, rehabilitation, landscaping and cleanfilling of the quarry, and the use of land and accessory buildings for offices, workshops and car parking areas associated with the operation of the quarry.</i></p>	<p>Federated Farmers (S421.011)</p> <ul style="list-style-type: none"> Supports the definition but requests an amendment to exclude farm quarries and their activities.
<p>River <i>Has the same meaning as in section 2 of the RMA (as set out below)</i></p> <p><i>Means a continually or intermittently flowing body of fresh water; and includes a stream and modified watercourse; but does not include any artificial watercourse (including an irrigation canal, water supply race, canal for the supply of water for electricity power generation, and farm drainage canal).</i></p>	<p>Summit Forests New Zealand Limited (S148.023)</p> <ul style="list-style-type: none"> Opposes the definition and seeks an amendment to exclude the words '<i>or intermittently</i>'.
<p>Structure <i>Has the same meaning as in section 2 of the RMA (as set out below)</i></p> <p><i>Means any building, equipment, device, or other facility, made by people and which is fixed to land; and includes any raft.</i></p>	<p>Northland Planning and Development 2020 Limited (S502.011) and Waitangi Limited (S503.005)</p> <ul style="list-style-type: none"> Seeks clarity on whether '<i>Structure</i>' includes items like fences and footpaths and request their exclusion from setback rules if so.
<p>Wetland <i>Has the same meaning as in section 2 of the RMA (as set out below)</i></p> <p><i>Includes permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions.</i></p>	<p>Sean Jozef Vercammen (S395.013) John Joseph and Jacqueline Elizabeth Matthews (S439.016)</p> <ul style="list-style-type: none"> Requests that '<i>Wetland</i>' be clearly defined in the PDP or linked to an authoritative source to aid interpretation. <p>DOC (S364.019)</p> <ul style="list-style-type: none"> Seeks to amend the definition to align with Clause 3.21 of the NPS-FM.
<p>Operational Need <i>means the need for a proposal or activity to traverse, locate or operate in a particular environment because of technical, logistical or operational characteristics or constraints.</i></p>	<p>Top Energy Limited (S483.020) requests the inclusion of a definition for '<i>operational need</i>' to support consistent interpretation across the PDP, particularly given its use in multiple chapters. They suggest adopting the definition from the</p>

Definition	Submitter(s) and Request
	National Planning Standards or wording to the same effect.

Analysis

103. All of the definitions referenced above are prescribed by the National Planning Standards. As stated in Section National Planning Standards 4.3.2, the Council must use the National Planning Standards definitions as defined in the Definitions List of the National Planning Standards (i.e. the definitions are mandatory and cannot be changed).
104. DOC has requested that the term '*wetland*' is amended to align with clause 3.21 of the NPS-FM. The notified definition of '*wetland*' in the PDP aligns with the National Planning Standards definition, and the RMA, as shown in Table 3 above.
105. The NPS-FM definition of '*natural inland wetland*' is more narrowly defined with specific exclusions. It reads:

'Natural inland wetland means a wetland (as described in the Act) that is not:

- a. *In the coastal marine area; or*
- b. *A deliberately constructed wetland, other than a wetland constructed water body, since the construction of the water body; or*
- c. *A geothermal wetland; or*
- d. *A wetland that:*
 - i. *Is within an area of pasture used for grazing; and*
 - ii. *Has vegetation cover comprising more than 50% exotic pasture species (as identified in the National List of Exotic Pasture Species using the Pasture Exclusion Assessment Methodology (see clause 1.8)); unless*

The wetland is a location of a habitat of a threatened species identified under clause 3.8 of this National Policy Statement, in which case the exclusion in (e) does not apply'.

106. The regional council is responsible for implementing the NES-F and managing water quality and quantity to protect waterbodies and wetlands from degradation (Section 30 of the RMA). The District Council is responsible for controlling land use and subdivision, for example managing development near wetlands to avoid adverse effects on their character (Section 31 of the RMA). The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from



inappropriate subdivision, use, and development is a matter of national importance under Section 6(f) of the RMA.

107. The District Plan achieves this by having a 'Natural Character' chapter with specific policies and rules to protect the natural character of wetlands, lakes and rivers. This includes a defined term '*wetland, lakes and river margins*' and associated policies and rules restricting certain activities (including new buildings or structures) within the margins. The term 'wetland' is also used in other parts of the PDP, for example:
 - a) Assessment matters relating to subdivision design and layout, specifically requiring that subdivisions consider the proximity to and protection of significant indigenous vegetation, habitats, or natural **wetlands** (SUB-R6).
 - b) Standards specifying minimum setbacks for buildings and structures from **wetland** boundaries (OBZ-S3).
 - c) Standards requiring designated areas for esplanade reserves, riparian zones, **wetlands**, and landscape planting in the Orongo Bay Outline Plan remain free from buildings and impermeable surfaces (OBZ-S5).
108. At Hearing 4, Mr Ben Lee recommended a new Note for the Natural character chapter to remove overlap and duplication between the PDP and the NES-F as follows:

"Earthworks and indigenous vegetation clearance in the margins of wetlands are controlled by the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (NES-F). Rule NATC-R3 does not apply to earthworks and indigenous vegetation clearance regulated by the NES-F".
109. Using the broader definition of 'wetland' has risks that this term does not distinguish between "natural" and "constructed" wetlands, which could lead to ambiguity in implementation. On the other hand, the NPS-FM is highly likely to change (as discussed in Section 4.3 above) with the Government currently proposing removal of the requirement for regional councils to map natural inland wetlands within 10 years (currently in clause 3.23 of the NPS-FM). Amending the definition to refer to "natural inland wetlands" for consistency with the NPS-FM now could create interpretation challenges or inconsistency in future as the national direction and regulations for freshwater evolve over time. For the above reasons I recommend the term 'wetland' is retained as notified and for consistency with National Planning Standards (and RMA Section 6(f)). However, my recommended amendments to the term "Wetlands, lakes and river margins" in Key Issue 3 below (to exempt artificially constructed ponds) goes some way to resolve the matters raised by DOC.
110. Top Energy Limited (S483.020) requested the inclusion of a definition for '*Operational need*'. I can confirm that the PDP already contains a definition for '*Operational need*', which aligns with the NPS definition. Additionally,

the Hearing 11 Infrastructure s42A Report recommends clearer policy direction to recognise and provide for the operational need of infrastructure. Accordingly, I consider that the submitter's request has been appropriately addressed.

Recommendation

111. For the above reasons, I recommend:

- a) Accepting S364.019 in part and retaining the definition of 'wetland' as notified, for consistency with the National Planning Standards, with amendments to the term 'wetland, lake and river margins' to exempt artificially constructed ponds (see Key Issue 3 below).
- b) Rejecting the submissions in Table 3 seeking amendments to definitions and accepting those that seek definitions are retained as notified. I recommend these definitions are retained as notified for consistency with the National Planning Standards.

Section 32AA Evaluation

112. No change to the definitions is recommended at this stage. On this basis, no evaluation under Section 32AA is required. A section 32AA evaluation for the recommended amendment to 'wetland, lake and river margins' is provided under Key Issue 3 below.

5.3.3 Key Issue 3: Other Definitions

Overview

Provision(s)	Officer Recommendation(s)
Accessory Building	<ul style="list-style-type: none"> Removal of duplicated definition.
Child Care Service	<ul style="list-style-type: none"> Minor amendment to remove <i>during the day</i> and replacing it with <i>from 7am-7pm</i>.
Conservation Activity	<ul style="list-style-type: none"> Retain as notified.
Customary Activity	<ul style="list-style-type: none"> Minor amendments to ensure the scope of activities is not narrowly defined.
Development Infrastructure	<ul style="list-style-type: none"> Retained as notified.
Emergency Services	<ul style="list-style-type: none"> Retain as notified.
Freshwater	<ul style="list-style-type: none"> Retain as notified.
Impermeable Surface	<ul style="list-style-type: none"> Typographical correction and the insertion of an additional exclusion as follows 'iii. <i>Permeable surfacing that does not create a barrier to water entering the ground</i>'
Maintenance	<ul style="list-style-type: none"> Retained as notified.
Repair	<ul style="list-style-type: none"> Minor grammatical amendment.
Papakāinga	<ul style="list-style-type: none"> Amendments to the definition of 'Papakāinga' in line with the recommendation from Hearing 1.

Provision(s)	Officer Recommendation(s)
Plantation Forestry	<ul style="list-style-type: none"> Amendment of definition to align with recommendations in Hearings 4 and 9 and consequential amendments to update the definition of "farming" to exclude commercial forestry activity and amend rule SASM-R5 to manage afforestation associated with commercial forestry activities (rather than new plantation forestry).
Plantation Forestry Activity	<ul style="list-style-type: none"> Removal of definition.
Prospecting	<ul style="list-style-type: none"> Retain as notified.
Exploration	<ul style="list-style-type: none"> Retain as notified.
Recession Plane	<ul style="list-style-type: none"> Retain as notified.
Sensitive Activity	<ul style="list-style-type: none"> Minor amendment to remove <i>'and preschools'</i> from the definition as it is covered within the broader term <i>'educational facilities'</i>.
Noise Sensitive Activity	<ul style="list-style-type: none"> The addition of <i>'including hospitals'</i> within clause (c) of the definition.
Sensitive Environment	<ul style="list-style-type: none"> Retain as notified.
Surface water body	<ul style="list-style-type: none"> Amendment to include <i>'but excludes artificial watercourses including drains.'</i>
Shelterbelts	<ul style="list-style-type: none"> Amendment to include <i>'or to mitigate potential spray drift from agricultural applications'</i>.
Supported Residential Care Activity	<ul style="list-style-type: none"> Retain as notified.
Three Waters Infrastructure	<ul style="list-style-type: none"> Retain as notified.
Urban Environment Allotment	<ul style="list-style-type: none"> Removal of the definition as it is not referenced within the PDP.
Vulnerable Activity	<ul style="list-style-type: none"> Minor amendment to replace <i>'day care centres'</i> with <i>'child care services'</i>.
Wetland, Lake and River Margins	<ul style="list-style-type: none"> The inclusion of an additional statement after wetland <i>'that is not an artificially constructed pond'</i> and clarification that where a river is smaller than 3m average width, <i>'the river margin is the area of land within 10m of a river.'</i>
Marae	<ul style="list-style-type: none"> Retain as notified.
Other consequential amendments	<ul style="list-style-type: none"> Other consequential amendments for clarity.

Analysis of Submissions on Key Issue 3

Accessory Building

Summary of Submission

113. The definition of *'Accessory Building'* contained in the notified PDP reads:

'Means a detached building, the use of which is ancillary to the use of any building, buildings or activity that is or could be lawfully established on the same site but does not include any minor residential unit'.

114. FNDC (S368.028) made a submission seeking the removal of duplicated definition for *'Accessory Building'*.

Analysis

115. I agree that the duplicate definition of *'accessory building'* should be removed as this change has no consequences to the implementation of the PDP provisions.

Recommendation

116. For the above reasons, I recommend that submission S368.028 is accepted and the duplicate definition of *'accessory building'* is removed.

Child Care Service

Summary of Submission

117. The definition of *'Child Care Service'* contained in the notified PDP reads:

'Means a facility for the care and/or education of children under the age of seven during the day, and includes but is not limited to:

- a. *Creches;*
- b. *Early childhood centres;*
- c. *Day care centres;*
- d. *Kindergartens;*
- e. *Kohanga Reo;*
- f. *Playgrounds; and*
- g. *Day nurseries'.*

118. A summary of submissions on the definition is provided below:

- a) MOE (S331.003) supports the inclusion of *'Child Care Service'* within *'Educational Facilities'* and states the standalone definition is beneficial to distinguish Child Care Facilities and Schools. To improve clarity, MOE recommends replacing the phrase *'during the day'* with specifying operation hours as *'from 7am to 7pm'*.
- b) Northland Planning and Development 2020 Limited (S502.001) requests correction of a spelling error and seeks the insertion of *'Poi poi'* as an additional service.

Analysis

119. Currently the notified PDP defines '*Child Care Service*' under the broader definition of '*Educational Facilities*', consistent with the National Planning Standards, and is used throughout the policy frameworks. Each zone includes rules for Educational Facilities that specify allowable locations within residential structures, along with limits on operating hours and student numbers.
120. I acknowledge MOE's support for the inclusion of the term '*Child Care Service*,' which provides clearer differentiation from schools within the PDP.
121. I support the inclusion of specific operating hours within the definition. The original wording, '*during the day*', is vague and open to interpretation as it could refer to a wide range of timeframes. By specifying operating hours, the definition becomes more precise and leaves less room for ambiguity and misinterpretation. This change provides clarity for service providers and the public, ensuring consistent expectations around daytime hours of Child Care Services.
122. In response to the grammatical error noted by Northland Planning and Development 2020 Limited, the definition has already been amended to address and correct this inconsistency (as a Clause 16(2) correction).
123. Regarding the request to include '*Poi poi*' as an additional activity, I note that the submission refers to Poipoi Home Care Limited, an early childhood education provider operating across the district. While the company itself is not a distinct activity type, its operations fall within the scope of '*day care nurseries*'. The existing definition is intentionally broad and not limited to the examples listed, thereby encompassing providers, such as Poipoi Home Care Limited, without the need for explicit inclusion. Introducing specific company names into the definition risks setting a precedent that could lead to the inclusion of numerous individual providers, resulting in unintended consequences and unnecessary complexity.

Recommendation

124. For the reasons stated above, I recommend S331.003 is accepted and S502.001 is accepted in part with the definition of '*Child Care Service*' amended as follows:

'Means a facility for the care and/or education of children under the age of seven ~~during the day~~ from 7am-7pm, and includes but is not limited to:

- a. *Creches;*
- b. *Early childhood centres;*
- c. *Day care centres;*
- d. *Kindergartens;*

- e. *Kohanga Reo;*
- f. *Playgrounds; and*
- g. *Day nurseries'.*

Conservation Activity

Summary of Submission

125. The definition of '*Conservation Activity*' contained in the notified PDP reads:

'Means the use of land for activities undertaken for the purposes of maintaining, protecting and/or enhancing the natural, historical and/or ecological values of a natural or historic resource. It may include activities which assist to enhance the public's appreciation and recreational enjoyment of the resource and includes:

- a. Planting;*
- b. Pest and weed control;*
- c. Plant and tree nurseries; and*
- d. Track construction'.*

126. A summary of submissions on the definition is provided below:

- a) DOC (S364.013), Forest & Bird (S511.003) and Kapiro Conservation Trust (S442.023) support the definition as notified.
- b) NZ Agricultural Aviation Association (S182.003) seeks to amend the definition of '*Conservation Activity*' by including the term '*Biosecurity*' to improve clarity. The submitter also requests that agricultural aviation be explicitly recognised within the definition, reflecting its role in supporting biosecurity and environmental protection efforts.

Analysis

- 127. I acknowledge the submitters in support for the retention of the definition.
- 128. Regarding the additional activities raised by NZ Agricultural Aviation Association, Hearing 6/7 General District Wide Matters and GMOs acknowledged the relevance of agricultural aviation and addressed it through the Light and Noise Chapter. Mr Baxter recommended the inclusion of a new definition of agricultural aviation activities, and an exemption from noise standards for agricultural valuation activities. Therefore, the matters raised by the submitter have been addressed, to

some extent, by the inclusion of this new definition and exemption within the noise chapter. I do not consider it necessary for agricultural aviation to be specifically referenced within the definition of 'conservation activity'.

Recommendation

129. I recommend submissions S364.013, S511.003 and S442.023 are accepted and the definition of 'Conservation Activity' is retained as notified.
130. I recommend submission S182.003 is accepted in part, insofar as amendments referred to in paragraph 128 above go some way to achieve the relief sought by NZ Agricultural Aviation Association.

Customary Activity

Summary of Submission

131. The definition of 'Customary Activity' contained in the notified PDP reads:

'Means the use of land or buildings for Māori cultural activities which includes marae activities, making or creating customary goods, rongoā, raranga, whakairo, waka ama and other activities that recognise and provide for the special relationship between tangata whenua and places of customary importance.'

132. A summary of submissions on the definition is provided below:

- a) Te Rūnanga Ā Iwi O Ngāpuhi (S498.019), Te Rūnanga o Ngati Takoto Trust (S390.018) and Te Rūnanga o Whaingaroa (S486.028) support the amended definition, seeking the following amendments:

'Means the recognition of customary use as well as places, use of land or buildings for Māori cultural activities within Te Ao Māori which includes but not limited to marae...'

- b) Te Rūnanga o Ngāti Rēhia (S559.045) opposes the definition, arguing that Council should not define cultural activities and seek the removal of the definition and asserting that tangata whenua should determine what constitutes customary activity.

Analysis

133. In regard to the definition of 'Customary Activity', the term is used in the following provisions of the PDP:

- Rules relating to the use of non-motorised craft for non-commercial recreational purposes or a customary activity is classified as a permitted activity on the surface of water (ASW-R1).
- Permitted rules for Customary Activities (TSL-R8, OPZ-R10, SARZ-R10 and MPZ-R9).

134. I consider that including the phrase '*recognition of customary use as well as places*' in the definition is unnecessary because it does not improve the clarity or effectiveness of the definition. The concept of '*Customary Activity*' already captures both the use and context in which activities occur. In my view, restating '*customary use*' within the definition does not add any additional certainty and is not necessary.
135. I consider the proposed amendment to include the phrases '*within Te Ao Māori*' and '*but not limited to*', a reasonable and beneficial inclusion as it ensures the scope of activities is not narrowly defined. This phrasing allows for flexibility in interpretation and accommodates evolving practices.
136. In response to Te Rūnanga o Ngāti Rēhia, the definition of '*Customary Activity*' provides important clarity and supports consistent interpretation and application across provisions in the PDP. Given that other Iwi have expressed support for its retention, I consider it necessary to retain the definition to ensure certainty and recognition of customary practices within the planning framework.

Recommendation

137. I recommend S498.019, S390.018 and S486.028 are accepted in part and the definition of '*Customary Activity*' is amended as follows:

'Means the use of land or buildings for Māori cultural activities within Te Ao Māori which includes but is not limited to marae activities, making or creating customary goods, rongoā, raranga, whakairo, waka ama and other activities that recognise and provide for the special relationship between tangata whenua and places of customary importance.'

138. For the reasons above, I recommend S559.045 is rejected.

Development Infrastructure

Summary of Submission

139. The definition of '*Development Infrastructure*' contained in the notified PDP reads:

'Means the same as development infrastructure defined in the National Policy Statement of Urban Development 2020. Development infrastructure means the following, to the extent they are controlled by a local authority or council controlled organisation (as defined in section 6 of the Local Government Act 2002):

- a. Network infrastructure for water supply, wastewater, or stormwater*
- b. Land transport (as defined in section 5 of the Land Transport Management Act 2003).'*



140. A summary of submissions on the definition is provided below:

- a) Our Kerikeri Community Charitable Trust (S271.003), Kapiro Conservation Trust (S446.003), Carbon Neutral Trust (S529.068), VKK (S524.003) and Transpower New Zealand Ltd (S454.016) support retaining the existing definition.
- b) Ngā Tai Ora – Public Health Northland (S516.017) raises concern about the lack of cross-reference between '*Infrastructure*' and '*Development Infrastructure*', noting inconsistent use across the PDP and seeking amendments to ensure clarity and avoid duplication.

141. In regard to the definition of '*Development Infrastructure*' the term is used in the following provisions of the PDP:

- Objectives for adequate **development infrastructure** to meet anticipated housing and business activity demands (SD-UFD-O3).
- Objectives in the General Residential zone provide for a variety of housing densities, types and lot sizes that align with the capacity of existing or planned **development infrastructure** (GRZ-O1).
- Objectives that promote the consolidation of urban residential development around existing or planned **development infrastructure** to enhance the function and resilience of residential areas while minimizing urban sprawl (GRZ-O2).
- Objectives and Policies supporting land use and subdivision in the various zones where there is sufficient capacity in existing or planned **development infrastructure** (GRZ-O4, GRZ-P1, MUZ-O3, LIZ-O3 and HIZ-O3).
- Policies that promote managing subdivision by ensuring that proposed activities align with the capacity of existing or planned **development infrastructure**, especially where resource consent is required (SUB-P11, TSL-P4, GRZ-P8, MUZ-P8, LIZ-P6, HIZ-P7, OSZ-P4, SARZ-P4, KRT-P6 and MPZ-P4).
- Policies supporting land use and subdivision in urban zones within the coastal environment where there is sufficient capacity in existing or planned **development infrastructure** (CE-P5).
- Policies that enable multi-unit developments within the General Residential zone where existing or planned **development infrastructure** can adequately support them (GRZ-P3).
- Policies that support retirement villages in the General Residential Zone when they can be serviced by adequate **development infrastructure** (GRZ-P5 and KRT-P5).

Analysis

142. The request from Ngā Tai Ora – Public Health Northland to cross-reference the terms '*Infrastructure*' and '*Development Infrastructure*' is not considered necessary. '*Infrastructure*' (from the RMA) is intentionally defined broadly in accordance with the National Planning Standards to include a wide range of facilities and services, such as network utilities, roads and airports. In contrast, '*Development Infrastructure*' (from the NPS-UD) is used in more targeted provisions relating specifically to the necessary development infrastructure to support urban development.
143. The use of both terms within the PDP is appropriate in the context that they are used, to reflect the policy intent. This approach does not create ambiguity when the definitions are read in the context of the respective provisions. As noted in Mr. Wyeth's s42A Infrastructure Report (Hearing 11), the PDP applies these terms deliberately and consistently, with hyperlinked definitions ensuring clarity. For example, '*Development Infrastructure*' appears in the Urban Form and Development chapter and relevant zone chapters, but not within the Infrastructure chapter itself (which is a District Wide chapter to provide for, and manage the effects of, Infrastructure). Introducing cross-referencing, as suggested by the submitter, would risk unnecessary duplication and complexity without enhancing plan clarity.
144. I agree with those submitters who seek to retain the existing definition of '*Development Infrastructure*'.

Recommendation

145. I recommend the notified definition of '*Development Infrastructure*' be retained without amendment. In support of this approach, submissions S271.003, S446.003, S529.068, S524.003, and S454.016 are accepted.
146. Consequently, I recommend S516.017 is rejected.

Emergency Services

Summary of Submission

147. The definition of '*Emergency Services*' contained in the notified PDP reads:

'Means ambulances, Civil Defence, Coastguard New Zealand, Fire and Emergency New Zealand, New Zealand Police, Land Search and Rescue, and Surf Life Saving New Zealand'.
148. A summary of submissions on the definition is provided below:
 - a) FENZ (S512.001) supports retaining the current definition, considering it appropriate and effective for planning and operational needs.



- b) Transpower New Zealand Limited (S454.017) supports the inclusion of the definition but seeks an amendment to explicitly include both the *'National Grid'* and *'Transpower'* as part of Emergency Services, citing their essential role in electricity supply and infrastructure resilience.

Analysis

149. In response to Transpower New Zealand Limited's request to include the *'National Grid'* and *'Transpower'* into the definition, the intent of the definition is to enable essential response activities, such as Fire Stations, across most zones due to their immediate public safety function. In comparison, the National Grid and Transpower provide nationally significant infrastructure, operation, maintenance and protection, of which are already comprehensively provided for in the Infrastructure Chapter (considered at Hearing 11). The Infrastructure report, authored by Mr Wyeth, contains specific provision for the National Grid. The existing plan provisions already give effect to national direction and appropriately recognise the role of electricity infrastructure. In my view, there is no need for further amendment to the *'Emergency Services'* definition.

Recommendation

150. I recommend the definition for *'Emergency Services'* is retained as notified and submissions S512.001 is accepted.
151. Subsequently, I recommend rejecting submission S454.017.

Freshwater

Summary of Submission

152. The definition of *'Freshwater'* contained in the notified PDP reads:
- 'Has the same meaning as fresh water in section 2 of the RMA (As set out below)*
- Means all water except coastal water and geothermal water'.*
153. A summary of submissions on the definition is provided below:
- a) Te Rūnanga Ā Iwi O Ngāpuhi (S498.021), Te Rūnanga o Whaingaroa (S486.030), Te Runanga o Ngai Takoto Trust (S390.020) seek an amendment to explicitly reference *'Te Mana o te Wai'*, stating the inclusion is essential to reflect the vital importance of water and the overarching principles that guide freshwater management under national policy frameworks.

Analysis

154. It is acknowledged that definitions within the PDP must be clear, certain, and capable of consistent interpretation. *Te Mana o te Wai* is a culturally derived concept, while significant, its meaning is holistic and values-based,

making it difficult to translate into a precise or measurable term suitable for the definition. Additionally, given the ongoing political debate and uncertainty surrounding its future role in national freshwater policy, incorporating *Te Mana o te Wai* into the definition of 'Freshwater' risks formalising a concept that may remain contested or subject to change.

Recommendation

155. For the reasons stated above, I recommend the definition of 'Freshwater' is retained as notified and submissions from Te Rūnanga Ā Iwi O Ngāpuhi (S498.021), Te Rūnanga o Whaingaroa (S486.030), Te Runanga o Ngai Takoto Trust (S390.020) are rejected.

Impermeable Surface

Summary of Submission

156. The definition of 'Impermeable Surface' contained in the notified PDP reads:

'Means in relation to any site means any building or surface on or over the land which creates a barrier to water penetration into the ground. This definition includes but is not restricted to:

- a. Decks (including decks than 1m in height above the ground) excluding open slatted decks where there are gaps between the boards;*
- b. Pools, but does not include pools designated to operate as a detention pond;*
- c. Any surfaced area used for parking, manoeuvring, access or lading of motor vehicles, including areas covered with aggregate;*
- d. Areas that are paved with concrete, asphalt, open jointed slabs, bricks, gobi or materials with similar properties to those listed;*
- e. Roof coverage area on plan;*

But excludes:

- i. Water storage tanks occupying up to a maximum cumulative area of 2m²; and*
- ii. Paths and paving less than 1 metre wide, provided they are separated from other impermeable surfaces by a minimum of 1 metre.*



For the purpose of calculating impermeable surfaces account shall not be taken of any additional areas that are overlapped by another form of impermeable surfaces. In the case of jointly owned access lots that contain impermeable surfaces within their boundaries, the total area of these impermeable surfaces are to be divided equally and considered as parts of the various sites served by the access lot for the purpose of determining compliance with the relevant stormwater management rules’.

157. A summary of submissions on the definition is provided below:

- a) Lynley Newport (S121.001) considers the definition is unclear and inequitable and recommends revising it with engineering input to better reflect true impermeability and fair treatment of shared rights of way.
- b) Haigh Workman Limited (S215.053) recommends defining *‘Impermeable Surfaces’* by their ability to block water infiltration, excluding permeable paving, correcting an error in exclusion (i), and adding further exclusions to clarify what does not constitute impermeability.
- c) Richard G A Palmer (S248.002) suggests that aggregate surfaces should not be considered impermeable, as they can match natural ground in permeability and recommends changing the definition to exclude them or raising the RLZ-R2 threshold from 2,500m² to 5,000m².
- d) FNDC (S368.002) and Northland Planning and Development 2020 Limited (S502.004) highlights spelling and typographical errors in the definition and requests corrections for clarity and accuracy.

Analysis

158. I acknowledge the grammatical errors within the definition and support the submitters request to correct them.

159. Haigh Workman Limited submission seeks to insert the following exclusion into the definition:

‘Permeable surfacing that does not create a barrier to water entering the ground.’

160. I support the inclusion as it aligns with the intent of the term and improves clarity within the PDP. Properly designed and constructed permeable paving systems allow infiltration and should not be treated as impermeable for the purposes of stormwater management. This amendment supports the PDP’s stormwater management objectives, is consistent with national policy under the NPS-FM and additionally responds to concerns raised by other submitters (S121.001), ensuring that low impact or water sensitive design solutions are appropriately recognised and avoids unnecessary regulatory burden for compliant permeable systems.

161. While Mr Palmer's request acknowledges that some aggregate surfaces may allow water infiltration, their actual performance varies significantly depending on installation, compaction and maintenance. Aggregate surfaces still contribute to increased stormwater runoff which makes it difficult to reliably assess them as permeable in a planning context. I consider the resource consent process is the appropriate way to evaluate surfaces on a case-by-case basis, allowing for site-specific assessments of stormwater impacts.

Recommendation

162. I recommend that submissions S368.002 and S502.004 are accepted and S215.053 is accepted in part and the definition of 'Impermeable Surfaces' is amended as follows to correct the typographical errors:

'... a. decks (including decks less than 1m in height above the ground)...

...But excludes:

i. Water storage tanks occupying up to a maximum cumulative area of 20m²; and...

163. I recommend the following amendment to the definition of 'Impermeable Surfaces':

'... But excludes:

...iii Permeable surfacing that does not create a barrier to water entering the ground.

164. I recommend rejecting S248.002.

Maintenance and Repair

Summary of Submission

165. The definition of 'Maintenance' contained in the notified PDP reads:

'In relation to a heritage item, means activities required or undertaken to conserve as nearly, and as long as possible the condition of the item while compensating for normal wear and tear.'

166. The definition of 'Repair' contained in the notified PDP reads:

'In relation to a heritage item, means the repairs of materials by patching, piercing in, splicing and consolidating existing materials, and including minor replacement of minor components, such as individual bricks, cut stone, timber sections, tiles and slates, where these have been damaged beyond reasonable repair or are missing. The replacement should be of the original or similar material, colour, texture, form and design as the



original it replaces, and the number of components replaced should be substantially less than the existing components’.

167. A summary of submissions on these definitions is provided below:

- a) Kingheim Limited (S461.004 and S461.005), Northland Planning and Development 2020 Limited (S502.006, S502.009 and S502.109) and Waitangi Limited (S503.001 and S503.002) raise concerns that the definitions appear limited to heritage items, creating uncertainty about the applicability to other buildings, especially in the coastal environment and seek clarification on the intended scope.
- b) Submitters also identify a typographical error in the definition of 'Repair' and request to insert a space between the words 'have' and 'been'.
- c) KiwiRail Holdings Limited (S416.002) requests the inclusion of a definition for 'Maintenance and Repair' to clarify that activities required to sustain the operation or functioning of existing infrastructure are provided for within the PDP. They request the following wording:

'Maintenance and Repair means to make good decayed or damaged fabric to keep a building or structure in a sound or weatherproof condition or to prevent deterioration of fabric; and regular and on-going protective care of a building or structure to prevent deterioration.'

Analysis

- 168. In response to submitters who have sought clarification on whether the definitions of 'Maintenance' and 'Repair' in the PDP apply universally or are specific to heritage buildings. Both definitions begin with the phrase "*In relation to a heritage item,*" which clearly confines their application to scheduled heritage buildings and structures. This targeted scope ensures that any interventions are consistent with the objective of safeguarding the historical and cultural integrity of these items, regardless of the zone or overlay in which they are located.
- 169. The term 'maintenance' is hyperlinked within the PDP when used in reference to heritage buildings, directing readers to the defined meaning. This assists in identifying when the specific definition is intended to apply. However, where the term appears without such linkage or explicit reference, it is commonly interpreted as referring to standard upkeep activities, such as cleaning, repainting, or minor repairs, that fall outside the formal definition. These routine actions, except for Infrastructure or Transport, typically are not subject to District Plan rules. Therefore, the context in which the term is used remains critical to understanding its intent and application within the PDP.
- 170. I support the typographical error amendment within the definition of 'Repair'.

171. In regard to KiwiRail's request to include a definition for '*Maintenance and Repair*' in the PDP, I do not consider it necessary, because it introduces unnecessary specificity into a concept that is already well understood and adequately provided for (for example as a permitted activity in Rule I-R1). The term is commonly used across planning frameworks and infrastructure legislation, and its interpretation is guided by established practice and case law. The PDP already enables maintenance and repair activities through existing provisions and activity status rules, which are applied consistently in the relevant chapters.
172. Furthermore, the definition suggested by KiwiRail focuses narrowly on the physical condition of buildings and structures, which risks narrowly defining the term to an extent that it excludes general maintenance and repair for broader infrastructure activities such as servicing rail lines, road surfaces, or utility networks. This could unintentionally constrain the scope of permitted works, especially for linear infrastructure operators like KiwiRail, which would be a perverse outcome.

Recommendation

173. I recommend that submissions S502.009 and S503.002 are accepted in part and the definition of '*Repair*' is amended and a space is placed between the words '*have*' and '*been*'.
174. I recommend that the definitions of '*Maintenance*' and '*Repair*' are retained as notified, except where there is a typographical error. Therefore, I recommend S416.002, S461.004, S461.005, S502.006, S502.109 and S503.001 are rejected.

Papakāinga

Summary of Submission

175. The definition of '*Papakāinga*' contained in the notified PDP reads:

'Means an activity undertaken to support traditional Māori cultural living for tangata whenua residing in the Far North District on:

- a. Māori land;*
- b. Treaty Settlement Land;*
- c. Land which is the subject of proceedings before the Māori land court to convert the land to Māori land; or*
- d. General land owned by Māori where it can be demonstrated that there is an ancestral link identified.*

Papakāinga may include (but is not limited to) residential, social, cultural, economic, conservation and recreation activities, marae, wāhi tapu and urupā.'

176. A summary of submissions on these definitions is provided below:

- a) Kāinga Ora (S561.005) supports the retention of the current definition for '*Papakāinga*'.
- b) Wakaiti Dalton (S355.002) and Te Aupōuri Commercial Development Ltd (S339.003) support the inclusive intent of the definition but raises concerns about ambiguity due to undefined terms. The submitters suggest refining the definition as follows and proposes using nesting tables to improve clarity and consistency.

'... Papakāinga may include (but is not limited to) residential, ~~social~~, Māori cultural, ~~economic~~ commercial conservation and recreation activities...'

- c) Te Rūnanga Ā Iwi O Ngapuhi (S498.022), Te Rūnanga o Whaingaroa (S486.031) and Te Runanga o Ngai Takoto Trust (S390.021) request broadening the definition to explicitly include social and emergency housing.

Analysis

177. The reporting officer for the tangata Whenua s42A report (Hearing 1) recommended the following amendment to the definition of *Papakāinga*:

'... Papakāinga may include (but is not limited to) residential, ~~social~~, Māori cultural, ~~economic~~ commercial, conservation and recreation activities...'

178. Accordingly, I consider submissions S355.002 and S339.003 to have been sufficiently addressed, and no further analysis is necessary.

179. In response to submissions seeking a broader definition, it is considered that the existing definition is already sufficiently broad. It is not confined to the listed activities and has the flexibility to encompass initiatives such as social and emergency housing, provided these align with the overarching principles and intent of Papakāinga development.

Recommendation

180. I recommend retaining the current definition of *Papakāinga*, with no further amendments beyond the change proposed in Hearing 1 and accepting submissions S355.002 and S339.003.

181. I recommend accepting submissions S561.005, S498.022, S486.031 and S390.021 in part.

Plantation Forestry and Plantation Forestry Activities

Summary of Submission

182. The definition of '*Plantation Forestry*' contained in the notified PDP reads:

'Means the same as the definition of plantation forestry in section 3 of the National Environmental Standard for Plantation Forestry:

Means a forest deliberately established for commercial purposes, being

- a. *At least 1 ha of continuous forest cover of forest species that has been planted and has or will be harvested or replanted; and*
- b. *Includes all associated forestry infrastructure; but*
- c. *Does not include –*
 - i. *A shelter belt of forest species, where the tree crown cover has, or is likely to have, an average width of less than 30 m; or*
 - ii. *Forest species in urban areas; or*
 - iii. *Nurseries and seed orchards; or*
 - iv. *Trees grown for fruit or nuts; or*
 - v. *Long-term ecological restoration planting of forest species; or*
 - vi. *Willows and poplars space planted for soil conservation purposes'.*

183. A summary of submissions on these definitions is provided below:

- a) Manulife Forest Management (NZ) (S160.001) supports the retention of the definition.

184. The definition of 'Plantation Forestry Activity' contained in the notified PDP reads:

'Means the same as the definition of plantation forestry activity in section 3 of the National Environmental Standard for Plantation forestry:

means any activity regulated under subparts 1 to 9 of Part 2 of these regulations that is conducted in plantation forestry'.

185. A summary of submissions on these definitions is provided below:

- a) NZ Agricultural Aviation Association (S182.009) seeks to amend the definition to include agricultural aviation activities as it is not included as part of the NES-PF.
- b) Manulife Forest Management (NZ) (S160.002) supports the retention of the definition.



Analysis

186. On 3 November 2023, the NES-PF were amended and renamed the Resource Management (National Environmental Standards for Commercial Forestry) Regulations 2017 (NES-CF). These amended regulations cover new activities for plantation forests and carbon forests from that date.
187. PDP provisions should not duplicate or impose different standards than the NES-CF. The NES-CF allows rules which are more stringent or lenient in respect of afforestation activities (i.e. planning and growing commercial forestry trees on land not used for the same in the last five years and not requiring vegetation clearance) (reg 5(5) and reg 6(4A)). The PDP (recommended amendments from Hearing 9) contains a permitted activity rule (RPROZ-R15 and other equivalent rules) "forestry activity not regulated by the Resource Management (National Environmental Standards for Commercial Forestry) Regulations 2017" (as addressed at Hearing 9).
188. Reporting officers at Hearing 9 (Rural) and Hearing 4 has addressed the matter of '*Plantation Forestry*'; and the change to '*Commercial Forestry*' or deletion or amendment of rules for "plantation forestry" where necessary to remove duplication or conflict the revised NES-CF and to ensure that exotic-continuous cover forest is included as a sub-set of commercial forestry, provided for by the relevant rules. For the natural environment chapters addressed at Hearing 4, advice notes were amended to refer to NES-CF for each chapter and Rule NFL-R5 and CE-R6 were amended from "new plantation forestry and plantation forestry activity" to "afforestation for commercial forestry".
189. For consistency with the above changes, I recommend the following changes:
 - a) The defined terms "commercial forestry" and "forestry activities" are retained as recommended in Hearings 4 and 9.
 - b) The definition of "plantation forestry" and "exotic continuous-cover forest" are amended to make it clear that they are a sub-set of "Commercial Forestry" (the term that is now used in the provisions as recommended at Hearings 4 and 9).
 - c) Rule SASM-R5 is amended as follows: ~~new plantation forestry and plantation forestry activity~~ afforestation for commercial forestry (a non-complying activity on SASM sites)⁶.
 - d) The exclusion within the definition of "farming" is amended as follows:

⁶ Rule SASM-R5 is intended to prevent afforestation for commercial forestry purposes on SASM sites in the first instance because forestry has the potential to destroy or modify these sites of significance. Any disturbance to a SASM site from harvesting of commercial forestry would likely trigger resource consent under Rule SASM-R7 (destruction or demolition of a scheduled SASM).



'means the use of land for the purpose of agricultural, pastoral, horticultural or apiculture activities, including buildings, but excludes mining, quarrying, ~~plantation commercial~~ forestry activities, intensive indoor primary production and processing activities. Note: this definition is a subset of primary production'.

- e) The term "plantation forestry activity" is deleted as they are superfluous, not used in the recommended version of the PDP, and no longer necessary.
- f) Any other reference to the NES-F is amended to NES-CF for plan-wide consistency and other minor amendments to ensure the provisions and definitions are integrated (as shown in Appendix 1.1).

Recommendation

- 190. I recommend that the consequential amendments identified in paragraph 189 above are made for consistency with the NES-CF and recommendations by reporting officers at Hearings 4 and 9 with respect to commercial forestry activities.
- 191. For the reasons above, I recommend S160.001 is rejected.
- 192. In response to submissions seeking either the retention or amendment of the definition of '*Plantation Forestry Activity*', it is noted that the definition is recommended for deletion, as outlined above. Accordingly, both submissions (S182.009 and S160.002) are recommended to be rejected.

Prospecting and Exploration

Summary of Submission

- 193. The definition of '*Prospecting*' contained in the notified PDP reads:

'Means any activity undertaken for the purpose of identifying land likely to contain mineral deposits or occurrences; and includes the following activities: geological, geochemical, and geophysical surveying, aerial surveying, taking samples by hand or hand-held methods'.

- 194. The definition of '*Exploration*' contained in the notified PDP reads:

'Means any activity undertaken for the purpose of identifying mineral deposits or occurrences and evaluating the feasibility of mining particular deposits or occurrences of 1 or more minerals; and includes any drilling, dredging, or excavations (whether surface or subsurface) that are reasonably necessary to determine the nature and size of a mineral deposit or occurrence; and to explore has a corresponding meaning'.

- 195. A summary of submissions on these definitions is provided below:

- a) Forest & Bird (S511.006 and S511.011) and Kapiro Conservation Trust (S442.031, S442.026) submit that definitions of 'Prospecting' and 'Exploration' in the PDP closely reflect those in the Crown Minerals Act 1991. They seek amendments to include explicit cross-references to the Crown Minerals Act within both Definitions, to enhance consistency and ensure alignment with relevant legislation.

Analysis

196. In alignment with the Crown Minerals Act 1991, the term 'Prospecting' reads as:

'Prospecting

- a. *Means any activity undertaken for the purpose of identifying land likely to contain mineral deposits or occurrences; and*
- b. *Includes the following activities:*
 - i. *Geological, geochemical, and geophysical surveying;*
 - ii. *Aerial surveying;*
 - iii. *Taking samples by hand or hand held methods;*
 - iv. *Taking small samples offshore by low-impact mechanical methods'.*

197. In alignment with the Crown Minerals Act 1991, the term 'Exploration' reads as:

'Exploration means any activity undertaken for the purpose of identifying mineral deposits or occurrences and evaluating the feasibility of mining particular deposits or occurrences of 1 or more minerals; and includes any drilling, dredging, or excavations (whether surface or subsurface) that are reasonably necessary to determine the nature and size of a mineral deposit or occurrence; and to explore has a corresponding meaning'.

198. While the definitions of 'Prospecting' and 'Exploration' in the PDP closely reflect those in the Crown Minerals Act 1991, it is not necessary to include explicit cross-reference to the legislation. The PDP is a standalone planning document prepared under the RMA and its definitions are specifically tailored to the context of land use planning and environmental management. Referencing external legislation may introduce unnecessary complexity or confusion, particularly if the Crown Minerals Act is amended in future, potentially requiring consequential updates to the PDP to maintain alignment. The current definitions already achieve a high degree of consistency with the Act and are fit for purpose within the scope of the PDP.

199. Accordingly, I do not consider any amendments necessary and recommend that the definitions be retained as notified, as they support clarity and efficiency within the PDP.

Recommendation

200. I recommend the definitions of '*Prospecting*' and '*Exploration*' are retained as notified and submissions S511.006, S511.011, S442.031 and S442.026 are rejected.

Recession Plane

Summary of Submission

201. The definition of '*Recession Plane*' contained in the notified PDP reads:

'Means a plane inclined at a certain degree angle from a site boundary towards the interior of the site through which no part of a building, unless otherwise specified, may protrude subject to the relevant 'Height' to 'boundary' rule.'

202. A summary of submissions on these definitions is provided below:

- a) Northland Planning and Development 2020 Limited (S502.008) submits that the definition should be amended to improve clarity regarding consent requirements. Specifically, the submitter seeks to include reference to '*...no part of a building or structure, ...*' within the definition to ensure that any structure protruding through the recession plane, in any zone, triggers the need for consent.

Analysis

203. The definition of '*Recession Plane*' in the PDP is purposefully outlined to only apply to buildings, as opposed to all structures. This is intentional as the purpose of recession plane controls is to manage the overall size of buildings in relation to adjoining properties, sunlight and amenity values. These controls are not typically applied to minor structures, such as chimneys or aerials, that tend to have minimal impact on shading or visual character.
204. In regard to Northland Planning and Development 2020 Limited's request, the proposed amendment to include '*or structure*' would alter the scope of the definition and introduce unintended consequences. The addition would mean that minor protrusions could technically breach the recession plane and trigger the need for a resource consent. This would result in an increasing number of consent applications for elements that have minor effects or cause a complex set of exclusions to maintain the current intent of the definition and cause unnecessary confusion.
205. For the above reasons, in my view the suggested amendment is not necessary or beneficial. The notified definition captures the types of

development that recession plane rules are designed to regulate and expanding it to include 'or structures' (as suggested by the submitter) would not be practical.

Recommendation

206. I recommend retaining the definition of 'Recession Plane' as notified and rejecting submission S502.008.

Sensitive Activity and Noise Sensitive Activity

Summary of Submission

207. The definition of 'Sensitive Activity' contained in the notified PDP reads:

1. *'Means:*

- a. *Residential activities;*
- b. *Education facilities and preschools;*
- c. *Guest and visitor accommodation;*
- d. *Health care facilities which include accommodation for overnight care;*
- e. *Hospital;*
- f. *Marae; or*
- g. *Place of assembly.*

Except that;

- i. *Subclause f. above is not applicable in relation to electronic transmission.*
- ii. *Subclause g. above is not applicable in relation to noise or electronic transmission.*

2. *In relation to electricity transmission, has the same meaning as sensitivity activities in the **National Policy Statement on Electricity Transmission** (2008): includes schools, residential buildings and hospitals'.*

208. A summary of submissions on the definition of 'Sensitive Activity' is provided below:

- a) New Zealand Pork Industry Board (S55.011) supports in part, seeking the definition better reflect activities sensitive to primary production

effects, including home business, recreation activity, commercial activity, community facility and service centre.

- b) New Zealand Motor Caravan Association (S438.004 and S438.005) opposes the definition, arguing it lacks clear criteria and that motor caravans and campgrounds should be excluded due to their temporary nature and low reverse sensitivity risk.
 - c) Te Hiku Iwi Development Trust (S399.003) seeks an amendment to include *'marae or other culturally sensitive sites'*.
 - d) MOE (S331.007) supports including educational facilities but recommends removing *'preschools'* for consistency, noting they are already covered under education facilities.
 - e) Transpower (S454.013) seeks amendments to avoid confusion, proposing *'includes schools, residential buildings and hospitals'* be removed.
209. The definition of *'Noise Sensitive Activity'* contained in the notified PDP reads:
- 'Means buildings or land that may be affected by noise and require a higher standard of amenity. These include:*
- a. Residential or living activities;*
 - b. Education facilities;*
 - c. Health facilities;*
 - d. Community facilities; and*
 - e. Visitor accommodation'.*

210. In regard to the definition of *'Noise Sensitive Activity'*, the term is used in the following provisions of the PDP:

- Definition of Notional boundary references **noise sensitive activities** as a key spatial consideration.
- Objectives addressing the design and location of new **noise sensitive activities** to minimise conflict a reverse sensitivity effect (NOISE-O2).
- Policies ensuring **noise sensitive activities** within specific zones are appropriately located, designed, constructed and operated to reduce adverse noise effects on the community (NOISE-P2).
- Policies requiring that noise effects from activities consider the type, scale and location of those activities in relation to any **noise sensitive activities** (NOISE-P3).

- Rules applying to new buildings, alterations and/or additions to an existing building for a **noise sensitive activity** (NOISE-R2).
 - Rules regulates noise from temporary military training involving weapons firing and/or the use of explosives in relation to **noise sensitive activities** (NOISE-R6).
 - Rules that set maximum noise levels for audible bird scaring devices, frost fans and horticultural wind machines within the notional boundary of any **noise sensitive activity** (NOISE-R8, NOISE-R9).
 - Standards that set maximum noise levels in specific zones within the notional boundary of any noise sensitive activity and includes matters of discretion related to such activities (NOISE-S1).
 - Standards regulating noise from temporary military training and helicopter landing areas within the notional boundary of any noise sensitive activity across all zones (NOISE-S3 and NOISE-S4).
 - Standards outlining noise insulation requirements for all noise sensitive activities, with restricted matters of discretion relating to design and construction for sound mitigation (NOISE-S5).
 - Standards specifying that noise from explosives must be measured at any point within various zones or within the notional boundary of any noise sensitive activity (NOISE-S6).
 - Rules clarifying that ancillary activities on the same site as the industrial activity must not be a noise sensitive activity (HIZ-R4).
211. A summary of submissions on the definition of *'Noise Sensitive Activity'* is provided below:
- a) New Zealand Defence Force (S217.002), Horticulture NZ (S159.017), RNZ (S489.004) and Z Energy Limited (S336.002) support retaining the current definition.
 - b) RNZ (S489.006 and S489.007) suggests combining both definitions due to their similarity.
 - c) KiwiRail Holdings Limited (S416.003) supports in part, seeking improved clarity and explicit inclusion of all relevant noise-sensitive activities.
 - d) MOE (S331.005) supports including educational facilities in the definition of *'Noise Sensitive Activity'* to safeguard learning environments from disruptive noise. A minor amendment is suggested to ensure consistency with the existing definition of educational facility.
 - e) New Zealand Motor Caravan Association (S438.006) seeks to include a sub-category that excludes campgrounds, arguing their temporary

nature does not warrant classification as noise sensitive and seeks their explicit exclusion.

Analysis

212. The purpose of the term '*Sensitive Activity*' is to restrict new activities from establishing in locations where they may generate reverse sensitivity effects on existing lawfully established activities. Similarly, the definition of '*Noise Sensitive Activity*' is used to restrict activities that are sensitive to noise effects from establishing in noisy environments where they are susceptible to noise (or requiring noise insulation to manage potential effects or conflict between activities).
213. In response to New Zealand Pork Industry Board, I do not support the changes requested to '*Sensitive Activity*' because:
 - a) Home businesses typically operate within existing dwellings which are already considered a sensitive activity.
 - b) Recreation activities are generally intermittent and outdoor based, and in the Far North context, not expected to be overly sensitive to or to have exposure to activities where they would generate reverse sensitivity effects on existing uses.
 - c) Commercial activity is a broad type of land use, involving uses that may not be sensitive. Adding this term to the definition could generate a high number of resource consents when the potential for conflict between activities is minimal.
 - d) Community facilities, in the Far North context, often operate outside peak rural activity hours and are not expected to have conflict with established activities, such as rural production activities.
 - e) Service centres are not permitted in rural zones, and are not highly sensitive, therefore their inclusion within the definition of '*sensitive activity*' is unnecessary.
214. Regarding the request to exclude motor caravans and campgrounds from both definitions, campgrounds are a form of visitor accommodation and therefore noise-sensitive, as they involve people sleeping and residing on-site with expectations of amenity and quiet. Further, tents, caravans and motorhomes are 'generally' not as well noise insulated than buildings constructed under the Building Act. These expectations make them vulnerable to reverse sensitivity effects from rural production (and other) activities such as noise and odour. Their inclusion within the broader definition of visitor accommodation (and by virtue, '*Sensitive Activity*' and '*Noise Sensitive Activity*') is appropriate and ensures consistent application of the definition and associated rules, to manage potential for conflict between activities. Creating a separate subcategory to exclude campgrounds would create inconsistency, undermine the intent and could lead to conflict between activities.

215. In terms of those seeking the inclusion of a marae and culturally sensitive sites in the definition of sensitive activities, the purpose of the rule is to prevent reverse sensitivity effects by controlling the location of sensitive activities near established rural operations (and other established uses such as the National Grid), not to protect culturally significant sites from external effects. Marae is already included in the definition of '*sensitive activity*'. Furthermore, the term '*culturally sensitive sites*' lacks clarity and could lead to interpretation challenges.
216. I support the recommendation to remove '*preschools*' within '*Sensitive activity*' for consistency. Preschools are already covered in the broader term '*educational facilities*'. This amendment improves clarity without altering the scope of the definition and ensures consistency across planning provisions. The change is minor but appropriate.
217. Transpower's request to remove the examples of '*schools, residential buildings, and hospitals*' from the definition of sensitive activities, as it may inadvertently undermine the intent and consistency of the planning framework. These examples serve as reference points that assist users in interpreting the rule, particularly when evaluating the potential effects of electricity transmission infrastructure. Their inclusion aligns with the National Policy Statement on Electricity Transmission (2008), reinforcing the intent and scope of the rule. Removing them risks creating ambiguity and inconsistent application across planning documents.
218. In regard to Radio NZ seeking to combine '*Sensitive Activity*' and '*Noise Sensitive Activity*' into a single term, I do not consider this appropriate. Each definition serves a different purpose. '*Noise sensitive activity*' specifically refers to activities particularly vulnerable to noise effects which require targeting noise mitigation measures. Whereas '*Sensitive activity*' is a broader term covering land use that may be adversely affected by a wider range of environmental factors. Maintaining separate definitions ensures clarity and continuation of the intent of each term within the provisions.
219. In response to the submission seeking the inclusion of specific examples within the definition of '*Noise Sensitive Activity*', I consider that further clarification is not necessary for most activity types. Residential activity, educational facility, community facility, and visitor accommodation are already defined in the PDP, each with clear descriptions and examples that outline their scope and function. These definitions provide sufficient guidance for interpreting what constitutes a noise-sensitive activity in practice.
220. Following conversation with Mr Kenton Baxter, the reporting officer for the Noise s42A report, and in consideration of his opinion in the Right of Reply, I support the inclusion of hospitals within the definition of '*Noise Sensitive Activity*'. This addition is considered appropriate and justified as hospitals are inherently sensitive to noise due to their function and the presence of patients requiring rest and recovery.

221. I support the MOE's request to amend the terminology to '*educational facilities*' rather than '*education facilities*', in order to maintain consistency throughout the PDP.
222. I acknowledge the submitters who advocate for retaining the current definition of '*Noise Sensitive Activity*'. However, based on the rationale outlined above, I recommend minor amendments to better reflect the intent and ensure consistency within the PDP.

Recommendation

223. I recommend rejecting submission S55.011, S438.004, S438.005, S438.006, S399.003, S489.006, S489.007 and S454.013.
224. I recommend accepting submission S331.007 and S331.005, while submissions S217.002, S159.017, S489.004, S336.002 and S416.003 are accepted in part.
225. I recommend the following amendments to the definition of '*Sensitive activity*':

'Sensitive activity

'Means:

- a. Residential activities;*
- b. Educational facilities ~~and preschools~~;...*

'Noise sensitive activity

Means buildings or land that may be affected by noise and require a higher standard of amenity. These include:

- a. Residential or living activities;*
- b. Educational facilities;*
- c. Health facilities, including hospitals;*
- d. Community facilities; and*
- e. Visitor accommodation.'*

Sensitive Environment and Surface Water Body

Summary of Submission

226. The definition of '*Sensitive Environment*' contained in the notified PDP reads:

'Means:

- a. The coastal environment;*
- b. An outstanding natural feature or landscape;*
- c. Scheduled site and area of significance to Māori;*
- d. Significant natural areas;*
- e. River flood hazard areas;*
- f. Coastal hazard areas;*
- g. Scheduled heritage resource; and*
- h. The area within a 100m setback from the edge of a surface water body'.*

227. A summary of submissions on the *'Sensitive Environment'* definition is provided below:

- a) Forest & Bird (S511.015) and Kapiro Conservation Trust (S442.035) request retention of the definition.
- b) Lynley Newport (S121.005) seeks the removal of clause (h) from the definition, expressing concern that Council may be overreaching by classifying all areas within 100 metres of a surface water body as a *'sensitive environment'*.
- c) Horticulture NZ (S159.021) seeks the inclusion of *'and/or'* within clause (h), specifically revising the setback distance from *'...100m 30m setback from the edge of a surface of water body.'*
- d) Te Hiku Iwi Development Trust (S399.002) seeks to inclusion of *'and/or'* within clause (c), noting that the current definition does not adequately reflect that many sites and areas of significance to Māori are not mapped or formally identified.

228. The definition of *'Surface Water Body'* contained in the notified PDP reads:

'Means any water body the surface of which is above ground and includes wetlands'.

229. A summary of submissions on these definitions is provided below:

- a) Horticulture NZ (S159.023) opposes the definition and seeks to exclude artificial watercourses, requesting the following amendment:

'...and includes wetlands but excludes artificial watercourses including irrigation canals, water supply race or farm drainage canals.'

Analysis

230. In regard to the definition of '*Sensitive environments*', the term is used in the following provisions of the PDP:
- Policies that manage the effects of hazardous substances by requiring significant hazardous facilities to be located, designed, constructed and managed to avoid adverse effects and risks to people, property and the environment, particularly sensitive environments (HS-P1).
 - Policies addressing new or expanded significant hazardous facilities and sensitive activities, with consideration given to separation distances and other methods to avoid or mitigate risks and adverse effects on sensitive activities and sensitive environments (HS-P3).
 - Rules applying to the establishment of new significant hazardous facilities, requiring that such facilities are not located within a sensitive environment (HS-R2).
 - Policies enabling farm quarries within the Rural Production Zone, provided they are limited in scale and operation and are located outside of identified sensitive environments (ME-P4).
231. The term '*sensitive environment*' is used in the Hazardous substances chapter of the PDP. The rules require new significant hazardous facilities to be setback prescribed distances from '*sensitive environments*', which includes "the area within 100m setback from the edge of a "surface water body".
232. While Lynley Newport's concern is noted, the 100m threshold is a precautionary measure providing a consistent buffer to mitigate potential adverse effects from significant hazardous facilities on water quality and ecological values. Removing the clause could weaken the framework and expose sensitive waterbodies to increased risk from significant hazardous facilities.
233. Horticulture NZ seeks to introduce flexibility into clause (h) by including the phrase '*and/or*', which would allow for a reduced setback of 30m from the edge of a surface water body. However, the submission does not provide any supporting rationale or technical evidence to justify this change. A reduction in setback distance for significant hazardous facilities poses a heightened risk of adverse environmental effects, particularly to sensitive waterbodies. The original 100m setback provides a precautionary buffer that aligns with best practice for managing significant hazardous facilities near vulnerable waterbodies, therefore the proposed inclusion of '*and/or*' introduces ambiguity which may result in inconsistent interpretation.
234. In response to Te Hiku Iwi Development Trust, while the intent to recognise the cultural importance of unmapped sites is acknowledged, I do not support the proposed amendment to include '*and/or*' within clause (c).

The provisions must be measurable to ensure effective implementation and enforceability. The current definition appropriately references scheduled SASM sites, which are mapped and identified in the PDP. Expanding the definition to include unmapped or informal sites through the use of 'and/or' introduces ambiguity and uncertainty, undermining the efficiency and effectiveness of the planning framework.

235. I support the submission seeking to retain the definition of '*Sensitive environment*'.
236. I consider the request to exclude artificial watercourses from the definition of '*Surface Water Body*' reasonable. The current definition may inadvertently trigger resource consent requirements for activities located near low-risk, man-made features such as farm drains, which could impose unnecessary regulatory burdens. To address this concern, and to ensure consistency with the existing definition of '*drain*' in the PDP, defined as '*any artificial watercourse designed, constructed, or used for the drainage of surface or subsurface water, excluding those used for electricity generation, irrigation, or water supply*', it is recommended that the definition of '*Surface Water Body*' be amended to explicitly exclude artificial watercourses including drains. This amendment maintains environmental protections while ensuring the PDP does not inadvertently or unnecessarily require resource consents for new significant hazardous facilities in proximity to artificial watercourses including drains.

Recommendation

237. For clarity, I recommend the definition of '*Sensitive Environments*' is amended as follows:

'For the purpose of the Hazardous Substances and Mineral Extraction chapters, means...'

238. I recommend accepting S511.015 and S442.035 in part and rejecting S159.021, S121.005 and S399.002.
239. I recommend accepting submission S159.023 in part and amending the definition of '*Surface water body*' as follows:

'Means any water body on the surface of which is above ground, and includes wetlands but excludes artificial watercourses including drains.'

Shelterbelts

Summary of Submission

240. The definition of '*Shelterbelts*' contained in the notified PDP reads:

'Means any tree planted primarily to provide shelter for stock, crops or buildings from the prevailing wind(s).'

241. A summary of submissions on these definitions is provided below:

- a) Horticulture NZ (S159.022) supports the definition in part, seeking an amendment to include '*...prevailing wind(s) or to mitigate potential spray drift from agricultural applications*'.

Analysis

242. The term shelterbelt is used in the PDP as follows:

- Rules regarding tree planting near Critical Electricity Lines Overlay (I-R13) (SUB-R10).
- Rurals relating to the removal of shelterbelts and matters of control (HPFZ-R4).
- Policies that provide for the removal of screening shelterbelt planting (HPFZ-P5).

243. I consider the existing definition accurately captures the primary purpose of shelterbelts, protects stock, crops or buildings from wind. However, the proposed addition offers greater technical precision and reflects the operational realities specific to horticultural practices. Importantly, the amendment does not introduce broader planning implications or unintended effects on other land uses. Its inclusion serves to clarify the role of shelterbelts within horticulture without altering the scope or application of the definition (and rules) beyond their intended purpose.

Recommendation

244. I recommend accepting submission S159.022 and amending the definition of 'Shelterbelts' as follows:

'Means any tree planted primarily to provide shelter for stock, crops or buildings from the prevailing wind(s) or to mitigate potential spray drift from agricultural applications.'

Supported Residential Care Activity

Summary of Submission

245. The definition of 'Supported Residential Care Activity' contained in the notified PDP reads:

'Means land and buildings in which residential accommodation, supervision, assistance, care and/or support are provided by another person or agency for residents.'

246. A summary of submissions on these definitions is provided below:

- a) Department of Corrections (S158.006) submits that '*Residential activity*' already encompasses supported and transitional accommodation, such as that provided by Ara Poutama, they seek the removal of the definition and associated provisions for '*Supported Residential Care Activity*' from the PDP. However, if the definition and provisions are retained, the submitter requests that the wording be retained as notified.

Analysis

247. Consistent with the recommendations in the Hearing 14 (Urban) section 42A report, I consider that the definition of '*Supported residential care*' should be retained in the PDP. The term is referenced across multiple chapters and is linked to specific rules that address the potential effects of this activity. These rules are recommended to be retained by other reporting officers in earlier hearings. I consider that this approach satisfies the submitter's request (alternative relief) to maintain the definition as originally notified.

Recommendation

248. For the reasons set out above, I recommend retaining the definition of '*Supported residential care activity*' as notified and accepting S158.006 in part.

Three Waters Infrastructure

Summary of Submission

249. The definition of '*Three Waters Infrastructure*' contained in the notified PDP reads:

'Means any current or planned (within the Long Term Plan or 30 Year Infrastructure Strategy) Council owned reticulated network controlling:

- a) Wastewater*
- b) Potable water; and*
- c) Stormwater'.*

250. A summary of submissions on these definitions is provided below:

- a) Pou Herenga Tai Trust (S425.003) supports retaining the definition.
- b) NRC (S359.037) supports in part, stating the definition should be future-proofed to reflect potential ownership changes under the Three Waters reform, align with terminology in the Water Services Bill and ensure consistency with applicable rules. The submitter seeks the inclusion of a provision for non-council infrastructure.

Analysis

251. The term is used in the following provisions of the PDP:

- Policies regarding land use and subdivision to ensure the adequacy and capacity of available or programmed development infrastructure and “management of three waters infrastructure” (MUZ-P8, LIZ-P6 and HIZ-P7)

252. In response to NRC, the inclusion of non-council infrastructure raises some concerns as the context in which the term is used is specific to its impacts on infrastructure that is council (including possible future Council controlled organisation) owned and maintained. Introducing non-council infrastructure to the defined term could create ambiguity and undermine the intent. Furthermore, the inclusion would be inconsistent with the existing definition of ‘*Development infrastructure*’ which is specific to council-managed assets.

253. I acknowledge Pou Herenga Tai Trust’s support to retain the definition.

Recommendation

254. I recommend accepting S425.003 and retaining the definition of ‘*Three Waters Infrastructure*’ as notified.

255. I recommend rejecting submission S359.037.

Urban Environment Allotment

Summary of Submission

256. The definition of ‘*Urban Environment Allotment*’ contained in the notified PDP reads:

‘Means an allotment within the meaning of section 218 of the Resource Management Act 1991 and:

- a) That is no greater than 4000m²; and*
- b) That is connected to a reticulated water supply system and a reticulated sewerage system; and*
- c) On which there is a building used for industrial or commercial purposes or as a dwelling house; and*
- d) That is not reserve (within the meaning of section 2(1) of the Reserves Act 1997).*

257. A summary of submissions on these definitions is provided below:

- a) Arvida Group Limited (S165.004) opposes the definition, stating the 4000m² cap in clause 1 is unnecessary and misaligned with the broader 'Urban' definition; The submitter requests to delete clause 1.
- b) Kāinga Ora (S561.009) identified a spelling error and seeks to amend clause 3 to remove 'house' to correct this error.

Analysis

- 258. The notified PDP includes a definition for 'Urban Environment allotment', however the term is not referenced or relied upon within any of the provisions in the PDP. As such, this term serves no functional purpose within the PDP. For clarity and efficiency, I recommend that the definition be removed entirely.
- 259. In regard to the broader use of the term 'Urban', Section 5.6.1 of this report acknowledges that the term also has no reference throughout the PDP. As it does not contribute to the interpretation of any provisions, its removal is also recommended.

Recommendation

- 260. For the reasons stated above, I recommend the removal of the term 'Urban' from the PDP.
- 261. I recommend accepting in part S165.004 and S561.009.

Vulnerable Activity

Summary of Submission

- 262. The definition of 'Vulnerable Activity' contained in the notified PDP reads:
'Means residential activities, care facilities (including day care centres), retirement villages, visitor accommodation, marae and medical facilities with overnight stay facilities'.
- 263. A summary of submissions on these definitions is provided below:
 - a) New Zealand Motor Caravan Association (S438.007) opposes the definition stating camping grounds are transitory in nature and provide temporary accommodation. The submitter seeks an amendment to explicitly exclude camping grounds by introducing a subcategory.
 - b) MOE (S331.008) and Northland Planning and Development 2020 Limited (S502.014) submit that 'day care centres' are not defined under the PDP and fall within the scope of 'Child Care Services'. The submitters request an amendment to replace 'day care centres' with 'Child Care Services' for consistency with defined terms.

Analysis

264. The purpose of defining the term '*vulnerable activity*' is to restrict vulnerable activities from establishing within areas prone to natural hazards (and/or ensure they are designed to withstand hazards though standards such as finished floor levels above flood levels). The term '*Vulnerable Activity*' is used in the PDP as follows:

- Land use and subdivision must be managed to not increase the risk from natural hazards with specific attention to vulnerable activities in flood prone and coastal hazard areas (NH-P2, NH-P6, NH-P7).
- Vulnerable activities must be carefully managed in coastal hazard areas, with new buildings or platforms requiring finished floor levels at least 500mm above the 1% AEP flood level, plus 1m for sea level rise (NH-P7, CE-S4).
- New hard protection structures may be considered only where they are the sole practical means to protect existing settlements or infrastructure involving vulnerable activities (NH-P13).
- Specific rules apply to buildings used for vulnerable activities in wildfire prone areas (NH-R5, NH-R6).
- New buildings or extensions for vulnerable activities must not be located in High Risk Coastal Hazard Areas or within a 1 in 10-year river flood hazard zone (NH-R7, CE-R14).
- Changes in use of existing buildings to accommodate vulnerable activities are subject to regulation (NH-R8).
- Minor structures and accessory farm buildings are permitted only if they do not involve vulnerable activities (CE-R12, CE-R13).
- Indigenous vegetation may be pruned or disturbed to maintain a 20m setback from buildings used for vulnerable activities, both within and outside Significant Natural Areas (IB-R1).

265. In response to the submission from the New Zealand Motor Caravan Association, it is noted that campgrounds are included within the broader term '*Visitor accommodation*', which is an intentional, appropriate and justified inclusion within the definition of '*Vulnerable activity*'. As above, the purpose of this grouping is to ensure land use planning accounts for the presence of people who may be exposed to environmental hazards, irrespective of the duration of their stay. Although campgrounds provide temporary accommodation, they often host large numbers of people in lightweight or mobile structures that are susceptible to risks, such as flooding. Excluding campgrounds from the definition would not achieve the objectives of the Natural Hazards chapter of the PDP. It would also create inconsistency in how various forms of visitor accommodation are treated and could undermine the integrity of the PDP provisions, creating ambiguity when distinguishing between types of short-term accommodation.

266. The amendment proposed by MOE and Northland Planning and Development 2020 Limited to replace the undefined term '*day care centres*' with the defined term '*Child Care Services*' is supported, as it enhances clarity and consistency within the PDP by aligning terminology with existing definitions. This change reduces interpretive ambiguity and ensures coherence across planning provisions by referencing a term that is already clearly scoped and understood. Using defined terms also supports better integration across zones and activities, improving the efficiency of resource consent processes and policy implementation.

Recommendation

267. For the reasons stated above, I recommend S331.008 and S502.014 is accepted and the definition of '*Vulnerable activity*' is amended as follows:

'Means residential activities, care facilities (including ~~day care centres~~ child care services), retirement villages, visitor accommodation, marae and medical facilities with overnight stay facilities.'

268. Given that the definition is recommended for amendment, I recommend rejecting submission S438.007.

Wetland, Lake and River Margins

Summary of Submission

269. The definition of '*Wetland, Lake and River Margins*' contained in the notified PDP reads:

'In the Light Industrial and Heavy Industrial zones means the area of land within 20 metres of a:

- a. Wetland;*
- b. Lake; or*
- c. River greater than 3m average width.*

In the General Residential, Russell Township, Quail Ridge or Mixed Use zones means the area of land within 26 metres of a:

- a. Wetland;*
- b. Lake; or*
- c. River greater than 3m average width.*

In all other zones means the area of land within 30 metres of a:

- a. Wetland;*

b. Lake; or

c. River greater than 3m average width.

Where a river is smaller than 3m average width means 10m of a river'.

Note: The width is measured in relation to the bed of the waterbody.

270. A summary of submissions on these definitions is provided below:

- a) Forest & Bird (S511.017) and Kapiro Conservation Trust (S442.037) supports the retention of the definition.
- b) Horticulture NZ (S159.025) opposes the definition and seeks amendments to the rules so that setback distances vary depending on the ecological value of the margin.
- c) NZ Kiwifruit Growers Inc (S518.003) presumes wetland margin provisions are not intended to include artificially constructed water storage ponds and requests a note to explicitly exclude them from the definition:

'For the avoidance of doubt, artificially constructed water storage ponds are not included within the definition.'

- d) Matauri Trustee Limited (S243.002) opposes the broad application of the term 'Lake' to small farm dams lacking natural character. The submitter proposes adopting the size based on the definition from the ODP, seeking the following amendment, along with inserting a new definition of 'Lake' as follows:

'Lake (where the lakebed has an area of 5ha or a body of fresh water impounded by a dam); or...'

'Lake

A permanent body of fresh water 5 or more hectares in area which is entirely or nearly surrounded by land and excluding a body of freshwater impounded by a dam.'

- e) Carbon Neutral NZ Trust (S529.142) and VKK (S527.018) support the definition in part and seek amendments to apply a consistent 30m margin, especially within Industrial and Residential zones.
- f) Northland Planning and Development 2020 Limited (S502.015) and Waitangi Limited (S503.007) request clarification that rivers less than 3m in average width should have a reduced margin of 10m, suggesting the following amendment:

'...Where a river is smaller than 3m average width the river margin is the area of land within means 10m of a river...'

Analysis

271. The definition is designed to provide clarity and consistency in the application of setback provisions now provided for in the natural character chapter of the PDP. Introducing variable setbacks based on ecological value would create significant uncertainty and complexity into the planning framework. Determining ecological value on a case-by-case basis would require subjective assessments, potentially leading to inconsistent outcomes. This approach risks being ultra vires as it lacks clear enforceable criteria which undermines the certainty required by the rules. The current setback distances are measurable and clear; they provide clarity and align with the objectives.
272. Regarding NZ Kiwifruit Growers Inc request, I consider the proposed amendment both reasonable and aligned with the broader objectives of the PDP. The recommended clarification, that the definition excludes artificially constructed ponds, is an appropriate, efficient and effective means of achieving the PDP's intent. Specifically, the exclusion of artificially constructed water storage ponds is a balanced approach as it preserves the natural character of wetlands across the district, while avoiding undue restrictions on development and imposing unnecessary costs.
273. This approach is also consistent within the exemptions for *lakes* recommended in Hearing 4 by Mr Ben Lee (refer to paragraphs 88-100 of the Natural Character s42A Report), reinforcing a coherent and practical application of the plans natural character provisions.
274. The matter raised by Matauri Trustee Limited seeking to define the definition of 'Lake' has been addressed in Hearing 4, specifically in paragraphs 88-100 of the s42A report, which considered the issue of natural character and the appropriateness of applying the term 'Lake' to artificial water bodies. As a result, amendments have already been made to the definition to clarify its scope and ensure it reflects ecological and landscape values. I consider no further changes are necessary.
275. In response to Carbon Neutral NZ Trust and VKK, while their intent to strengthen environmental protection is acknowledged, the existing 20m reserve width is already well established in statutory frameworks, aligning with the RMA. These frameworks retain key criteria such as the 3m average river width threshold and the 20m esplanade reserve standard.
276. Regarding Northland Planning and Development 2020 Limited and Waitangi Limited request, I support this approach as it provides greater clarity and ensures that setback provisions are proportionate to the scale and ecological sensitivity of smaller water bodies. This amendment aligns with practical implementation and avoids unnecessarily restrictive margins for minor rivers, while still maintaining environmental protection.
277. In response to the submitters seeking to retain the definition as notified, for the reasons outlined above, I recommend that the definition be amended.

Recommendation

278. I recommend the definition of 'Wetland, Lake and River Margins' is amended as follows:

'In the Light Industrial and Heavy Industrial zones means the area of land within 20 metres of a:

- a. Wetland that is not an artificially constructed pond;*
- b. Lake; or*
- c. River greater than 3m average width*

In the General Residential, Russell Township, Quail Ridge or Mixed Use zones means the area of land within 26 metres of a:

- a. Wetland that is not an artificially constructed pond;*
- b. Lake; or*
- c. River greater than 3m average width*

In all other zones means the area of land within 30 metres of a:

- a. Wetland that is not an artificially constructed pond;*
- b. Lake; or*
- c. River greater than 3m average width*

Where a river is smaller than 3m average width, the river margin is the area of land within means 10m of a river.

Note: The width is measured in relation to the bed of the waterbody

279. I recommend accepting submissions S502.015 and S503.007, accepting in part submissions S518.003, S243.002, S511.017 and S442.037, and rejecting S159.025, S529.142 and S527.018.

Marae

Summary of Submission

280. The definition of 'Marae' contained in the notified PDP reads:

'Complex of buildings which provide the focal point for social, cultural, and economic activity for Māori and the wider community'.

281. A summary of submissions on these definitions is provided below:

- a) Haititaimarangai Marae Kaitiaki Trust (S394.059) raises concerns about references to consultation with marae. They note that some Marae are newly established and not aligned with tikanga, which may affect their ability to engage meaningfully or produce cultural impact assessments. To address this, they seek an amendment to the glossary definition of 'Marae' as follows:

'Complex of buildings, established in accord with tikanga, which provide the focal point of social, cultural, and economic activity for Māori and the wider community.'

Analysis

282. I acknowledge the intent from Haititaimarangai Marae Kaitiaki Trust's submission; however, the current definition of 'Marae' is intentionally broad. Introducing a requirement that marae be *'established in accord with tikanga'* could open the definition up to differences in opinion or interpretation. Importantly, policy TW-P6 already requires that Cultural Impact Assessments (CIA) be prepared by individuals with appropriate knowledge and endorsed by iwi, hapū or marae. This endorsement ensures that CIAs reflect tikanga and are culturally robust without needing to narrow the definition of marae.

Recommendation

283. I recommend the term 'Marae' is retained as notified and submission S394.059 is rejected.

Section 32AA Evaluation

284. Minor amendments to selected definitions within the PDP are recommended to improve clarity, remove ambiguity, and ensure consistency with the language used throughout the PDP. These changes do not alter the scope, intent, or application of the associated provisions, but instead refine the wording to better support interpretation and implementation. The benefits of these amendments include enhanced usability for plan users, reduced risk of misinterpretation and improved alignment with planning best practice. Overall, the changes are considered efficient, effective, and appropriate under Section 32AA of the RMA, and no further substantive evaluation is required.
285. For terms not recommended to be defined, no Section 32AA evaluation is required, as their exclusion does not affect the provisions.
286. A Section 32AA evaluation for *'Urban Environment Allotment'* is provided in Section 5.3.5 Key Issue 5: Other Interpretation Matters.
287. The deletion of the definitions for *'Plantation Forestry'* and *'Plantation Forestry Activity'* is a necessary and efficient amendment following updates to the NES-CF and recommendations from earlier hearings to use the terms "commercial forestry" and "forestry activities" in the PDP provisions. These terms are now redundant as the NES-CF comprehensively regulates both plantation and carbon forestry. Retaining these definitions would risk

duplication, inconsistency and confusion across the PDP. The PDP has already been updated through Hearings 4 and 9 to align with NES-CF terminology through the rules and amending advice notes accordingly. This change improves plan clarity, ensures consistency with national direction and supports effective implementation.

5.3.4 Key Issue 4: New Definitions/Terms

Overview

Provision(s)	Officer Recommendation(s)
Reverse Sensitivity	<ul style="list-style-type: none"> Inclusion of a defined term for <i>'Reverse Sensitivity'</i> is not recommended.
Agricultural Aviation Activities	<ul style="list-style-type: none"> Insert a new definition for <i>'Agricultural Aviation Activities'</i> in line with the recommendation from Hearing 6/7.
Aircraft	<ul style="list-style-type: none"> Inclusion of a defined term for <i>'Aircraft'</i> is not recommended.
Non-custodial Rehabilitation Activity	<ul style="list-style-type: none"> Inclusion of a defined term for <i>'Non-custodial Rehabilitation activity'</i> is not recommended.
Camping Ground	<ul style="list-style-type: none"> Insert a new definition for <i>'Camping Ground'</i> in line with the Camping-Ground Regulations 1985.
Māori Cultural Activity	<ul style="list-style-type: none"> Inclusion of a defined term for <i>'Māori Cultural Activity'</i> is not recommended.
Supermarket Activity	<ul style="list-style-type: none"> Insert a new definition for <i>'Supermarket Activity'</i> in line with the recommendation from Hearing 14.
Future Transport Infrastructure	<ul style="list-style-type: none"> Inclusion of a defined term for <i>'Future Transport Infrastructure'</i> is not recommended.
Waste Management Facility	<ul style="list-style-type: none"> Insert a new definition for <i>'Waste Management Facility'</i> in line with the recommendation from Hearing 9.
Iwi/hapū Environmental Management Plans	<ul style="list-style-type: none"> Inclusion of a defined term for <i>'Iwi/hapū Environmental Management Plans'</i> is not recommended.
Emergency Service Training Activity	<ul style="list-style-type: none"> Insert a new definition for <i>'Emergency services training activity'</i>.
Public Place	<ul style="list-style-type: none"> Inclusion of a defined term for <i>'Public place'</i> is not recommended.
Additional Infrastructure	<ul style="list-style-type: none"> Inclusion of a defined term for <i>'Additional Infrastructure'</i> is not recommended.
Internal Boundary	<ul style="list-style-type: none"> Insert a new definition for <i>'Internal Boundary'</i>.
Sustainable Carrying Capacity	<ul style="list-style-type: none"> Insert a new definition for <i>'Sustainable servicing capacity'</i> in line with the recommendation from Hearing 10.
Maimai	<ul style="list-style-type: none"> Inclusion of a defined term for <i>'Maimai'</i> is not recommended.
Footprint	<ul style="list-style-type: none"> Inclusion of a defined term for <i>'Footprint'</i> is not recommended.

Provision(s)	Officer Recommendation(s)
Upgrading	<ul style="list-style-type: none"> Insert a new definition for '<i>Upgrading</i>' in line with the recommendation from Hearing 11.
Low Impact Design	<ul style="list-style-type: none"> Replace the term '<i>Low impact design</i>' with '<i>Water sensitive design</i>' throughout the PDP.
Māori Ward Councillors	<ul style="list-style-type: none"> Inclusion of a defined term for '<i>Māori Ward Councillors</i>' is not recommended.
Biosecurity Reasons	<ul style="list-style-type: none"> Inclusion of a defined term for '<i>Biosecurity Reasons</i>' is not recommended.
Kura Kaupapa	<ul style="list-style-type: none"> Insert new term for '<i>Kua Kaupapa</i>'.
Mahinga Kai	<ul style="list-style-type: none"> Inclusion of a defined term for '<i>Mahinga Kai</i>' is not recommended.
Maramataka	<ul style="list-style-type: none"> Inclusion of a defined term for '<i>Maramataka</i>' is not recommended.
Mātauranga Māori	<ul style="list-style-type: none"> Inclusion of a defined term for '<i>Mātauranga Māori</i>' is not recommended.
Te Mana o Te Wai	<ul style="list-style-type: none"> Inclusion of a defined term for '<i>Te Mana o Te Wai</i>' is not recommended.
Te Ao Māori	<ul style="list-style-type: none"> Insert new term for '<i>Te Ao Māori</i>'
Te Haurora o Te Koiroa	<ul style="list-style-type: none"> Inclusion of a defined term for '<i>Te Haurora o Te Koiroa</i>' is not recommended.
Te Hauora o Te Taonga	<ul style="list-style-type: none"> Inclusion of a defined term for '<i>Te Hauora o Te Taonga</i>' is not recommended.
Te Hauora o Te Taiao	<ul style="list-style-type: none"> Inclusion of a defined term for '<i>Te Hauora o Te Taiao</i>' is not recommended.
Te Hauora o Te Tāngata	<ul style="list-style-type: none"> Inclusion of a defined term for '<i>Te Hauora o Te Tāngata</i>' is not recommended.
Tirotiro a ta Rongo	<ul style="list-style-type: none"> Inclusion of a defined term for '<i>Tirotiro a ta Rongo</i>' is not recommended.
Whare Wānanga	<ul style="list-style-type: none"> Inclusion of a defined term for '<i>Whare Wānanga</i>' is not recommended.
Māori words in the Glossary having regard to advice from Tangata whenua	<ul style="list-style-type: none"> Inclusion of an advice note is not recommended.

Analysis of Submissions on Key Issue 4

Reverse Sensitivity

Summary of Submissions

288. A summary of submissions on this definition is provided below:

- a) Several submitters, including New Zealand Pork Industry Board (S55.010), Horticulture NZ (S159.007), KiwiRail Holdings Limited (S416.008), Transpower New Zealand Limited (S454.012), and RNZ (S489.008), have requested the inclusion of a new definition for '*Reverse Sensitivity*' within the PDP. While each submitter offers slightly different wording, the main intent is to ensure consistent interpretation through the PDP.

Analysis

289. The term '*Reverse Sensitivity*' is already clearly defined in a higher-level planning document, including the Regional Policy Statement (RPS), which states:

'Reverse Sensitivity occurs when occupants of a new development (for example, a lifestyle block) complain about the effects of an existing, lawfully established activity (for example, noise or smell from industry or farming). This can have the effect of imposing economic burdens or operational limitations on the existing activity thereby reducing their viability.'

290. This definition is well-established and widely accepted, providing sufficient guidance for interpreting and applying reverse sensitivity within the district plan framework. Introducing a separate definition into the PDP risks creating inconsistencies, unnecessary duplication, and confusion, particularly if future amendments are made to the RPS or other statutory instruments. The PDP already contains provisions and policies that effectively manage reverse sensitivity effects, making a standalone definition unnecessary. In my view, defining this term would not improve the clarity or functionality of the PDP.

Recommendation

291. For the reasons stated above, I recommend retaining the current approach within the PDP and not defining *Reverse Sensitivity*.

292. Therefore, I recommend rejecting submissions S55.010, S159.007, S416.008, S454.012 and S489.008.

Agricultural Aviation Activities

Summary of Submissions

293. A summary of submissions on this definition is provided below:

- a) Balance Agri-Nutrients Limited (S143.001) seeks to define agricultural aviation to include primary production, biosecurity, and conservation activities and requests to insert a new definition as follows:

'Agricultural Aviation Activities

Means the intermittent operation of an aircraft (including fixed-wing aeroplanes and helicopters) from a rural airstrip or helicopter landing area for primary production activities, and conservation activities for biosecurity, or biosecurity purposes; including stock management, and the application of fertiliser, agrichemicals or vertebrate toxic agents (VTA's).'

Analysis

294. The definition of 'Agricultural Aviation Activities' was considered during Hearing 6/7 (Light and Noise), where the reporting officer recommended the introduction of a new definition. The recommended definition for 'Agricultural Aviation Activities' is as follows:

'Means the intermittent operation of an aircraft from a rural airstrip or helicopter landing area for primary production activities and conservation activities for biosecurity or biodiversity purposes, including stock management and the application of fertiliser, agrichemicals, or vertebrate toxic agents. For clarity, "aircraft" includes fixed-wing aeroplanes, helicopters, and unmanned aerial vehicles.'

295. I consider that the definition recommended in Hearing 6/7 is consistent with the wording proposed by Balance Agri-Nutrients Limited and adequately addresses the intent of their submission. Accordingly, I do not recommend any further amendments.

Recommendation

296. I recommend that no further amendments be made to the definition, and that the insertion of the definition for 'Agricultural Aviation Activities' is in accordance with the recommendations from Hearing 6/7.
297. I recommend that submission S143.001 is accepted in part.

Aircraft

Summary of Submissions

298. A summary of submissions on this definition is provided below:
- a) NZ Agricultural Aviation Association (S182.002) seeks a new definition for Aircraft to future-proof the PDP:

'Aircraft

Means any machine that can drive support in the atmosphere from the reactions of the air otherwise than by the reactions of the air against the surface of the earth.'

Analysis

299. While NZ Agricultural Aviation Association has proposed a new definition for 'Aircraft' to future proof the PDP, I do not consider it necessary to incorporate a definition. The term *Aircraft* is already well understood in both regulatory and operational contexts, with its meaning clearly established in aviation standards and industry practice. Introducing a new definition may broaden the scope and capture unintended inclusions such as airborne devices or kites, that fall out of the scope of conventional aircraft use in agricultural aviation.

Recommendation

300. I recommend rejecting S182.002 and maintaining the current approach in the notified PDP.

Non-custodial Rehabilitation Activity

Summary of Submissions

301. A summary of submissions on this definition is provided below:

- a) Department of Corrections (S158.003) seeks to include a new definition for '*Non-custodial Rehabilitation Activity*' to ensure the PDP recognises rehabilitative and reintegration programmes delivered outside custodial settings. These activities support individual and community well-being and should be clearly provided for.

'Non-custodial Rehabilitation Activity

Means the use of land and buildings for non-custodial rehabilitative and reintegration activities and programmes undertaken by, or on behalf of, Ara Poutama Aotearoa the Department of Corrections.'

Analysis

302. I do not consider it necessary or appropriate to include a separate definition of '*Non-custodial Rehabilitation Activity*' within the PDP, as the term is only referenced within the existing definition of '*Community corrections activity*', which was addressed in Hearing 14 (Urban) and supported by an associated rule. Furthermore, the proposed term is not specifically referenced in a standalone rule or provision meaning its definition may not be necessary.

Recommendation

303. I recommend that submission S158.003 be rejected and that no additional definition for '*Non-custodial Rehabilitation Activity*' be included in the PDP.

Camping Ground

Summary of Submissions

304. A summary of submissions on this definition is provided below:

- a) New Zealand Motor Caravan Association (S438.003) states the PDP refers to camping grounds but lacks a definition. To ensure clarity, they request to include the definition from the Camping-Grounds Regulations 1985, which describes land used for placing temporary living spaces for two or more independent parties, with shared facilities:

'Camping Ground can be the same definition as Campground Regulation 1985 which means any area of land used, or designed or intended to be used, for rent, hire, donation, or otherwise for reward, for the purposes of placing or erecting on the land temporary living places for occupation, by 2 or more families or parties (whether consisting of 1 or more persons) living independently of each other, whether or not such families or parties enjoy the use in common of entrances, water supplies, cookhouses, sanitary fixtures, or other premises and equipment; and includes any area of land used as a camping ground immediately before the commencement of these regulations.'

Analysis

305. Given that the PDP includes specific rules relating to Camping Grounds across multiple zones (NOSZ-R12, OSZ-R13, SAR-R13, and RPROZ-R25), I consider it both appropriate and beneficial to include a clear definition of 'Camping Ground' to support consistent interpretation and application of these provisions. The recommended definition aligns with the Campground Regulations 1985 and reflects terminology used in other district plans, including New Plymouth and Queenstown Lakes. Including this definition will help ensure that the scope of the activity is well understood and consistently applied across the relevant zones.

Recommendation

306. I recommend the following definition for 'Camping Ground' is introduced into the PDP as follows:

'As set out in the Camping-Grounds Regulations 1985:

Means any area of land used, or designed or intended to be used, for rent, hire, donation, or otherwise for reward, for the purposes of placing or erecting on the land temporary living places for occupation, by 2 or more families or parties (whether consisting of 1 or more persons) living independently of each other, whether or not such families or parties enjoy the use in common of entrances, water supplies, cookhouses, sanitary fixtures, or other premises and equipment; and includes any area of land used as a camping ground immediately before the commencement of these regulations'.

Māori Cultural Activity

Summary of Submissions

307. A summary of submissions on this definition is provided below:
- a) Wakaiti Dalton (S355.003) and Te Aupōuri Commercial Development Ltd (S339.004) states that further to the changes sought to the definition of 'Papakāinga', a new definition for 'Māori Cultural Activity' is requested to support interpretation of Papakāinga rules:



'Māori Cultural Activity means activities undertaken by or associated with whanau, hapū, or iwi that are in accordance with tikanga, including ceremonial, ritual, transferring marking areas or boundaries, or recreational activities.'

Analysis

308. While I acknowledge the submitters support for the definition of 'Papakāinga' and their intent to strengthen its interpretation through a proposed definition of 'Māori Cultural Activity', I do not consider it necessary to introduce a new term. The PDP already includes a definition for 'Customary Activity' which sufficiently captures the types of activities described in the proposed definition which is permitted across several zones. Adding a separate definition for 'Māori Cultural Activity' could cause duplication in the PDP, while the existing definition for 'Customary Activity' is broad and inclusive, therefore providing the necessary flexibility to accommodate a range of tikanga based activities.

Recommendation

309. I consider the existing definition of 'Customary Activity' adequately addresses the intent of the submitters request and that there is no a specific need to define "Māori Cultural activity" despite it being used in the recommended term for "papakāinga" (as per Hearing 1 recommendations). I do not recommend the inclusion of a separate definition for 'Māori Cultural Activity'.

310. I recommend submissions S355.003 and S339.004 are accepted in part.

Supermarket Activity

Summary of Submissions

311. A summary of submissions on this definition is provided below:

- a) Woolworths (S458.001) seeks a definition for 'Supermarket Activity' to improve clarity and enable appropriate provision in the Mixed Urban Zone. The proposed definition is as follows:

'Supermarket Activity means activities associated with the operation of a retail shop selling a wide range of foodstuffs for consumption off-site, including but not limited to fresh produce, meat, fish and dairy; chilled, frozen, packaged, canned and bottled foodstuffs and beverages; non-food grocery items and household goods including cooking, cleaning and washing products, kitchenware's and toiletries, where foodstuffs comprise more than 90 per cent of the total retail floor space.'

- b) Foodstuffs (S363.005) notes that the term 'Supermarket' is undefined and used inconsistently in the PDP, potentially causing confusion. They request the inclusion of a definition as follows:



'Supermarket means a self-service retail activity selling mainly food, beverages and small household goods.'

Analysis

312. The request from Woolworths and Foodstuffs have been addressed in the Hearing 14 (Urban) report. The reporting officer, Mrs Trinder, acknowledged the need for greater clarity and consistency in the use of the term 'Supermarket' within the PDP. As a result, she recommended the inclusion of a new definition for 'Supermarket' as follows:

'Supermarket means a self-service retail activity selling mainly food, beverages and small household goods.'

Recommendation

313. I recommend that no further amendments be made to the definition, and that the insertion of the definition for 'Supermarket' is in accordance with the recommendations from Hearing 14.
314. I recommend submission S363.005 is accepted and submission S458.001 is accepted in part.

Future Transport Infrastructure

Summary of Submissions

315. A summary of submissions on this definition is provided below:
- a) Twin Coast Cycle Trail (S425.004) seeks greater recognition of future transport infrastructure. They request a new definition that captures infrastructure planned in the Long-Term Plan, Far North District Council Integrated Transport Strategy, or any Council-approved spatial or structure plan. Additionally, they seek amendments throughout the PDP to reference future transport infrastructure, ensuring its provision is enabled, particularly through subdivision and land use and that future networks are protected from reverse sensitivity effects.

Analysis

316. I do not consider it necessary to introduce a new definition into the PDP to recognise future transport infrastructure. This term is not used in the PDP and does not need to be defined. The submission lacks specificity, as no wording for the proposed definition has been provided, resulting in a lack of clarity around its intended purpose or scope. It is also uncertain how the definition would be applied within the PDP.
317. Furthermore, future transport infrastructure is already addressed through existing planning documents, such as the Long-Term Plan. Attempting to define what constitutes 'future infrastructure' risks creating an overly broad or subjective interpretation.



Recommendation

318. I don't recommend introducing a new definition regarding '*Future transport infrastructure*'; therefore submission S425.004 is not supported.

Waste Management Facility

Summary of Submissions

319. A summary of submissions on this definition is provided below:

- a) Waste Management (S360.011) opposes the lack of a specific definition for '*Waste Management Facility*' and requests its inclusion to ensure such facilities are clearly distinguished from '*Offensive Trade*' or '*Industrial Activity*'. They propose the following wording:

'Waste Management Facility means a facility where waste and recyclable materials are temporarily stored, handled and processed, prior to being transported to another facility for disposal or an alternative use. These include, but are not limited to, refuse and recycling transfer stations, and materials recovery facilities.'

Analysis

320. The inclusion of a new definition for '*Waste Management Facility*' was considered in the Rural s42A report during Hearing 9, where the reporting officer recommended its incorporation into the PDP as follows:

'Waste management facility means a facility where waste and recyclable materials are temporarily stored, handled and processed, prior to being transported to another facility for disposal or an alternative use. These include, but are not limited to, refuse and recycling transfer stations, and materials recovery facilities.'

321. As the Hearing 9 recommended definition aligns with the submitters request, no further analysis is required.

Recommendation

322. I recommend that no further amendments be made to the definition, and that the insertion of the definition for '*Waste Management Facility*' is in accordance with the recommendations from Hearing 9.

Iwi/hapū Environmental Management Plans

Summary of Submissions

323. A summary of submissions on this definition is provided below:

- a) Te Hiku Iwi Development Trust (S399.006) and Te Rūnanga o Te Rarawa (S571.003) note that while Te Rūnanga o te Rarawa's request to define '*Iwi/hapū Environmental Management Plans*' was accepted, the definition has not been included in the Tangata Whenua or definitions section of the online PDP. They seek its insertion along with an explanation of the PDPs role and relevance in RMA decision-making.

Analysis

324. In response to the request to define '*Iwi/hapū Environmental Management Plans*' within the PDP, while their importance is acknowledged, it is not considered necessary to include a standalone definition. The term is already described in sufficient detail within the Tangata Whenua section of the PDP, where its purpose and scope are appropriately outlined.
325. I consider that a common understanding already exists through established resource management tools and methods, and that a further definition is unnecessary. These are holistic documents developed by iwi and hapū, often spanning multiple agencies and purposes beyond the scope of councils or the RMA, and therefore not appropriate for the PDP to define. Attempting to do so could unintentionally constrain their meaning and limit the flexibility of the PDP. The intention is to retain a broad definition as the RMA already provides sufficient guidance. These documents are also required to be considered during the preparation of section 32 reports, reinforcing the need to respect their independent and evolving nature.

Recommendation

326. For the reasons stated above, I do not recommend defining the term '*Iwi/hapū Environmental Management Plans*' within the PDP, therefore submissions S399.006 and S571.003 are not supported.

Emergency Service Training Activity

Summary of Submissions

327. A summary of submissions on this definition is provided below:
- a) FENZ (S512.003) requests that '*Emergency Service Training Activity*' be added as a separate definition in the PDP for clarity. They propose the following definition:
- 'Emergency Service Training Activity means the training activities, operational support and other non-emergency activities undertaken by the New Zealand Police, Fire and Emergency New Zealand, and other emergency services.'*

Analysis

328. I consider it appropriate to include a definition for '*Emergency Services Training Activity*' in the PDP. The term is referenced in Rule TA-R2 within the Temporary Activities chapter, which regulates both military and

emergency services training activities. While *'Temporary Military Training Activity'* is already defined in the PDP, providing a corresponding definition for emergency services training would enable clarity and ensure consistent interpretation of the rule. I consider the proposed definition provided by the submitter appropriate for inclusion.

Recommendation

329. I recommend submission S512.003 is accepted and recommend the inclusion of a new definition for *'Emergency services training activity'* as follows:

'Means the training activities, operational support and other non-emergency activities undertake by the New Zealand Police, Fire and Emergency New Zealand, and other emergency services.'

Public Place

Summary of Submissions

330. A summary of submissions on this definition is provided below:

- a) Northland Federated Farmers (S421.103) supports the activity classification in rule HA-8 but opposes performance standard RDIS-1 due to the undefined term *'Public Place'*. They request a definition be added and the standard refined to apply only to places like reserves and footpaths, excluding roadsides.

Analysis

331. Mrs Pearson, the reporting officer for Hearing 12 (Heritage), has recommended the removal of the term *'Public Place'* from rules HA-R2 and HA-R8. She notes that the phrase lacks sufficient clarity and does not provide adequate guidance for plan users, particularly in relation to designing additions or alterations under these provisions. Consequently, the reporting officer has proposed the deletion of performance standard PER-6 within HA-R2 and restricted discretionary matter RDIS-1 within HA-R8, both of which reference *'public place'*. In light of these recommended amendments, further analysis is not considered necessary. The term is recommended to be removed from the relevant Heritage rules, and as such, defining it within the PDP is no longer appropriate or required.

Recommendation

332. I recommend that a definition of *'public place'* is not necessary within the context of the PDP and therefore recommend submission S421.103 is rejected. The term has been removed from the relevant provisions, rendering its definition redundant and no longer applicable.

Additional Infrastructure

Summary of Submissions

333. A summary of submissions on this definition is provided below:

- a) MOE (S331.002) requests the inclusion of a new definition for 'Additional Infrastructure' consistent with the National Policy Statement on Urban Development 2020. This would encompass educational facilities and other infrastructure supporting community well-being, enabling broader application across relevant policies and objectives. They request the following wording:

'Additional Infrastructure means:

- a. Public open space;
- b. Community infrastructure as defined in section 197 of the Local Government Act 2002;
- c. Land transport (as defined in the Land Transport Management Act 2003) that is not controlled by local authorities;
- d. Social infrastructure, such as schools and healthcare facilities;
- e. A network operated for the purpose of telecommunications (as defined in section 5 of the Telecommunications Act 2001);
- f. A network operated for the purpose of transmitting or distributing electricity or gas.'

Analysis

- 334. Regarding MOE's request to include a new definition for 'Additional Infrastructure', I consider that this matter has been sufficiently addressed in the Infrastructure s42A report (Hearing 11). (Infrastructure). The PDP, including with recommended amendments from earlier hearings, does not reference "additional infrastructure" therefore there is no need to specifically define this term. It is unclear what additional clarity, or benefit would be gained by introducing a separate definition and doing so may risk unnecessary duplication or confusion in interpreting plan provisions. .

Recommendation

- 335. The inclusion of a new definition for 'Additional Infrastructure' is not recommend and submission S331.002 is rejected.

Internal Boundary

Summary of Submissions

336. A summary of submissions on this definition is provided below:

- a) John Andrew Riddell (S431.157) seeks to insert a definition for '*Internal Boundary*'.

Analysis

337. In regard to the definition of '*Internal Boundary*', the term is used in the following provisions of the PDP:

- Rules relating to Garden centres that are ancillary to a horticulture activity occurring on a site must be setback a minimum of 30m from any **internal boundary** (HZ-R9).
- Standards regarding outdoor storage in relation to internal boundaries setbacks (HPFZ-S5).

338. The submission requesting a definition for '*Internal Boundary*' is considered valid and well-supported, given the term's repeated use across multiple provisions of the PDP. Its absence creates a risk of inconsistent interpretation, particularly in relation to setback and screening rules across various zones. A clear and concise definition would improve plan usability, reduce ambiguity, and support consistent implementation. Although no specific wording was provided by the submitter, I consider it appropriate to adopt a definition aligned with those used by other councils, such as New Plymouth and Queenstown Lakes, to ensure clarity and coherence. This approach is further supported by the reporting officer for Hearing 9 (Rural), who acknowledged in the report, that the term was intended to exclude road boundaries and noted that the related rules could benefit from greater clarity.

Recommendation

339. I recommend accepting S431.157 and the inclusion of a definition for '*Internal Boundary*' as follows:

'Means any boundary of the net area of a site, other than a road boundary.'

Sustainable Carrying Capacity

Summary of Submissions

340. A summary of submissions on this definition is provided below:

- a) Te Rūnanga Ā Iwi O Ngāpuhi (S498.024), Te Runanga o Ngai Takoto Trust (S390.023) and Te Rūnanga o Whaingaroa (S486.033) highlight that '*Sustainable Carrying Capacity*' is undefined, making its intent in objectives TSL-O4 and MPZ-O3 unclear. They request a definition that



considers a site's developable area, its locality (urban, rural, coastal, or overlay), and the availability of infrastructure and services.

Analysis

341. The Section 42A report for Hearing 10, Māori Purpose and Treaty Settlement, assessed the intent behind the proposed amendment and concluded that the term '*sustainable servicing capacity*' more accurately reflects the planning outcomes sought than '*sustainable carrying capacity*'. The reporting officer advised that the use of '*servicing*' aligns more consistently with the objectives and policies of both the Māori Purpose Zone and the Treaty Settlement Land Overlay. Specifically, the term better captures the requirement that development within these areas be adequately supported by infrastructure for water supply, wastewater disposal, and stormwater management.
342. I consider that this amendment to the term used in the provisions resolves the issues identified by the submitters and therefore no further analysis is necessary.

Recommendation

343. I recommend no additional amendments be made to the phrase '*Sustainable servicing capacity*', and I support the recommendations outlined in Hearing 10 s42A reports.
344. I recommend submissions S498.024, S390.023 and S486.033 are accepted in part.

Maimai

Summary of Submissions

345. A summary of submissions on this definition is provided below:
- a) Northland Fish and Game Council (S436.003) requests the inclusion of a definition for '*Maimai*', noting its importance to duck hunting and its regulation under the Wildlife Act and Regulations. They propose defining Maimai in line with as the Building Act 2004, which already controls their maximum floor size:

'Maimai means game bird hunting shelter structures.'

Analysis

346. In relation to the request to define '*Maimai*', I note that the PDP does not include an explicit reference to the term. Reporting officers for Hearing 4, particularly within the Natural Character section 42A report, does not consider it necessary to list '*Maimai*' as a specific activity in the rules. Other relevant reports indicate that existing provisions enable '*Maimai*' to be treated as a permitted activity. The activity is primarily managed through



the Natural Character chapter, which includes controls on buildings and structures near waterbodies.

347. Given the absence of a direct reference in the PDP and the adequate coverage provided under the NES-F, I do not consider it necessary to introduce a separate definition for '*Maimai*' within the PDP.

Recommendation

348. I do not recommend the inclusion of a definition for '*Maimai*' necessary and therefore recommend S436.003 is rejected.

Footprint

Summary of Submissions

349. A summary of submissions on this definition is provided below:

- a) Top Energy Limited (S483.019) recommends replacing the term '*GFA*' with '*Footprint*' in rules relating to structures within sensitive environment overlays, noting that '*GFA*' only applies to buildings with floors and is not suitable for all structures. To improve clarity and consistency, they seek the inclusion of the following definition and request that all relevant rules use '*footprint*' as the measurement standard instead of '*GFA*':

'Footprint means the ground area occupied by a structure.'

Analysis

350. The term '*footprint*' is purposefully used within a specific rule in the Natural Hazards Chapter of the PDP to describe the base area of structures that are not buildings, such as telecommunications poles or other vertical infrastructure. Its use is particularly relevant in the context of flood hazard provisions, where the physical presence and placement of such structures can influence water flow and flood risk. In other chapters, the term GFA is used to manage the size and scale of activities in certain environments.
351. The term '*footprint*' is referenced in the following rules applying to 1-in-100-year river flood hazard areas and coastal environments:
- Infrastructure maintenance, repair or upgrades permitted only if there is no increase to the footprint of above ground infrastructure (NH-R1 and CE-R11).
 - Extensions or alterations to existing buildings/structures allowed if there is no increase to GFA or footprint (NH-R2 and CE-R12).
 - New above ground buildings/structures must have a footprint of 10m² or less (NH-R3 and CE-R13).

- New buildings/structures ancillary to farming must have a footprint less than 100m² (NH-R4).
 - New structures/infrastructure or extensions that increase the footprint of existing structures (excluding buildings and mitigation assets) (NH-R9).
 - New structural mitigation assets or extensions that increase the footprint of existing mitigation assets (NH-R10).
352. Removing *footprint* from the rules and using GFA instead would materially alter the intent of the provision and reduce its effectiveness. For example, replacing GFA with footprint may inadvertently capture elements such as porches or minor building extensions that alter the footprint of a dwelling, despite these being more appropriately managed through GFA provisions.
353. The PDP has been carefully drafted to distinguish between GFA and footprint and expanding the use of *footprint* or redefining it across the PDP risks triggering additional consent requirements and undermining the clarity of existing rules.

Recommendation

I recommend retaining the notified approach in the PDP be retained and that no definition for '*Footprint*' be introduced for the reasons set out above. Accordingly, submission S483.019 is rejected.

Upgrading

Summary of Submissions

354. A summary of submissions on this definition is provided below:
- a) Top Energy Limited (S483.021) seeks the inclusion of a definition for '*Upgrading*', highlighting its frequent use, particularly in the Infrastructure chapter, and its importance for infrastructure provision. To improve clarity and consistency, they propose defining '*Upgrading*' as:

'Upgrading means an increase in the capacity, efficiency or security of existing infrastructure.'

Analysis

355. The reporting officer for Hearing 11 (Infrastructure), Mr Wyeth, recommended the inclusion of a definition for '*Upgrading*', noting that it would assist with the interpretation of relevant provisions. The proposed definition is:

"Upgrading means, in relation to infrastructure, an increase in the capacity, efficiency, safety, security or resilience of existing infrastructure."

356. As this definition has already been recommended and adequately addresses the interpretive need, no further analysis is considered necessary.

Recommendation

357. I recommend submission S483.021 is accepted in part.

Low Impact Design

Summary of Submissions

358. A summary of submissions on this definition is provided below:

- a) Haigh Workman Limited (S215.056) recommends defining '*Low Impact Design*' in the PDP, noting its use in policies and rules without explanation or that the term '*Low Impact Design*' is replaced with '*Water Sensitive Design*' throughout the District Plan, for consistency with current stormwater management practices.

Analysis

359. '*Low impact design*' is a term used throughout the PDP, primarily in policies and assessment matters, as follows:

- Policies that manage design, location and supply of parking through encouraging low impact design (TRAN-P4).
- Policies that manage land use and associated stormwater runoff through utilising low impact design principles (HPFZ-P2).
- Policies relating to managing land use and subdivision to address effects of the activity requiring resource consent, including low impact design principles (TRAN-P8, GRZ-P8, MUZ-P8, LIZ-P6, HJZ-P7, AIRPZ-P5, HPFZ-P6, HOSZ-P5, KRT-P6, NIEP-P7).
- Matters of discretion or control within rules relating to Impermeable surfaces and considerations of low impact design methods (TSL-R2, GRZ-R2, RPROZ-R2, RLZ-R2, RRZ-R2, RSZ-R2, NOSZ-R2, OSZ-R2, SARZ-R2, HZ-R2, HPFZ-R2, KRT-R2, MPZ-R2, OBZ-R2, QR-R2).
- Matters of discretion within Standards regarding requirements for parking and stormwater management and the use of low impact design techniques to mitigate stormwater runoff (TRAN-S1, SUB-S4).
- Matters of discretion within Standards relating to coverage and the extent to which low impact design principles have been used to reduce site impermeability (MUZ-S10, LIZ-S8, HIZ-S8, OBZ-S4).

360. '*Low impact design*' and '*water sensitive design*' are two approaches to sustainable urban water management practices. Both frameworks aim to

mitigate the adverse effects of development on natural hydrological systems, however I understand that they differ in scope, origin and integration within planning practice. This issue was canvassed in Hearing 9 (s42A Rural Production Report - Key Issue 16 and the Rural Zones Right of Reply - Paragraphs 55-58 and 82). Evidence on this was provided at the hearing by Haigh Workman Ltd J. Papesch Hearing Statement (Pages 6-8) and Michael John Winch (Page 2-4) as follows:

361. Both Haigh Workman Ltd (J. Papesch) and Michael John Winch raise concerns about stormwater management in the PDP, particularly in relation to the 15% permitted impermeable surface threshold in rural zones. Haigh Workman advocates for the explicit inclusion of Water Sensitive Design as a matter of discretion in relevant zone rules (e.g. RPROZ-R2, HZ-R2), emphasising its role in improving water quality, promoting on-site retention, and mitigating flood risk. Their submission recommends adopting Auckland Council's GD04 guideline to align FNDC with national best practice and warns of cumulative downstream effects if water sensitive design is not required.
362. A comparison between the two terms is provided in Table 4 below.

Table 4 Comparative Summary of Water Sensitive Design vs Low Impact Design

	Low Impact Design (LID)	Water Sensitive Design (WSD)
Origin	United States	Australia / New Zealand
Scope	Traditional site-specific stormwater management (a response to increasing urban runoff and water pollution. It is primarily a technical approach focused on managing stormwater at its source through decentralised systems).	Integrated water and urban design (builds upon LID principles but was developed in Australia and New Zealand to address the broader relationship between water, people, and urban form, that embeds water management into urban planning).
Focus and Scale	Technical, engineering-based and lot or subdivision level	Strategic, multi-disciplinary and catchment-wide (an integrated framework) but can also be implemented at a smaller scale.
Alignment with	Appropriate in certain contexts—particularly for small-scale	Consistent with current stormwater practice (e.g. Auckland Councils Water Sensitive Design for Stormwater Guidance

Current Practice	developments or retrofits	GDO4 ⁷) and Far North District Council's Engineering Standards which references GD04.
Policy Integration	Limited to some extent	Alignment with NZ planning policy (e.g. NPS-FM, Incorporates Te Ao Māori values, supports outcomes such as improved water quality, resilience to climate change).

363. In summary, the term '*low impact design*' is focussed on reducing peak flows and improving water quality through emphasis on site-scale interventions such as rain gardens, bioswales, green roofs, and permeable pavements. However, it can be narrowly focussed, and site-specific lacking integration with broader urban design and land use planning. '*Water sensitive design*' offers a more comprehensive and context-sensitive approach to managing water in urban environments, more relevant to the New Zealand context, compared to '*low impact design*'. In the Far North context the information on catchment planning is currently limited which could limit the implementation and ability to effectively implement "Water sensitive design" principles. However, the PDP provisions do not require "low impact" or "water sensitive design" they encourage opportunities for the principles to be considered during land use and subdivision.

364. In my view, water sensitive design supports the integrated management of natural and physical resources as required under section 5 of the RMA and is more closely aligned with the outcomes sought by the NPS-FM, and the Far North District Council's Engineering Standards⁸ which refer to Auckland Councils Water Sensitive Design for Stormwater Guidance (GDO4)⁹). Water sensitive design also supports outcomes such as improved water quality, resilience to climate change consistent with higher order direction.

Recommendation

365. I recommend that Haigh Workman's submission is accepted and the term '*low impact design*' is deleted and replaced with the term 'water sensitive design' throughout the PDP. At this stage I do not recommend a definition of '*water sensitive design*' as practices change over time and a "fixed" definition in the PDP could limit or undermine the ability to implement best-practice design at the time of development.

⁷ [Water sensitive design for stormwater - Knowledge Auckland](#)

⁸ [FNDC Engineering Standards 2023.pdf](#)

⁹ [Water Sensitive Design for Stormwater - Knowledge Auckland](#)

Māori Ward Councillors

Summary of Submissions

366. A summary of submissions on this definition is provided below:

- a) 'Te Kawariki me Te Wānanga o Te Rangi Aniwaniwa (S573.005) request a clearer definition of *'Māori Ward Councillors'*.

Analysis

367. With respect to the proposed inclusion of a definition for *'Māori Ward Councillors'*, I do not consider it necessary. The PDP does not contain any rules or provisions that specifically relate to Māori Ward Councillors, and therefore, introducing a definition would not provide additional clarity or value to the interpretation of the PDP.

Recommendation

368. I recommend the inclusion for the definition of *Māori Ward Councillors'* is not supported and submission S573.005 is rejected.

Biosecurity Reasons

Summary of Submissions

369. A summary of submissions on this definition is provided below:

- a) The Director-General of Conservation (S364.084) seeks clarification around the term *'Biosecurity Reasons'* in Rule IB-R1, particularly regarding the scope and authority for indigenous vegetation clearance and requests to insert a definition to clarify the rule.

Analysis

370. In response to DOC's submission seeking clarification of the term *'biosecurity reasons'* in Rule IB-R1, I consider that this has been appropriately addressed through amendments recommended in the Indigenous Biodiversity Section 42A report (Hearing 4). These amendments introduced more specific language, *"clearance for the control of pests for biosecurity reasons"*, which narrows the scope of the rule and reduces interpretive ambiguity. In addition, a definition for *'pests'* was recommended to be included within the PDP that aligns with the Biosecurity Act 1993 and the Northland Regional Pest and Pathway Management Plan. These amendments provide further clarity and ensure consistency with statutory and regional frameworks, and I consider these changes respond to the submitter's concerns. Furthermore, I believe the meaning of *'biosecurity reasons'* is sufficiently addressed through reference to the Biosecurity Act 1993 and relevant pest management plans and does not require a separate definition within the PDP.

Recommendation

371. I recommend that a definition for 'Biosecurity reasons' is not included within the PDP and that submission S364.084 is rejected.

Requests to insert new definitions in the Glossary

Summary of Submissions

372. A summary of submissions on this definition is provided below:

a) Various submissions from Te Rūnanga o Whaingaroa (S486¹⁰), Te Runanga o Ngai Takoto Trust (S390¹¹) and Te Rūnanga Ā Iwi O Ngapuhi (S498¹²) seek to insert definitions for the following terms in the Glossary:

- **'Kura Kaupapa** means a primary school operating under Māori custom and using Māori as the medium of instruction'.
- **'Mahinga Kai** means a garden, cultivation or gathering place'.
- **'Maramataka** means the Māori lunar calendar'.
- **'Mātauranga Māori** means customary knowledge, traditional knowledge or intergenerational knowledge'.
- **'Te Mana o Te Wai** refers to the vital importance of water. When managing freshwater, it ensures the health and well-being of the water is protected and human health needs are provided for before enabling other uses of water (See NPS-FW)'.
- **'Te Ao Māori** means the Māori worldview'.
- **'Te Hauora o Te Koiora** means the health of indigenous biodiversity (See NPS-IB)'.
- **'Te Hauora o Te Taonga** means the health of species and ecosystems that are taonga (See NPS-IB)'.
- **'Te Hauora o Te Taiao** means the health of the wider environment (See NPS-IB)'.
- **'Te Hauora o Te Tāngata** means the health of the people (NPS-IB)'.

¹⁰ S486.034, S486.035, S486.036, S486.037, S486.038, S486.039, S486.040, S486.041, S486.042, S486.043, S486.044, S486.045

¹¹ S390.024, S390.025, S390.026, S390.027, S390.028, S390.029, S390.030, S390.031, S390.032, S390.033, S390.034, S390.035

¹² S498.025, S498.026, S498.027, S498.028, S498.029, S498.030, S498.032, S498.033, S498.034, S498.035, S498.036

- **'Tirotiro a ta Rongo means an environmental curriculum being developed at Kura Kaupapa'.**
- **'Whare Wānanga means a university or place of higher learning – traditionally, it was where tohunga taught their peoples knowledge of history, genealogy, environmental and religious practices'.**

373. Merata Kawharu Taituha, Renata Tane, Albie Apiata, Billie Taituha, and Hirini Tane (S389¹³) request the opportunity to provide input on the use of Māori words in the Glossary. They seek that the PDP be amended to have regard to advice from tangata whenua on the following terms:

Māori Terms			
Awa	Hapū	Iwi	Wāhi Tūpuna
Kaitiaki	Kaitiakitanga	Koruru	Wāhi Tapu
Kōhanga Reo	Marae	Matauranga Māori	Whenua
Maunga	Pou Haki	Pā	Whare Karakia
Raranga	Repo	Rongoa	Whakairo
Roto	Tangata Whenua	Taonga	Waka ama
Tauranga Waka	Tikanga	Tupuna	Urupā

Analysis

374. There are various terms used throughout the PDP, including the following 'Kura Kaupapa' and 'Te Ao Māori'. Considering their inclusion within the PDP, I believe that it would be beneficial to define these terms to help with overall interpretation.
375. With regard to defining 'Te Mana o Te Wai', as referenced within the analysis for the definition of 'Freshwater' in Key Issue 3, it is acknowledged that all defined terms within the PDP must be clear, unambiguous, and capable of consistent interpretation. 'Te Mana o Te Wai' is a culturally significant concept embedded in Māori values. While its importance is recognised, the concept is inherently holistic and values-based, making it difficult to gather into a precise or measurable definition suitable for inclusion in the PDP. Furthermore, as the term is not directly referenced within the chapters of the PDP, I do not consider it necessary or appropriate to include it in the Glossary.
376. In response to those seeking the inclusion of 'Mahinga kai' as a defined term within the PDP, I note that the term is not directly referenced in the PDP. Where it does appear, its meaning is provided in brackets immediately following the term, offering sufficient context for interpretation. Given its limited use and the fact that it's not embedded within any specific provisions, I do not consider it necessary to include the term within the Glossary.

¹³ S389.018, S389.019, S389.020, S389.021, S389.022, S389.023, S389.024, S389.025, S389.026, S389.027, S389.028, S389.029, S389.030, S389.031, S389.032, S389.033, S389.034, S389.035, S389.036, S389.037, S389.038, S389.039, S389.040, S389.041, S389.042, S389.043, S389.044

377. The following terms are not referenced within the PDP. As such, I do not consider it appropriate or necessary to introduce definition for terms that are not used as it does not add any additional value to the understanding of the PDP. These terms include, *'Maramataka, Te Hauora o Te Koiora, Te Hauora o Te Taonga, Te Hauora o Te Taiao, Te Hauora o Te Tāngata, Tiroitiro a ta Rongo and Whare Wānanga'*.

378. I acknowledge the submitters who request to include the term *'Mātauranga Māori'*, however no further analysis is necessary as this term is already defined within the PDP as follows:

'Mātauranga Māori means Māori customary knowledge, traditional knowledge or intergenerational knowledge.'

379. In response to submissions requesting a note to acknowledge tangata whenua within the Māori terms, I note that consultation with tangata whenua was undertaken during the preparation of the PDP. During this process, tangata whenua were provided with the opportunity to contribute terms to the Glossary. Should submitters wish to propose additional terms or explanatory notes, they are encouraged to present supporting evidence and specific wording at Hearing 17.

Recommendation

380. I recommend inserting the following terms into the Glossary as follows:

'Kura Kaupapa' *means a primary school operating under Māori custom and using Māori as the medium of instruction'.*

'Te Ao Māori' *means the Māori worldview'.*

Section 32AA Evaluation

381. The inclusion of new definitions within the PDP is recommended to improve clarity, consistency, and ease of interpretation for plan users. These additions support the accessibility and effectiveness of the PDP without altering the intent of the provisions.

382. Section 32AA evaluations for the recommended new terms are provided in the following Section 42A Hearing Reports:

- *'Supermarket'* – Hearing 14 Urban Zone.
- *'Waste Management Facility'* – Hearing 9 Rural Zones.
- *'Upgrading'* – Hearing 11 Infrastructure.

383. For terms not recommended to be defined, no Section 32AA evaluation is required, as their exclusion does not affect the provisions.

5.3.5 Key Issue 5: Other Interpretation Matters

Overview

Provision(s)	Officer Recommendation(s)
Nesting Tables	<ul style="list-style-type: none"> The inclusion of nesting tables within the PDP is not recommended.
Definitions	<ul style="list-style-type: none"> Removal of definitions not referenced within provisions of the PDP.

Analysis of Submissions

Matters Raised in Submissions

Nesting Tables

Summary of Submissions

384. A number of submitters recommend the inclusion of nesting tables within PDP to improve clarity, consistency, and usability. A summary of the submissions received are as follows:

- a) Bunnings Limited (S371.003) suggests placing a definition nesting table in the *'How the Plan works'* chapter.
- b) McDonald's Restaurants (NZ) Limited (S385.001 and S385.005) supports the inclusion of a definition nesting table and clearer, well-structured definitions to ensure consistent and effective implementation of the PDP. They recommend placing the nesting table in the *'How the Plan Works'* chapter to clarify how land use activities are organized, particularly given the default discretionary status for unspecified activities. McDonald's also notes that terms such as *'Restaurant'* and *'Café'* are used in various chapters but are undefined, creating uncertainty around their classification. They request that Council review definitions and confirm these activities as subclassifications of *'Commercial Activity'* within a nesting table.
- c) Similarly, Sarah Ballantyne and Dean Agnew (S386.001), Te Aupōuri Commercial Development Ltd (S339.002), Willowridge Developments Ltd (S250.001), and Top Energy Ltd (S483.003) advocate for nesting tables to be incorporated into the Definitions Chapter.
- d) Bunnings Limited (S371.006) supports a clearer and more user-friendly plan and raises concerns about undefined terms in activity-based rules, particularly within the Light Industrial Zone. The absence of definitions and nesting tables makes it difficult to determine which activities are permitted, especially given the default discretionary status for unspecified activities. Bunnings seeks amendments to the definitions to resolve overlaps, define missing terms and incorporate nesting tables to improve clarity and implementation.

- e) Foodstuffs North Island Ltd (S363.004) also notes that undefined terms in zone rules create confusion. They recommend adding nesting tables and resolving overlaps to clarify which activities are permitted.
- f) Ngawha Generation Ltd and Paihia Properties also emphasize the need for nesting tables to clarify groupings of activities, especially for terms like '*Industrial Activities*' and their subsets, such as '*Light*' and '*Heavy*' industrial activities. They argue that nesting tables would help plan users better understand which activities are permitted and how they relate to zone rules.
- g) Ngā Tai Ora – Public Health Northland (S516.013) supports the introduction of nesting tables to address inconsistencies between terms used in zone and resource overlay chapters. They emphasize the need to clearly group activities into categories for better interpretation.
- h) Rosemorn Industries Ltd (S340.007) opposes the absence of nesting tables, citing uncertainty around how terms like '*storage facilities*' relate to zone rules. They reference the Auckland Unitary Plan and Whangarei District Plan as examples of best practice aligned with National Planning Standards.
- i) McDonald's Restaurants (NZ) Ltd (S385.002) highlights ambiguity around terms such as '*Drive-through activity*' and '*Restaurants, cafes and takeaway food outlets*', making it difficult to identify permitted activities. They request clearer definitions and nesting tables to improve usability.

Analysis

- 385. In response to the submitters who have requested the inclusion of nesting tables within the PDP, these tables can be a valuable tool when used during the initial drafting of plan provisions, as they help clarify the relationship between activities and definitions, improving transparency and aiding interpretation during consent processes. However, nesting tables are not required under the NPS and hold no statutory weight. Their effectiveness relies on being embedded early in the plan-making process, where they can inform the structure of rules and definitions in a coherent way.
- 386. Introducing nesting tables at this late stage presents risks because the rule framework has already been established without them. I have concerns that retrofitting tables now could inadvertently broaden or misrepresent the scope of certain activities, leading to interpretation inconsistencies and undermining the integrity of the provisions. This recommendation does not dismiss the value of nesting tables but reflects a practical planning judgment that their value lies in early integration as to not alter original intent of the PDP.
- 387. In response to the submitter's concern regarding the term '*Storage facilities*' and its relevance to zone rules, it is noted that the term appears only in the overview section of the Horticulture Processing Facilities Zone.

As it is not used within the rules themselves, a definition is not considered necessary.

388. In regard to McDonald's Restaurants (NZ) Ltd requesting clarity around the terms '*Drive-through activity*' and '*Restaurants, cafes and takeaway food outlets*', the reporting officer for Hearing 14 (Urban), Mrs Trinder, recommended the inclusion of a new definition for '*Drive-through activity*', stating the addition would add clarity to the PDP and recommended the following definition:

'Drive-through activity means any part of any fast food, beverage or restaurant activity where the product is sold directly to the customer while in their vehicle.'

389. Section 3.6 Key Issue 6: Restaurants and drive through facilities of the Hearing 14 (Urban) Right of Reply addresses the request for greater clarity regarding the term '*Restaurants, cafes and takeaway food outlets*'. The report clarifies that the most specific rule applicable to the activity, such as LIZ-R5, would apply in preference to the more general rule for commercial activities. I consider that the Right of Reply adequately responds to the submitter's concern by confirming how the rules are intended to operate, therefore, no further analysis is considered necessary.

Recommendation

390. I do not recommend the introduction of nesting tables into the PDP for the reasons outlined above.
391. I recommend submission S385.002 is accepted in part.

General

Summary of Submissions

392. Several submitters raise concerns about undefined terms and inconsistencies in the PDP activity-based rules, particularly across zones and resource overlays. A summary of the submissions received are as follows:
- a) Ngawha Generation Ltd (S432.002), Ngā Tai Ora – Public Health Northland (S516.011), Top Energy Ltd (S483.001 and S483.002), and Paihia Properties (S344.004) request a comprehensive review of the PDP's definitions. They seek amendments to resolve overlaps, introduce missing terms, and ensure that rules reference only clearly defined activities to improve clarity and consistency.
 - b) Transpower New Zealand Ltd (S454.001) recommends that all definitions derived from the National Planning Standards or other legislation include source references. They believe this would enhance transparency and assist users in understanding the origin and context of defined terms.

Analysis

393. A review of the PDP has revealed that certain definitions are not referenced throughout the PDP. As these terms do not contribute to the interpretation or implementation of the PDP, their presence may lead to unnecessary confusion for plan users. Therefore, I recommended that these definitions be removed to enable clarity and that all included terminology serves a clear and functional purpose within the context of the PDP.
394. During this review, it was identified that the definition uses the term '*Telecommunication kiosk*', whereas rule I-R8 in the Infrastructure chapter refers to '*Telecommunications kiosk*'. To ensure consistency and improve plan-wide searchability, it is recommended that the definition be amended to match the terminology used in the rule¹⁴.
395. Additionally, the term '*Industrial Waste and Trade Waste*', as defined in the National Planning Standards, is not consistently referenced throughout the PDP. Instead, the term '*Trade Waste*' appears in isolation. To ensure alignment with the National Planning Standards and maintain terminological consistency across the PDP, it is recommended that all instances of '*Trade Waste*' be replaced with '*Industrial Waste and Trade Waste*'.
396. The Sweep Up section of the report provides recommendations for various integration matters within the PDP and identifies any remaining provisions or submissions that may not have been fully addressed in earlier Hearings.

Recommendation

397. The following definitions are not referenced within the PDP provisions and recommended to be removed:

• Abrasive Blasting	• Genetically Modified Organism Release
• Dry Abrasive Blasting	• LAX(MAX)
• Green Infrastructure	• Noise Rating Level
• LA90	• Playground Equipment
• Lpeak	• Wet Abrasive Blasting
• Peak Particle Velocity	• Urban – In alignment with Section 5.3.3 Key Issue 3 and Section 5.6.1 Key Issue 9 recommendations.
• Stock Holding Area	• Plantation Forestry – In alignment with Section 5.3.3 Key Issue 3

¹⁴ Clause 16 amendment

<ul style="list-style-type: none"> Urban Environment Allotment – In alignment with Section 5.3.3 Key Issue 3 recommendations. 	<ul style="list-style-type: none"> Plantation Forestry Activity - Section 5.3.3 Key Issue 3
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398. I recommend the following amendment to the definition of *'Telecommunication kiosk'*:

'Telecommunications kiosk'.

399. I recommend that all reference of *'Trade Waste'* be replaced with *'Industrial Waste and Trade Waste'* throughout the PDP.

400. I recommend submissions S432.002, S516.011, S483.001, S483.002, S344.004 and S454.001 are accepted in part.

Section 32AA Evaluation

401. A Section 32AA evaluation is not required, as the removal of unused definitions does not result in any change to the PDP provisions. The amendment improves clarity by ensuring that only terms actively used within the plan are defined, reducing potential confusion and enhancing interpretive efficiency.

5.4 Mapping Matters (Chloe Mackay)

5.4.1 Key Issue 6: Special Purpose Zoning Colours/Symbology

Overview

Provision(s)	Officer Recommendation(s)
Zoning Colours/Symbology	<ul style="list-style-type: none"> Changes to the Special Purpose Zone colours/symbology have already been made to the planning maps as a clause 16(2) amendment.

Analysis of Submissions on Key Issue 6

Zoning Colours/Symbology

Summary of Submissions

402. A summary of submissions was received regarding zoning colours/symbology as follows:

- a) FNDC (S368.027), Ngawha Generation Limited (S432.005), and Top Energy Ltd (S483.184) all raise concerns about the difficulty in distinguishing Special Zones in the ePlan due to the use of similar grey colours and symbols. While FNDC acknowledges the grey background requirement under the National Planning Standards, all submitters seek



amendments to the zoning symbology and legend to make zones easier to interpret and distinguish.

Analysis

403. Amendments to the symbology for Special Purpose Zones to better differentiate between the different zones were made on 13th August 2025. The changes included making shapes a shade darker and spacing shapes closer together so that they show up on the legend 'patch'. The background grey colour remains unchanged and is consistent with the National Planning Standards' requirements to use a grey colour for special purpose zones on planning maps. These changes are neutral (and were made as a clause 16(2) amendment¹⁵ because they do not alter the mapping or provisions that apply, and the changes are solely intended to enable plan users to visually distinguish between the different special purpose zones.

Recommendation

404. For the above reasons, I recommend the submissions by FNDC (S368.027), Ngawha Generation Limited (S432.005), and Top Energy Ltd (S483.184) are accepted. The changes have already been made to the planning maps as a clause 16(2) amendment.

Section 32AA Evaluation

405. No Section 32AA evaluation is necessary because the change in symbology of the planning maps is neutral and does not alter the provisions of the PDP. The benefit of the change is that users of the planning maps can more easily distinguish between the different special purpose zones.

5.4.2 Key Issue 7: Zoning of the CMA/Esplanade Reserves

Overview

Provision(s)	Officer Recommendation(s)
Zoning of the CMA	<ul style="list-style-type: none">Retained as notified.
Zoning of Esplanade reserves	<ul style="list-style-type: none">Retain as notified

Analysis of Submissions on Key Issue 7

406. Refer to Table 5 below for summary of submissions, evaluation and recommendation.

¹⁵ [Clause 16 - Urban and Services - Recommendations of the Hearing Panel](#)



Table 5 Doug's Opuia Boat Yard Submission Points – Summary

Summary of Submission and Scope	Relief Sought ¹⁶	Part of Submission point addressed in earlier hearings	Evaluation / Recommendation
1. Zoning of the Coastal Marine Area (CMA) <ul style="list-style-type: none"> Submission (S21.001): Objected to the application of district plan zones to areas within the CMA, including in front of Doug's Opuia Boatyard. Evidence: Provides examples of mapping errors, explains why zoning cannot extend into the CMA, and seeks removal of zones from the CMA. 	Remove PDP zoning from the CMA.	<p>Section 42A report for 15C provides a recommendation for zoning of land within the CMA in front of 5 Beechy Street - recommendation to remove the zoning from the CMA.</p> <p>15A addressed Bay of Islands Living Waters – zoning of CMA as a wider issue (para 34 of 15A s42A report).</p>	<p>Hearing 15A General Rezoning s42A Report acknowledged that while there may be spatial discrepancies in certain locations, district councils generally lack jurisdiction over the CMA (i.e. seaward of MHWS), in accordance with s.59 and s.30 of the RMA. Although s.89 of the RMA allows for district plan rules to apply to specific activities in the CMA (e.g. subdivision or activities on reclaimed land), spatial layers extending seaward of MHWS generally have no legal effect unless tied to specific jurisdictional triggers. The cost of surveying the coastline and moving zones inward of the surveyed MHWS would be high and disproportionate to the benefits of doing so.</p> <p>Given this context and the dynamic nature of the MHWS boundary, a blanket shift of all mapped overlays and mapped zones landward to avoid encroaching into the CMA is not considered necessary and is not recommended</p>
Local Purpose (Esplanade) Reserve adjoining DOBY <ul style="list-style-type: none"> Submission (S21.001): Raised concerns with the zoning applied to the esplanade reserve adjoining DOBY. Evidence: Explains anomalies across the district, discusses inappropriate use of "Rural Production Zone", and argues for "Open Space Zone". 	Review all Local Purpose Esplanade Reserves in the district and rezone as "Open Space Zone".	Not addressed in Hearing 15A. Partially addressed by Plan Variation 1 changes to Open Space zoning.	<p>Plan Variation 1 proposed to rezone a number of esplanade reserves from Rural production to Natural Open Space, where these were previously zoned Conservation in the ODP.</p> <p>I do not recommend that the Open Space Zone is applied to esplanade reserves because this would result in an inconsistent approach, the intent is that esplanade reserves are zoned Natural Open Space (as stated in Section 32 report for Open Spaces Section 5.2).</p> <p>The original submission did not explicitly request that all esplanade reserves are rezoned to Open Space therefore the scope was unclear, and accepting this submission could result in procedural fairness issues.</p>
Inconsistent Zoning of Esplanade Reserves Across the District	Review all Local Purpose Esplanade Reserves in	Not addressed in Hearing 15A.	

¹⁶ Suggested in submitter correspondence, some of which is not explicitly sought in the original submission.



Summary of Submission and Scope	Relief Sought ¹⁶	Part of Submission point addressed in earlier hearings	Evaluation / Recommendation
<ul style="list-style-type: none"> Submission (S21.001): While focused on the esplanade reserve adjoining DOBY, the submission challenged the appropriateness of zoning for esplanade reserves. Evidence: Demonstrates inconsistency of zoning across the district and seeks district-wide correction. 	the district and rezone as "Open Space Zone". Ensure that no esplanade reserves are zoned "Rural Production Zone".	In response to S303.001, at Hearing 15A Mr Baxter recommended land above MHWS of Lot 1 DP 59479 Beechey Street, Opua is rezoned to Mixed Use (from Rural Production).	
4. Natural Open Space Zone – Treaty Settlement Reference <ul style="list-style-type: none"> Submission (S21.001): Raised concerns with the zoning of esplanade reserves, some of which were proposed "Natural Open Space Zone". Evidence: Critiques the zone description, particularly the reference to Treaty settlement claims, and seeks removal of that reference. 	Remove the reference to Treaty claims from the "Natural Open Space Zone" description.	Not addressed in Hearing 15A or 15B.	<p>The Natural Open Space Zone reads <i>"Some Natural Open Space land may be subject to treaty settlement claims and may be returned to tangata whenua. If this occurs Council will initiate a plan change to amend the zoning"</i>. This wording is appropriate because it reflects the reality and context within the Far North District (where Natural open Space zoning is applied to some Treaty Settlement land which is transferred from being in Crown ownership to a Post-Governance Settlement Entity).</p> <p>The original submission did not explicitly request the change to remove "Treaty Settlement" from the Natural Open Space overview therefore the scope was unclear, and accepting this submission could result in procedural fairness issues.</p> <p>For these reasons, I recommend the submission is rejected.</p>
Waitangi Treaty Grounds and Golf Course <ul style="list-style-type: none"> Submission (S185): Raised concerns about the zoning of land at the Waitangi Treaty Grounds. Evidence: Argues that the Treaty Grounds should be 	Rezone the Waitangi Treaty Grounds "Open Space Zone". Rezone the Waitangi Golf Course "Sport and Active Recreation Zone".	The submission was considered in the Hearing 15B reporting/workstream, insofar as it relates to the Waitangi Estate. The Hearing 15B s42A report recommended the submission be accepted in	N/A (as submission has been addressed at Hearing 15B). In terms of the part of the submissions point seeking all land zoned "Conservation" in the ODP to be retained and/or reinstated as Natural Open Space on a broader scale (particularly through the use of the phrase 'at a minimum'), has been addressed in the response to submission points S21.001 and S21.002 in Hearing 17 report above.



Summary of Submission and Scope	Relief Sought ¹⁶	Part of Submission point addressed in earlier hearings	Evaluation / Recommendation
zoned "Open Space Zone" and the golf course zoned "Sport and Active Recreation Zone", rather than "Rural Production Zone".		part, with the land known as Waitangi Estate proposed to be rezoned as Waitangi Estate Special Purpose Zone or WEZ.	
Section 32AA Evaluation			
No Section 32AA evaluation is necessary as there are no recommended changes.			

5.5 Plan Variation 1 Matters (Chloe Mackay)

5.5.1 Key Issue 8: Airport Protection Surface Area Rules

Overview

Provision(s)	Officer Recommendation(s)
New Rule	Insert a new rule for vegetation within the Airport Protection Surface area in the Rural Zones, Mixed Use Zone, Light Industrial Zone and Open Space Zones.
Airport Zone Provisions	Retained as notified.

Analysis of Submissions on Key Issue 8

Airport Protection Surface Area

Summary of Submissions

407. A summary of submissions was received regarding Airport Protection Surface Area are as follows:

- a) Far North Holdings Ltd (S593¹⁷) supports in part the airport protection surface provisions but seeks the inclusion of vegetation. They note that trees and other vegetation can pose risks to airport operations if not properly managed. The submitter recommends either a new provision within various zones¹⁸ or an amendment to include an additional sentence in each rule. The suggested wording for both recommendations is as follows:

'All vegetation and trees whether deliberately planted, naturally occurring, or existing, and that is located within an airport protection surface area identified on the planning maps shall be maintained to ensure that the vegetation does not penetrate the airport surfaces shown in APP4 Airport protection surfaces.'

- b) Walter Hicks (S588.016) notes that TSL-R1 wasn't clearly referenced in the public notice. He acknowledges that Plan Variation 1 aims to clarify building height limits near airports to protect airport surfaces. No specific relief was stated by the submitter.

Analysis

408. In response to Far North Holdings Ltd request, I note that Standard AIRPZ-S2 Airport protection surfaces *'... and planted vegetation within the airport protection surface areas identified on the planning maps do not penetrate the airport protection surfaces shown in APP4 Airport protection surfaces'*.

¹⁷ S593.001, S593.002 S593.003, S593.004, S593.005, S593.006, S593.007, S593.008, S593.009, S593.010, S593.011

¹⁸ GRZ-R1, HZ-R1, LIZ-R1, MPZ-R1, MUZ-R1, NOSZ-R1, OSZ-R1, RPROZ-R1, RRZ-R1, SARZ-R1, TSL-R1



Additionally, Standard AIRPZ-S1 Maximum height provides a maximum tree height limit with Rule AIRPZ-R5 Planting trees requires compliance with both of these standards when planting within the Airport Zone.

409. For other zones, the rules introduced by Plan Variation 1¹⁹ restrict the height of buildings within the obstacle limitation surfaces on land surrounding airports²⁰ but do not contain any restrictions on the height of vegetation. These rules are tied to Obstacle Limitation Surfaces (OLS), which are defined by the Civil Aviation Authority (CAA) to protect aircraft flight paths.
410. Typically, obstacle limitation surfaces are protected by way of a designation, with the airport operator as a requiring authority, which applies to any structure or vegetation intruding the obstacle limitation surface. Some district plans in New Zealand do contain rules that specifically address planted vegetation within airport protection surface areas, ensuring it does not penetrate or obstruct these surfaces. For example, The Tasman District Plan includes a dedicated section on Airport Protection:
- a) Rule 16.11.2.1: Vegetation within designated airport height control areas is a permitted activity only if it does not exceed the height limits shown on planning maps (Schedules 16.11A and 16.11B).
 - b) Rule 16.11.2.2: If vegetation exceeds those limits, it becomes a restricted discretionary activity, and resource consent is required. The council may impose conditions based on impacts to airport safety and efficiency.
411. I consider it low risk that vegetation surrounding the airport will obstruct the obstacle limitation surface. However, given the low risk there is low cost of adding this requirement to the PDP to protect the obstacle limitation surface. This approach is consistent with outcomes sought for the PDP, including protecting infrastructure from the effects of activities and is generally consistent with the outcomes sought for the objectives and policies from the Airport Zone.
412. I acknowledge Mr Hicks' submission. I note that the public notice²¹ did contain the following summary of the proposed changes:

'Amend the wording of new buildings and structures rules within zones covered by the Airport protection surfaces overlay to ensure the airport protection surface limitations apply in relevant zones, and to ensure that buildings on land surrounding airports are built to a height that they do not penetrate the airport protection surfaces.'

¹⁹ [Plan-Variation-1-Provisions-for-Printing-Updated-7.10.2024.pdf](#)

²⁰ **PER-3**

The [building](#) or [structure](#), if located within an [airport protection surface](#) area identified on the planning maps, does not penetrate the airport protection surfaces shown in [APP4 Airport protection surfaces](#)

²¹ Plan Variation 1 [Public Notice \(14 October 2024\).pdf](#)



413. As Mr Hicks submission did not request any specific relief or changes to the PDP, I consider that no further analysis or response is required.

Recommendation

414. I recommend accepting the submissions in part, retaining the Airport Zone provisions as notified and inserting the following new additional rule to the relevant zones (Rural Zones, Mixed Use, Light Industrial, and Open Space Zones) as follows:

'Vegetation within airport protection surface area

Activity status: Permitted

Where:

PER-1

Vegetation within airport protection surface area does not
penetrate the airport protection surfaces shown in APP4
Airport protection surfaces.

Activity status where compliance not achieved:
Discretionary'

Section 32AA Evaluation

415. The recommended new rule to manage vegetation within airport protection surface areas supports aviation safety. While existing Airport Zone provisions address vegetation, surrounding zones do not. Extending this control ensures consistent protection of obstacle limitation surfaces, aligns with Civil Aviation Authority guidance, and carries minimal cost or risk. The amendment improves the effectiveness of the PDP and achieve objective AIRPZ-O4 (the safe and efficient operation of the Kaitaia, Bay of Islands and Kaikohe Airports, and protection from other activities).

5.6 Sweep Up and General Integration Matters (Jaimee Cannon)

416. This section of the Report largely provides a summary and “wrap up” of recommendations made by reporting officers at earlier topic-based hearings, to assist the hearing panel with plan-wide integration, with specific commentary on consequential amendments as required. It seeks to focus on the matters relevant to highlight to the panel without duplicating or relitigating earlier recommendations.

Key Issue 8: Policy Direction and Refinements Overview

Provision(s)	Officer Recommendation(s)
Various policies (all PDP Chapters)	For consistency, amend precursor wording of policies from "manage land use and subdivision to address the effects..." to " <i>Consider the following matters where relevant when assessing...</i> "
Various policies (all PDP chapters)	Update all relevant policies throughout PDP with consistent reference to "inappropriate subdivision, use and development" or "subdivision, use and development"

Analysis

Strategic Direction

417. I have discussed with Ms Pearson (reporting officer for Rural Zones) and Ms Trinder (reporting officer for Urban Zones) whether their recommendations result in consequential amendments to the Strategic Direction Chapter for horizontal integration.
418. Ms Pearson has confirmed that the only strategic objectives relevant to the rural topic (Horticulture Precinct included) are the two rural environment objectives SD-RE-O1 and SD-RE-O2. They are both incredibly broad and none of the recommendations for the Rural zone chapters is inconsistent with these objectives to the point that consequential changes to the objectives are required. I note that use of the phrase 'highly productive land' in SD-RE-O2 has a slightly different meaning now that Ms Pearson has recommended changes to that definition to future proof it to align with the NPS-HPL, but that does not require any changes to the objective.
419. Ms Trinder noted that the Strategic Objectives SD-UFD-O1 to O4, are relevant to urban zones, however these objectives are sufficiently broad such that none of the urban zones recommendations fundamentally inconsistent with the objectives necessitating a consequential change.

"Manage" Policies

420. Many of the PDP Chapters contain a policy that outlines the matters to be considered when assessing an application for a land use or subdivision (for example policies PPROZ-P7, MPZ-P4, GRZ). At notification the precursor wording of these policies was phrased "*Manage land use and subdivision to address the effects of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application*".
421. Reporting officers for the topic-based hearings consistently recommended amending the precursor policy wording to "*Consider the following matters where relevant when assessing and managing the effects of land use and subdivision in the [relevant zone] / [relevant overlay]*".

422. The key reason for the change was to improve the wording of the policy, to clarify intent and recognise the policy for what it is (an “assessment matters” type policy), and to align terminology throughout the PDP.

Subdivision, land use and development

423. The wording used across the PDP provisions when referring to subdivision and land use is similar but not entirely consistent. For consistency throughout the objectives and policies it is recommended that where objectives and policies are intended to capture land use, development and subdivision that the provision refers to “subdivision, land use and development” or “inappropriate subdivision, land use and development”.

“Planned” Character

424. At hearing 14 (Urban Zones), Ms Trinder recommended amendments to objectives, policies and various matters of discretion to refer to “planned” character in Urban zones. I have undertaken a review of the PDP and consider that this change is specific to the Urban zones, as such there are no other references to “character” in other PDP chapters that need to be amended.

Recommendations

425. For the reasons stated above, and for consistency, I recommend the following consequential amendments:

- a) All equivalent “manage” policies in the PDP chapters are amended as follows:

~~*‘Manage land use and subdivision to address the effects of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application (or similar wording).*~~

Consider the following matters where relevant when assessing and managing the effects of land use and subdivision on the [relevant zone] / [relevant overlay]; OR

Consider the following matters where relevant when assessing and managing the effects of [activity e.g. signage, noise, lighting] on the environment’.

- b) All policies that refer to “inappropriate” development and subdivision are amended to “inappropriate subdivision, use and development” (including SD-RE-O2, CE, NATC and NFL objectives and policies) for consistency.

5.6.1 Key Issue 9: Natural Environment Matters

Overview

Provision(s)	Officer Recommendation(s)
Various	<ul style="list-style-type: none"> Remove reference to Significant Natural Areas and replace with reference to "significant indigenous vegetation and significant habitats of indigenous fauna" where relevant.
Definition of Sensitive Environment and 'Setbacks'	<ul style="list-style-type: none"> Delete reference to Significant Natural Areas
Rule HS-R6	<ul style="list-style-type: none"> Delete rule for Significant hazardous facility within a significant natural area
All zone chapters	<ul style="list-style-type: none"> Delete the setback from MHWS Standard Amend Note above rules to include reference to Coastal Environment chapter containing setbacks from MHWS.

Analysis

Significant Natural Areas

426. At Hearing 4, Mr Jerome Wyeth recommended replacing the term 'Significant Natural Areas' with the equivalent term used in section 6(c) of the RMA and the RPS "significant indigenous vegetation and significant habitats of indigenous fauna".

Setback from Mean High Water Springs (MHWS)

427. Andrew John Riddell (S431.116, S431.117) seeks that rules for signs are amended so that any proposal to set back a building or structure less than 20 metres from the coastal marine area, or from rivers and banks, is a non-complying activity. Mr Riddell made similar submissions to other chapters of the plan which were addressed at earlier hearings.
428. At Hearing 4, in the Coastal Environment Section 42A Report, Mr Wyeth recommended a new standard for setbacks from mean high water springs within the Coastal Environment chapter as follows:

CE-S4	Setbacks from MHWS	
<u>Coastal environment</u>	<p><u>New buildings and structures and or extension or alteration to an existing building or structure must be setback at least:</u></p> <p>a. 30m from MHWS in the Rural Production, Rural Lifestyle, Rural Residential, Horticulture and Horticulture Processing Facilities zones; or</p> <p>b. 26m in all other zones.</p>	<p><u>Where the standard is not met, matters of discretion are restricted to:</u></p> <p>a. the natural character of the coastal environment;</p> <p>b. screening, planting and landscaping on the site; c. the design and siting of the building or structure with respect to dominance on adjoining public space;</p>

		<u>c. natural hazard mitigation and site constraints;</u> <u>e. the effectiveness of the proposed method for controlling stormwater; and</u> <u>f. the impacts on existing and planned roads, public walkways, reserves and esplanades.</u>
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429. To reduce duplication, reporting officers for the zones recommended deletion of the equivalent standard (Standard 3: Setbacks from MHWS) from each of the zone chapters. They also recommended an amendment to the Notes to explicitly state that rules for setbacks from waterbodies and MHWS are contained in the natural character and coastal environment chapters of the PDP (not the zone chapters). It is noted that the natural character chapter contains setbacks for buildings and structures from waterbodies, also addressed at Hearing 4.

Recommendations

430. For the reasons stated above, and for consistency, I recommend the following consequential amendments:

- a) Reference to 'Significant Natural Areas' in provisions is replaced with the alternative term 'significant indigenous vegetation and significant habitats of indigenous fauna'.
- b) The term 'Significant Natural Areas' is deleted from the definition of 'sensitive environment' and 'setback', and Rule HS-R6 is deleted because there are no 'significant natural areas' identified in the PDP and the rules in the Ecosystems and Indigenous biodiversity chapter sufficiently protect 'significant indigenous vegetation and significant habitats of indigenous fauna'.
- c) the setback from MHWS standard is deleted from all zone chapters, and the note above the rules is amended in all zone chapters as follows:

'This zone chapter does not contain rules relating to setback to waterbodies and MHWS for building and structures or setbacks to waterbodies and MHWS for earthworks and indigenous vegetation clearance. The Natural Character chapter contains rules for activities within wetland, lake and river margins and the Coastal Environment chapter contains rules for activities within the coastal environment. The Natural Character chapter and Coastal Environment chapter should be referred to in addition to this zone chapter'.

431. I recommend that Andrew John Riddell submissions (S431.116, S431.117) are accepted in part, insofar as the natural character and coastal

environment chapters contain the setbacks from MHWS and waterbodies, which also apply to structures.

Section 32AA Evaluation

432. The Section 32AA Evaluation for the primary recommended amendments in response to submissions are provided in the respective S42A reports. The consequential amendments recommended above are necessary to ensure consistency and integration between the PDP plan provisions, associated definitions and to achieve the intent. The changes reduces the potential for inconsistency, ambiguity and interpretation issues. The recommended changes are appropriate because they achieve the PDP objectives and improve plan effectiveness.

5.6.2 Key Issue 10: New Spatial Layers and Zones

Overview

Provision(s)	Officer Recommendation(s)
Various PDP Chapters (District-Wide Chapters)	<ul style="list-style-type: none"> • Insert reference to new Precincts (Horticulture, Mataka Station, The Landing, Motukiekie Island) • Insert reference to Mineral Extraction Zones, Town Centre Zone and Medium Density Residential Zone, Waitangi Estate and Corrections Special Purpose Zones in other PDP chapters where relevant (refer Table 7) • Remove reference to Mineral Extraction Overlay and replace with Mineral Extraction Zone where relevant.

Analysis

433. In response to submissions, a number of new spatial layers and zones have been recommended by reporting officers. These recommendations, which, importantly, **represent the current status at the time of writing** (my emphasis added), are summarised in **Table 6 below. It is noted that there** may be additional changes to spatial layers as a result of outcomes from Hearings 15A, 15B, 15C and 15D which will be known as written replies are issued (following issue of this report on 7 October 2025).
434. Each of the respective Section 42A evaluation reports provide a summary of the consequential amendments required to other parts of the PDP. These consequential amendments are summarised as follows:
- d) No change is required to the District-Wide chapters as a result of new Precinct provisions (based on recommendations to date) because the land where Precincts have underlying Rural Production Zoning and the RPROZ rules / standards apply.



- e) Any reference to "Mineral Extraction Overlay" in other chapters of the PDP, and reference to "Horticulture Zone" should be removed.
 - f) District-Wide chapters require addition of reference to new zones including "Town Centre Zone", "Medium Density Residential zone", "Mineral Extraction Zone" and "Corrections Special Purpose Zone" to the relevant rules and standards.
435. A number of District-Wide Rules and Standards require consequential amendments to reflect the revised zone framework as set out in **Table 77**. Where a rule, standard or zone is not referenced **Table 77** a change is not necessary (most commonly because the provision refers or applies to "all zones"). The below table does not include the full suite of consequential amendments for Waitangi Estate Zone where these are the subject of expert conferencing. I understand that a Joint Witness Statement with provisions for Waitangi Estate Zone (and associated consequential amendments) will be provided to the Panel by end of October 2025.
- 436.



437. **Table 6 Recommended New Spatial Layers / Zones** below. It is noted that there may be additional changes to spatial layers as a result of outcomes from Hearings 15A, 15B, 15C and 15D which will be known as written replies are issued (following issue of this report on 7 October 2025).
438. Each of the respective Section 42A evaluation reports provide a summary of the consequential amendments required to other parts of the PDP. These consequential amendments are summarised as follows:
- g) No change is required to the District-Wide chapters as a result of new Precinct provisions (based on recommendations to date) because the land where Precincts have underlying Rural Production Zoning and the RPROZ rules / standards apply.
 - h) Any reference to "Mineral Extraction Overlay" in other chapters of the PDP, and reference to "Horticulture Zone" should be removed.
 - i) District-Wide chapters require addition of reference to new zones including "Town Centre Zone", "Medium Density Residential zone", "Mineral Extraction Zone" and "Corrections Special Purpose Zone" to the relevant rules and standards.
439. A number of District-Wide Rules and Standards require consequential amendments to reflect the revised zone framework as set out in **Table 77**. Where a rule, standard or zone is not referenced **Table 77** a change is not necessary (most commonly because the provision refers or applies to "all zones"). The below table does not include the full suite of consequential amendments for Waitangi Estate Zone where these are the subject of expert conferencing. I understand that a Joint Witness Statement with provisions for Waitangi Estate Zone (and associated consequential amendments) will be provided to the Panel by end of October 2025.



Table 6 Recommended New Spatial Layers / Zones

New Spatial Layer / Zone	Hearing Stream	Reporting Officer	Recommended Location of New Provisions within PDP	Spatial Extent of New Spatial Layer / Zone	Relevant Section / Paragraphs of Officer's Recommendation Report
<i>New Precincts</i>					
Horticulture Precinct (with underlying Rural Production Zone)	Hearing 9	Ms Melissa Pearson	New Horticulture Precinct provisions within the "Rural Production Zone" of the PDP.	Horticulture Precinct shown in Appendix 6 S42A Report Rezoning Requests Rural.	Section 3.1, paragraph 35 of Written Reply ' S42A Report Writers right of Reply Rural Zones '. Recommended provisions: Appendix 1 .
Matakā Station Precinct and The Landing Precinct (with underlying Rural Production zone)	Hearing 15B	Mr Jerome Wyeth	New Matakā Station Precinct provisions within the "Rural Production Zone" of the PDP. New The Landing Precinct provisions within the "Rural Production Zone" of the PDP.	Matakā Station Precinct. shown in Appendix 3.2 to the Hearing 15B Rezoning Submissions Section 42A Report. The Landing Precinct shown in Appendix 3.3 to the Hearing 15B Rezoning Submissions Section 42A Report.	Matakā Station Precinct: Section 3.2.2, paragraph 93 of ' S42A Report, Hearing 15B: Rezoning Submissions '. Recommended provisions: LINK Appendix 3.2 The Landing Precinct: Section 3.2.3, paragraph 133 of ' S42A Report, Hearing 15B: Rezoning Submissions '. Recommended provisions: LINK Appendix 3.3



New Spatial Layer / Zone	Hearing Stream	Reporting Officer	Recommended Location of New Provisions within PDP	Spatial Extent of New Spatial Layer / Zone	Relevant Section / Paragraphs of Officer's Recommendation Report
Motukiekie Island Precinct ("MIP") (with underlying Rural Production Zone)	Hearing 15B	Mr Kenton Baxter	New MIP provisions within the "Rural Production Zone" chapter of the PDP	Shown in Appendix 4.4 to the Hearing 15B Rezoning Submissions Section 42A Report. Precinct Plan shown within Appendix 3.4	Section 3.2.5 of Section 42A Report for Hearing 15B: New Special Purpose Zones Recommended provisions: LINK Appendix 3.4
New Zones					
Mineral Extraction Zone (to replace the Mineral Extraction Overlay) ("MEZ")	Hearing 8	Ms Lynette Morgan	New Mineral Extraction Zone chapter under the Special Purpose Zone heading. Retention of Mineral Extraction chapter under "General District Wide-Matters" section (with Objectives and Policies)	Shown in Appendix 3 to the Mineral Extraction Section 42A Report)	Section 5.2, paragraph 88 of S42A Report Mineral Extraction Recommended provisions (Mineral Extraction): Appendix 1.1 to Written Reply. Recommended provisions (Mineral Extraction Zone): Appendix 1C to Section 42A Report.
Town Centre Zone (Kerikeri) ("TCZ") instead of Mixed Use Zone	Hearing 14 and 15D	Ms Sarah Trinder	New Town Centre Zone chapter within the Part 3 – Area Specific Matters section of the PDP.	Shown in Appendix 4 to S42A Report Rezoning Submissions – Kerikeri-Waipapa	Section 5.2.1 , paragraph 123 of S42A Report Rezoning Kerikeri-Waipapa . Recommended provisions:



New Spatial Layer / Zone	Hearing Stream	Reporting Officer	Recommended Location of New Provisions within PDP	Spatial Extent of New Spatial Layer / Zone	Relevant Section / Paragraphs of Officer's Recommendation Report
					Appendix 3
Medium Density Residential Zone (in parts of Kerikeri closest to Town Centre) ("MDRZ") to replace General Residential Zone	Hearing 14 and 15D	Ms Sarah Trinder	New Medium Density Residential Zone chapter within the Part 3 – Area Specific Matters section of the PDP.	Shown in Appendix 4 to S42A Report Rezoning Submissions – Kerikeri-Waipapa	Section 5.2.1 , paragraph 122 of S42A Report Rezoning Kerikeri-Waipapa Recommended provisions: Appendix 3
Waipapa Specific Control area (within Light Industrial Zone in Waipapa)	Hearing 14	Ms Sarah TrinderHo	Sits within Light Industrial Zone chapter	Portion of the light industrial zone at Waipapa shown in Section 4.2.29, paragraphs 717 of S42A report Urban	Section 4.2.29, paragraphs 716 and 717 of S42A report Urban Recommended provisions: Appendix 1.4
Waitangi Estate Special Purpose Zone ("WEZ")	Hearing 15B	Ms Lynette Morgan	New Waitangi Estate Zone chapter under the Special Purpose Zone heading.	Shown in Appendix 4 to Rezoning submissions Waitangi Special Purpose Zone S42A Report.	Section 3.2, paragraph 23 to 28 of Section 42A Report: Rezoning Submissions Waitangi Special Purpose Zone . Recommended provisions: Appendix 3 (update to Written Reply / Conferencing Version when available)



New Spatial Layer / Zone	Hearing Stream	Reporting Officer	Recommended Location of New Provisions within PDP	Spatial Extent of New Spatial Layer / Zone	Relevant Section / Paragraphs of Officer's Recommendation Report
Zone ("CSPZ")	Hearing 15B	Mr Jerome Wyeth	New Corrections Special Purpose Zone	Shown in Appendix 4.1 to the Hearing 15B Rezoning Submissions Section 42A Report.	Section 3.2, paragraph 46 of Section 42A Report: Hearing 15B Rezoning submissions . Recommended provisions: Appendix 3.1

Table 7 Recommended Amendments to District-Wide Chapters to Reflect Revised Zone Framework

Rule/ Standard Reference	Recommended Change to Provision(s)
LIGHT-S1 (Lighting standards)	Add "Town Centre Zone", "Medium Density Residential Zone" and Waitangi Estate Special Purpose Zone Papa Rehia (Recreation) Sub Zone and Whakanga (Tourism) sub zone to row 1 where General Residential Zone is referenced (except that Waitangi Estate Special Purpose Zone Papa Rehia (Recreation) Sub Zone and Whakanga (Tourism) sub zone are subject to the 20 lux limits ²²)
	Add "Mineral Extraction Zone", "Corrections Special Purpose Zone" and Waitangi Estate Special Purpose Zone – Te Pitowhenua (Treaty Grounds) sub-zone and Ahuwhenua (General Activities) Sub Zone, to row 2 where Rural Production Zone is referenced.
NOISE-R10 (noise from mineral extraction activities)	Add "Mineral Extraction Zone" (rule for noise from Mineral Extraction Activity).
NOISE-S1 (noise standards)	Add "Medium Density Residential Zone" and Waitangi Estate Special Purpose Zone – Te Pitowhenua (Treaty Grounds) to row 1 where the General Residential Zone is referenced as the receiving zone.
	Add "Mineral Extraction Zone", "Corrections Special Purpose Zone" and Waitangi Estate Special Purpose Zone – Ahuwhenua (General Activities) sub zone to row 2 where Rural Production Zon is referenced as the receiving zone.
	Add Waitangi Estate Special Purpose Zone – Papa Rehia (Recreation) sub-zone to row 4 where the Open Space zones are referenced as the receiving zones.
	Add "Town Centre Zone" and "Waitangi Estate Special Purpose Zone – Whakanga (Tourism) sub zones" to row 5 where the Mixed Use Zone is referenced as the receiving zone.
NOISE-S5 (Noise insulation standards)	Add "Town Centre Zone" to row 2 (noise insulation standards for habitable rooms in new buildings used for noise sensitive activities, equivalent to the Mixed Use Zone)
SIGN-R11 and SIGN R17 (Digital Signs)	Add "Town Centre Zone" so digital signs are also permitted by Rule SIGN-R11 subject to standards, and exempt from Rule SIGN-R17 (which applies non-complying activity status for digital signs).

²² [Appendix 3 Recommended Waitangi Estate Provisions \(page 33 or 47\)](#)

Rule/ Standard Reference	Recommended Change to Provision(s)
SIGN-S1 (Maximum sign area per site), SIGN-S2 (Maximum height of signage), SIGN-S3 (Maximum number of signs)	<p>Add "Medium Density Residential Zone" where General Residential Zone is referenced</p> <p>Add "Town Centre Zone" where "Mixed Use Zone is referenced</p> <p>Add "Mineral Extraction Zone" and "Corrections Special Purpose Zone" where Rural Production Zone is referenced.</p>
TA-R1 (Temporary activity)	Add "Medium Density Residential Zone" where General Residential Zone is referenced.
Renewable Electricity Generation (REG-R5, REG- R6, REG-RY,	<p>Waitangi Estate Special Purpose Zone – Ahuwhenua (General Activities) Sub-zone and Whakanga (Tourism) sub-zone to Rule REG-R5</p> <p>Add reference to "Waitangi Estate Special Purpose Zone – Ahuwhenua (General Activities) Sub-zone" to Rule REG-R6 and REG-RY²³</p>
Infrastructure (IR5)	Delete reference to Horticulture Zone
Coastal environment (CE-S4 Setbacks from MHWS)	<p>Add reference to Waitangi Estate Special Purpose sub zones – Te Pitowhenua (Treaty Grounds), Papa Rehia (Recreation) and Ahuwhenua (General Activities) Sub-zones.</p> <p>No other changes are necessary because the other new zones referenced in Table 6 do not abut MHWS.</p>
Earthworks (EW-S1 Maximum earthworks thresholds)	<p>Add "Medium Density Residential Zone" and "Waitangi Estate Special Purpose Zone – Whakanga (Tourism) and Te Pitowhenua (Treaty Grounds) sub zone" where General Residential Zone is referenced</p> <p>Add "Waitangi Estate Special Purpose Zone – Papa Rehia (Recreation) sub Zone" where Open Space Zones are referenced.</p> <p>Add "Town Centre Zone" where "Mixed Use Zone is referenced.</p> <p>Add "Mineral Extraction Zone"²⁴, "Corrections Special Purpose Zone" and "Waitangi Estate Special Purpose Zone - Ahuwhenua (General Activities) sub Zone" – where Rural Production Zone is referenced.</p>

²³ As shown in [Appendix 3 Recommended Provisions for Waitangi Estate Special Purpose Zone](#)

²⁴ Note: The Earthworks Chapter rules do not apply to Mineral Extraction Activities. Rules for Mineral Extraction Activities are contained within each zone chapter. However, the Mineral Extraction Zone is referenced in the earthworks chapter to ensure that earthworks not associated with Mineral Extraction Activities are still managed by the rules in the Earthworks Chapter.

440. In addition to the above, consequential amendments to the definition of "Wetland, Lake and River Margins" is necessary to recognise the new zones, as shown in Appendix 1.1 to this Report.
441. I have considered whether the Coastal Environment Rule CE-R1 needs to be updated to include reference to Town Centre Zone and Medium Density Residential Zone as "urban zones". The spatial extent of these zones recommended by Ms Trinder, is outside the defined extent of the coastal environment in the PDP and shown on the planning maps. As a result, it is not necessary to add reference to these zones to Rule CE-R1.

Recommendation

442. In summary I recommend the following consequential amendments to the PDP:
- a) Amendments to District-Wide chapters set out in **Table 7** to refer to new or deleted zones and spatial layers as necessary.
 - b) Part 1 is updated to include specific reference to Precincts as a new spatial layer as follows:

'Where a Precinct applies, the objectives, policies, rules and standards of the underlying zone and any overlay apply in addition to the provisions of the Precinct, except where it is specifically stated in the Precinct that the provisions of the Precinct prevail'.
 - c) The definition of "Wetland, Lake and River Margins" is amended to incorporate reference to new zones.

Section 32AA evaluation

443. The recommendations to make the consequential amendments provided above are appropriate because they are consistent with the recommendations made by reporting officers at earlier hearings, and ensure that the relevant rules and standards apply in the new zones for consistency. The amendments will clarify the intent of the plan provisions and aids with interpretation which will reduce time/cost/uncertainty for plan users and lead to more consistent outcomes. The recommended amendments are considered to be more appropriate in achieving the purpose of the RMA and the PDP objectives than the notified version of the PDP.

5.6.3 Key Issue 11: Submission points omitted from earlier hearings

Overview

Provision(s)	Officer Recommendation(s)
Various	<ul style="list-style-type: none"> Recommendations based on previous hearings.

Analysis of Submissions

444. Tristan Simpkin (S288.010) opposes the current Rural Residential zoning of land at 1-45 Kokopu Street and 6-25 Karawaka Street, Ahipara. The submission argues that the zoning fails to reflect Ahipara's future growth potential and that reliance on static population projections is misguided. The land is already subdivided and functions as Rural Residential in character. Accordingly, the submitter seeks to rezone the Kokopu subdivision from Rural Residential to General Residential.

445. Marshall Investments Trustee Limited (S378.001) supports the application of the Heavy Industrial Zone to their property (ROT 580088, Lot 2 DP 453153). The Heavy Industrial Zone is seen as providing greater certainty and operational relief. The submitter seeks retention of both the Heavy Industrial zoning and its associated provisions as currently proposed.

446. Transpower (S454.103) seeks to replace Rule EW-R15 with a Permitted Activity rule for earthworks near transmission lines. They argue the current non-complying rule is unusual and restrictive and propose a nationally consistent framework that better manages effects on access and infrastructure stability.

447. Lynley Newport (S100.002) expresses concern that some areas within the district may have been overlooked and should have been zoned Settlement. They request that the zoning be reviewed to identify additional locations where the Settlement Zone could be appropriately applied.

448. Te Hiku Community Board (S257.024), Elbury Holdings Ltd (S541.030), Leah Frieling (S358.028) and Sean Frieling (S357.025) collectively oppose the application of the Rural Production Zone to areas in Awanui and Wireless Road, Kaitaia, which are already serviced by urban infrastructure such as sewerage, footpaths, and refuse collection. They argue that retaining this zoning constrains future urban development and fails to reflect the established residential and commercial character of these areas. Relief sought includes amending the Planning Maps to rezone these serviced areas to more appropriate urban, industrial, or commercial zones. Alternatively, they propose changes to the objectives, policies, and rules of the Rural Production Zone to allow greater land use flexibility, including smaller parcel sizes (e.g. 2,000 m²).

449. Kapiro Residents Association (S427.014) supports compact urban/residential development and opposes sprawl into rural and coastal



areas due to its adverse effects on infrastructure efficiency, climate, productive land, and local character. They seek amendments to planning zones and chapters to include strong policies and rules, similar to Coastal Environment Policy CE-P4, to prevent urban sprawl in these sensitive areas.

450. J L Hayes and Sons Ltd (S441.002) opposes aspects of Planning Map 27, stating it lacks adequate detail for planning purposes. They highlight omissions such as Summit Plantations and NZ Carbon Farming and argue that carbon farming should not be included within the Rural Production Zone due to its distinct nature and regulatory implications. The submitter also questions the accuracy of mapped Significant and Outstanding Natural Areas at Mangapa. The submitter seeks to remove Rural Production zoning from carbon farming areas and identifying their specific land use.
451. Carbon Neutral NZ Trust (S529.168) and VKK (S527.031) recommends incorporating the updated NZ Land Resource Inventory maps as overlays in the PDP. They argue this would provide essential interim guidance until the regional council completes its mapping of Highly Productive Land, noting that the LRI is likely to be adopted as the standard. The relief sought is to insert the NZ LRI maps into the PDP.
452. Wendover Two Limited (S222.082) opposes the use of the term "Rural Production" for zoning, arguing it misrepresents the diverse land uses across the district, many of which are unsuitable for production. They propose renaming the zone to "General Rural" to better reflect the mix of residential, bush, and smaller landholdings, aligning with the National Planning Standards and supporting a broader rural economy. Relief sought is to amend all references to "Rural Production" in the PDP to "General Rural."
453. Neil Construction Limited (S349.031) opposes current restrictions on Management Plan subdivisions, noting that the Tubbs Farm area has already undergone significant rural residential development supported by infrastructure and resource consents. They argue that the established residential pattern should be enabled and seek amendments to remove barriers, making this subdivision option easier to implement.
454. Kapiro Residents Association (S427.048 and S449.058) and Our Kerikeri Community Charitable Trust (S338.062) supports strengthening PDP provisions for crop protection and agricultural support structures to safeguard rural character and visual amenity. They seek retention of the current 3m setback rule and propose additional standards for structures over 1.5m near roads, public land, or residential boundaries - limiting height to 5m, requiring dark-coloured materials, and mandating landscaping screens. Breaches should be classified as non-complying activities, with opportunities for community objection.
455. Wakaiti Dalton (S355.018) supports the chapter in part but seeks amendments to the overview to explicitly recognise tangata whenua as

kaitiaki of indigenous vegetation on Māori land. They emphasise the importance of tikanga and mātauranga Māori in resource management and express concern over the lack of engagement with tangata whenua regarding Significant Natural Areas. Relief sought is to amend the overview to reflect Māori cultural values and governance roles.

456. Te Hiku Iwi Development Trust (S399.012) seeks recognition of tangata whenua's special relationship with the land in urban planning provisions. They propose amending Policy TW-P3 to reflect the cultural landscape significance and its role in Māori identity and wellbeing. Alternatively, they suggest revising Objective SD-UFD-O1 to explicitly prioritise tangata whenua's relationship with the land in planning decisions.

Analysis

457. In regard to Tristan Simpkins submission to rezone land within Ahipara, the Section 42A report for Hearing 15C, (at paragraphs 235 and 240), Ms Trinder recommends rejecting the equivalent submission point made by Trent Simpkin (S284.011), due to insufficient information and concerns regarding wastewater capacity. As such, I recommend this submission is rejected.

458. I acknowledge S378.001 support to retain the Heavy Industrial Zoning on land Lot 2 DP 453153 and support its retention.

459. In response to Transpower's submission, the equivalent submission (S454.103) was addressed in paragraph 144, 163 and 164 of the Earthworks S42A report which recommended amendments to Rule EW-R15 in line with the requested amendments from Transpower. The relief sought has been accepted in part.

460. Regarding Lynley Newport's submission, the Settlement zone has been applied to areas used predominantly for a cluster of residential, commercial, light industrial and/or community activities that are located in rural areas or coastal environments. The relief sought is vague and no specific areas are identified in the submission for new areas that the submitter seeks are zoned "settlement". As a result, accepting the submission could result in fairness issues because another person (such as a landowner of land requested to be rezoned from another zone to Settlement) could not appreciate the relief being sought by the submission and how it could affect them.

461. To some extent, the Section 42A reports for both the Rural Production Zone and Urban chapters have addressed the concerns of submissions S257.024, S541.030, S358.028 and S357.025. Ms Pearson, in evaluating S257.024, S541.030, and S358.028, acknowledged the principle that serviced land may be more suitable for urban zoning. However, she did not recommend changes due to the lack of specific mapping, clarity around the alternative zoning sought, and concerns about fairness and transparency for affected landowners. The objectives and policies of the RPROZ aim to protect the zone's overall viability and manage fragmentation.



462. Similarly, Ms Trinder, in assessing S357.025, noted that infrastructure alone does not justify urban zoning. Wireless Road is physically disconnected from the Kaitia urban area, and its current land use remains consistent with a rural environment. Therefore, Rural Production zoning was considered appropriate.
463. In response to S427.014, similar submissions by Kapiro Conservation Trust, Kapiro Residents Association and Vision Kerikeri were addressed in Key Issue 2 of the Rural Production Zone report (paragraphs 85 and 86) and Ms Pearson recommended amendments to the Rural Production Zone chapter to give effect to the NPS-HPL and strengthen protection of the Rural Production Zone for productive land use.
464. Regarding S441.002, at paragraphs 157 to and 159, and 182 to 187 of the Rural Production Zone S42A report, Ms Pearson evaluates similar submissions seeking provision for carbon farming and recommends a new definition for "forestry activities", to make it clear that the reference to "forestry activities" as a subset of the primary production definition, and includes more than just plantation forestry (it also covers exotic-continuous cover forestry and permanent indigenous forestry). These activities are provided for in the recommended version of the Rural Production Zone provisions.
465. In regard to Carbon Neutral NZ Trust and VKK, overlays in district plans are typically used to identify areas with specific planning considerations, and must be based on accurate, site-specific data. Broad scale datasets like NZLRI lack the resolution or precision needed for District Plan overlays. Including the NZLRI data as an overlay on the District Plan could lead to planning controls being placed on land that is not considered "highly productive" creating unnecessary constraints. I note that Ms Pearson, in the Rural Production Zone S42A report, recommended amendments to align the provisions, to the extent practicable, with the policy direction of the NPS-HPL in advance of NRC undertaking regional mapping of Highly Productive Land which may go some way to achieve the relief sought by the submitter. As such, I recommend this submission is accepted in part, insofar as the recommendations in the Hearing 9 reporting will achieve the relief sought, to some extent.
466. In response to S222.082, at paragraphs 57, 62, 354 and 359 of the Rural Production Zone report, Ms Pearson evaluates other similar submissions that seek a change from Rural Production to "General Rural" zone. Ms Pearson notes that the section 32 report for Rural Zones explains why the notified combination of six rural zones is the most appropriate for the Far North District. She notes that the core functions of the RPROZ are to 'protect the zone for use by primary production activities', to prevent 'inappropriate land fragmentation' and ensure 'more effective management of reverse sensitivity effects'. Her reading of the management approach for this zone is that it was never drafted to be a 'catch-all' general rural zone and it has a clear function to



prioritise primary production activities, particularly on HPL. Based on these recommendations I recommend the submission is rejected.

467. Regarding Neil Construction Limited's submission, in the Section 42A report for Hearing 15C - Rezoning Rural (at paragraphs 206 to 217), Ms Pearson recommends accepting the rezoning submission by Neil Construction Limited and rezoning land at Tubbs Farm from Rural Lifestyle Zone to Rural Residential Zone. This recommendation goes some way to achieve the relief sought by the submitter. As such, I recommend the submission is accepted in part.

468. In response to S427.048 and S449.058, S338.062, the section 42A reports for the rural zones, including Key Issue 5 in the Rural Wide Issues and RPROZ S42A report, Ms Pearson recommends a new definition for artificial crop protection structures and support structures, with a new specific rule with controls for the design and location of crop protection structures across the Rural Zones. As such I recommend this submission is accepted in part.

469. Regarding S355.018, the extent to which the Ecosystem and Indigenous Biodiversity Chapter recognises and provides for the role of tangata whenua as kaitiaki was considered in some detail in Hearing 4, including under the general submissions at paragraph 74 to 75 and 83 to 88. This includes a recommended new policy to better give effect to IB-04 (which relates to the kaitiaki role of tangata whenua) and the NPS-IB as follows: *'Ensure that the protection, maintenance and restoration of indigenous biodiversity is done in a way that: a. recognises and values the mana of tangata whenua as kaitiaki; and b. provides specific opportunities for tangata whenua to exercise kaitiakitanga in accordance with tikanga Māori.'* I consider that this is a more effective way to address the relief sought compared to amendments to the overview section and therefore recommend that this submission point is accepted in part.

470. In response to S399.012, the section 42A report for Hearing 1 on Tangata Whenua matters, Ms Burkhardt addressed the submission point in paragraphs 100, 124 and 127 in Key Issue 3, where she recommended changes to TW-P3. Therefore, it is recommended S399.012 is accepted in part.

Recommendation

471. For the reasons outlined above, I recommend submission S378.001 be accepted and submissions S454.103, S427.014, S441.002, S529.168, S527.031, S349.031, S427.048, S338.062, S399.012, S355.018 and S449.058 be accepted in part.

472. I recommend the following submissions S288.010, S100.002, S257.024, S541.030, S358.028, S357.025, S472.029 and S222.082 be rejected.

5.6.4 Key Issue 12: Other Matters

Overview

Provision(s)	Officer Recommendation(s)
All zones	add "or downstream" as an additional matter in matters of discretion (c) for "impermeable surface coverage" rules/standards.
Definition of Urban	Delete definition

Analysis

General submissions

473. Te Whatu Ora (S42.018) seeks appropriate integration of the changes proposed by their submissions on the Hospital Special Purpose Zone to ensure the development/redevelopment of the Hospital within the hospital zone can occur in an efficient and effective manner. Te Whatu Ora's submissions on the Hospital Special Purpose Zone were addressed in Hearing 2 and it is understood that there are no other consequential amendments necessary to other chapters of the PDP.

474. Kuia, kaumātua and whānau of Moringai Whānau (S575.001) seeks that the status of lots 23 and 24 DP 381292 (1 and 3 Wharo Place, Ahipara) is amended (from freehold title to a historic purpose reserve). The legal status of land is beyond the scope of the District Plan, therefore I recommend that this submission is rejected.

475. Puketotara Lodge (S481) made submissions across all zones seeking amendments to matters of discretion for Rule 2 (impermeable surface coverage) to add additional matters for consideration. All reporting officers for the zones made consistent recommendations to add "or downstream" as an additional matter in matters of discretion (c) as follows:

'the availability of land for disposal of effluent and stormwater on the site without adverse effects on adjoining waterbodies (including groundwater and aquifers) or on adjoining sites or downstream; and

476. For plan-wide consistency it is recommended that all matters of discretion for the "impermeable surface coverage" rule or standard are updated for consistency with the above matter of discretion.

477. Heavy Haulage Association (S482.001 and other equivalent points) request that relocated buildings are explicitly provided for as a permitted activity in the zone rules for buildings and structures. The submitter considers that it is not clear that the permitted activity status applied in most zones to "new buildings and structures" also applies to the relocation of buildings. The submitter considers that the controls on constructed buildings and relocated buildings should be identical, as the effects are essentially the same. In response the reporting officers for the zones recommended that relocated buildings are explicitly referenced within Rule 1 for the zone chapters as follows:

RPROZ-R1	New buildings or structures, <u>relocated buildings</u> or extensions or alterations to existing buildings or structures	
Zone	Activity Status: Permitted Where: PER-1 The new building or structure, <u>relocated building</u> or extension or alteration to an existing building or structure, will accommodate a permitted ...	Activity status where compliance not achieved with PER-1: Discretionary

478. For completeness it is recommended these changes (to include explicit reference to relocated buildings) are included in all rules for “buildings and structures” across the zones.

Definition of ‘Urban’

479. The PDP, as notified, contains the following definition of ‘Urban’:

‘Means an area of land zoned either:

- a. General Residential;*
- b. Kororareka Russell Township;*
- c. Mixed Use; or*
- d. Light Industrial*

that currently has adequacy and capacity of available development infrastructure or is signalled to receive at a minimum reticulated wastewater infrastructure, in the Long Term Plan or the 30 Year Infrastructure Strategy.

NOTE: Land zoned Heavy Industrial in some parts of the District may not have access to, or be programmed to receive, adequate development infrastructure so is not included within this definition’.

480. I understand that the purpose of defining ‘Urban’ was to assist with implementation of the notified coastal environment chapter provisions which referred to ‘urban zones’ (e.g. Objective CE-O3, Policy CE-P5 and Rule CE-R1). At Hearing 4, Mr Wyeth, reporting officer for the coastal environment chapter, recommended replacing reference from “urban zone” within the coastal environment objective and policies to “urban areas”²⁵ for alignment with the NZCPS and RPS. He also recommended replacing reference to “urban zones” within Rule CE-R1 with specific reference to the urban zones that the relevant standards apply to, being the General Residential Zone, Mixed Use Zone, Light Industrial Zone,

²⁵ Paragraphs 115, 120, 187 and 188, 288 and 289



Russell / Kororareka Special Purpose Zone, Māori Purpose Zone – Urban, Oronga Bay Zone, Hospital Zone, or Kauri Cliff SPZ - Golf Living Sub-Zone.

481. As a result of the recommended changes, if the Hearing Panel accepts Mr Wyeth's recommendation the definition of "urban" within the PDP is superfluous and is no longer necessary, because this definition is not used in this manner elsewhere in the PDP. Retaining it as notified could conflict with the recommended changes referred to above and has potential to create confusion and conflict. I have discussed and confirmed my interpretation and the recommended approach to delete the definition of "urban" with other reporting officers, including Mr Wyeth (reporting officer for coastal environment) and Ms Trinder, reporting officer for the Urban Zones, who has confirmed that the definition of "Urban" is not necessary.
482. The recommended deletion of the definition of "urban" can be made as a consequential amendment as a result of the numerous submissions on the approach to managing development in urban zones within the coastal environment²⁶.
483. The deletion of definitions not used within the plan is appropriate because the defined term does not have a clear purpose and application. Removing it from the plan reduces potential for confusion for plan users, conflict between provisions and definitions, and potential for unintended consequences.

Gross Business Area (GBA) vs Gross Floor Area (GFA)

484. There are two separate terms defined and used in the PDP: "Gross Floor Area (GFA)" and "Gross Business Area (GBA)". These terms have distinct meanings and area used in different contexts for different purposes. GFA refers to the total area of all floors of a building measured from the exterior walls. It is used to calculate building density, height limits, and compliance with zone rules (bulk and location and coverage standards). GBA is more specific—it refers to the total area used for business activities. This includes retail floor space and office areas that may be part of a larger building. Placing limits on GBA is intended to manage the scale and intensity of certain activities in the zone rules (e.g. to assess impacts like traffic generation in rural zones). It is appropriate that the two terms remain in the PDP as they are used for different purposes and despite a change from GBA to GFA for "rural tourism activity" in the Māori Purpose Zone -Rural (Rule MPZ-R16) both terms continue to be used in the PDP in different contexts.

Esplanade Priority Areas

485. At Hearing 5 I recommended that the esplanade priority areas are not mapped on the PDP for various reasons, one of them being that the future planning associated with implementation of the Kerikeri-Waipapa Spatial Plan was being developed at the time to integrates natural waterways and

²⁶ Paihia Property Owners Group (S565.002) and others

green spaces into urban growth through identified 'blue-green' networks on the spatial plan maps. The Kerikeri-Waipapa Spatial Plan was adopted by Council on 18 June 2025. The identified blue-green networks are shown in the Spatial Plan maps provided in Figure 1 below.

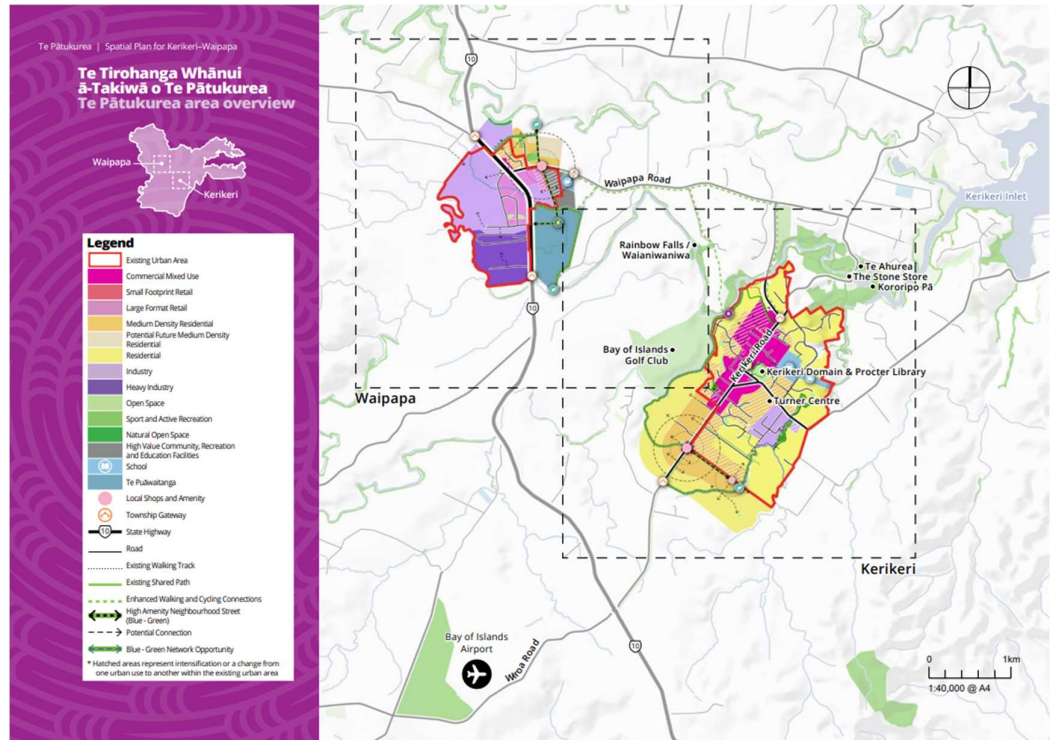


Figure 1 Te Patukurea – Kerikeri-Waipapa Spatial Plan

Zone Layers and Property Boundaries

486. The District Plan Team has become aware of an issue in some areas where zone layers of the PDP are not aligning with cadastral boundaries. Based on discussions with Council's GIS specialist, I understand that it is not possible to automatically fix the error on a District-wide basis and align the zoning layer with the cadastral boundaries, because the PDP contains a number of properties that have split zoning. The District Plan team will identify localised issues as they arise, and resolve them with the GIS team via clause 16(2) amendments as necessary.

Recommendation

487. For the above reasons I recommend that the following consequential amendments:

- a) Add "or downstream" as an additional matter in matters of discretion (c) for "impermeable surface coverage" rules/standards.
- b) The definition of "urban" is deleted; and

- c) "Relocated buildings" is explicitly added to Rule 1 of the zone chapters.

Section 32AA Evaluation

488. The consequential amendments recommended above are appropriate for plan-wide consistency. The changes are consistent with the recommendations made by reporting officers at earlier hearings. They aid with interpretation which will reduce time/cost/uncertainty for plan users and lead to more consistent outcomes.

5.7 Designations (Lynette Morgan) (for information only)

Designations

489. Since notification of the PDP, the Council has made a number of amendments to the PDP through clause 16 (2) of the RMA. Clause 16 (2) of Schedule 1 enables Council to make amendments to the PDP, without using the process set out in Schedule 1, to alter any information, where such an alteration is of minor effect, or to correct any minor errors. A summary of Clause 16(2) amendments made in January, June, August 2024, and March, June, August and October 2025 is available on the Council website²⁷.
490. Since Hearing 11 (Designations), the District Plan team has been made aware of the following error which have since been corrected via clause 16(2) amendments:
- a) Error with the Site Identifier for Chorus' Designation CNZ17 (Te Kao Exchange). Waka Kotahi made a submission (S356.126) seeking that designation CNZ17 (Te Kao Exchange) is accurately mapped and legal description ("site identifier") corrected to align with the correct location of the Te Kao Interchange (Chorus designation) as follows:

*'Part parengarenga 5B2B2 Block ~~SB2B Blk XVI Muriwhenua SD,~~
3034 sqm'.*

In the map below (Figure 2) the incorrect site is showing in yellow the correct site is showing blue.

²⁷ [Clause 16 Amendments | Far North District Council](#)



Figure 2 Corrected location of Designation CNZ17 (incorrect extent shown in yellow, new extent shown in blue).

- b) The extent of Ministry of Education's designation MEDU 88 (Ōhaeawai School) has been amended on the planning maps to include an additional "slither" of land (2 metres wide) within the designated extent, to align with a boundary adjustment²⁸.
- c) A site location mapping error in respect of NRC148 known as the Navigational Leading Light (NLL). NRC in a letter dated 3 February 2022 confirmed they sought their designations be included in the PDP without modification, a shape file was also included. A mapping error has occurred while preparing the PDP. Figure one illustrates the correct position of the NLL as in the ODP. Figure two illustrates the position as showing in the PDP. The Clause 16(2) amendment corrected the mapping error so the NLL in the PDP reflects the position as in the ODP. In the maps below the map the black mapping extent shows the correct position of NRC 148.

²⁸ [Clause 16 Amendments | Far North District Council](#)



Figure 3 Correct Location of Designation NRC148 as shown on the PDP via clause 16(2) Correction

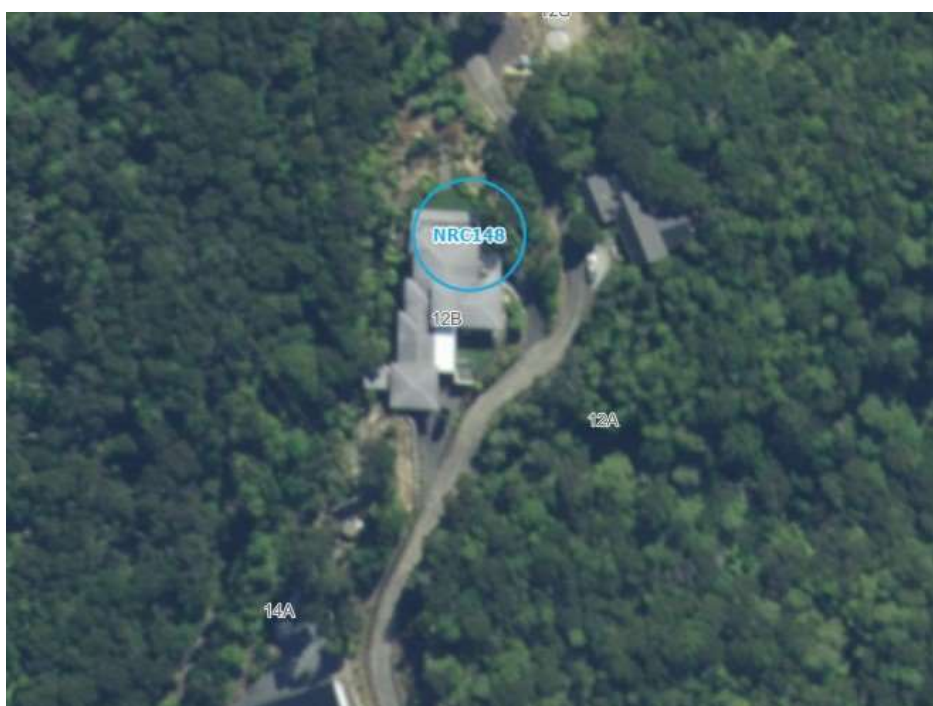


Figure 4 Incorrect Location of Designation NRC148 as Notified



Designation FN254 – Russell Cemetery

491. Pursuant to section 168A of the Resource Management Act 1991 (the Act), the Far North District Council applied for a new designation for the Russell Cemetery at 30 Long Beach Road, Russell. On 27 February 2024, Commissioner Killalaea confirmed the designation²⁹. The District Plan Team was advised of the confirmed designation by the FNDC Resource Consents team on 12 August 2025. The new designation is subject to the following general condition and advice note.

a) General Condition:

- Works authorised by the designation shall be in general accordance with the Notice of Requirement dated 3 October 2023 including the plan prepared by Hoskin Civil reference S1 dated 8 September 2023.

b) Advice Note:

- Archaeological sites are protected pursuant to the Heritage New Zealand Pouhere Taonga Act 2014. It is an offence, pursuant to the Act, to modify, damage or destroy an archaeological site without an archaeological authority issued pursuant to that Act. Should any site be inadvertently uncovered, the procedure is that work should cease, with the Trust and local iwi consulted immediately. The New Zealand Police should also be consulted if the discovery includes koiwi (human remains). A copy of Heritage New Zealand's Archaeological Discovery Protocol (ADP) is attached for your information. This should be made available to all person(s) working on site.

492. The Russell cemetery is located at 30 Long Beach Road Russell. The land designated is Sections 50, 57, and 58 Blk I Russell Survey District and Section 1 SO 565982 and Section 2 SO 384056.

The designation identifier is FN254 and has a lapse date 5 years after being included in the Far North District Plan. Designation FN254. This designation has now been included in the PDP and will be included in the PDP – Decisions version. The designation conditions and details are provided in Appendix 1.4 to this Report, and are now included in the Designation Schedule of the PDP.

Designation FN253 - Kerikeri Wastewater Treatment Plant

493. On 21 May 2025 as the s42A report writer for the designations chapter I provided the Panel with a Right of Reply. The Right of Reply provided details of the amendment to Designation FN253 which relates to the Kerikeri Wastewater Treatment Plant (KKWWTP) located at 21 Okura Drive Kerikeri, being Lot 1 on DP 555928, including a summary of the decision and copy of the amended designation conditions.³⁰ The updated

²⁹ Council reference 2240208-RMADES

³⁰ [Appendix 1 Officer's Recommended Amendments \(Designations FN253, Right of Reply\)](#)



designation and conditions have now been incorporated into the PDP Designations Schedule.

6 Conclusion

494. This report has provided an assessment of submissions received in relation to the Sweep Up (including Interpretation, Mapping, Plan Variation 1 and other matters). 'Interpretation' and mapping includes submissions on the definitions, glossary and maps that are not topic-specific and have not been covered by Section 42A reports in earlier hearings. The definitions addressed in this report are those which are used across several chapters of the PDP, or omitted from earlier reports (refer Key Issue 12) 'Other matters' include consequential changes or plan-wide integration matters identified by reporting officers based on recommendations in response to submissions from earlier hearings.
495. A number of changes to provisions are recommended in this Report including the following key changes:
- a) Deletion of the definition '*Plantation Forestry Activity*' and other consequential amendments to align with the NES-CF and the new terms relate to forestry activities recommended in Hearings 4 and 9.
 - b) Introduction of new definitions of Emergency service training activity, Internal boundary, to improve clarity and comprehension.
 - c) Replacement of the term '*Low Impact Design*' with '*Water Sensitive Design*' throughout the PDP.
 - d) Amendment of the definition of '*Wetland, lake and river margins*' to include references to new zones and to exclude artificially constructed ponds.
 - e) Amendment of definition of surface waterbody to exclude "artificial watercourses including drains".
 - f) Minor amendments to the definitions to ensure accuracy, clarity and achieve better integration and alignment between definitions and provisions of the PDP.
 - g) Removal of definitions and terms not referenced or used within the PDP.
 - h) Amendment to definition of "impermeable surface" to add an exclusion for "Permeable surfacing that does not create a barrier to water entering the ground."
 - i) Replace reference to "significant natural areas" with "significant indigenous vegetation and significant habitats of indigenous fauna" throughout the PDP to align with recommendations made at Hearing 4.

- j) Addition of a new rule across various zones regarding vegetation within the airport protection surface areas.
 - k) Consequential amendments to policies and district wide chapters to reflect changes to zones and spatial layers and to reflect recommendations made at earlier hearings.
 - l) Including recommendations made by other reporting officers for the chapter and topic-based s42A reports.
496. Section 5.3 considers and provides recommendations on the decisions requested in submissions and other general "Sweep Up" and integration matters.
497. I, Chloe Mackay, consider that the submissions on the Interpretation and Definitions, Mapping and Plan Variation 1 matters (Sections 5.3 to 5.5 of this Report) should be accepted, accepted in part, rejected or rejected in part, as set out in my recommendations of this report and in Appendix 2.
498. I, Jaimee Cannon, consider that the general Sweep Up and Integration matters summarised in Section 5.6 of this Report should be adopted by the Hearing Panel in its recommended decisions on the PDP.
499. I, Lynette Morgan, consider that the Designations matters in Section 5.7 of this Report should be adopted by the Hearing Panel in its recommended decisions on the PDP.
500. We recommend that provisions for the Sweep Up (Interpretation, mapping, Plan Variation 1 and other matters) be amended as set out in Appendix 1.1 to Appendix 1.4, and Appendix 3, for the reasons set out in this report.

Recommended by:

Chloe Mackay, Policy Planner at Far North District Council;
Lynette Morgan, Policy Planner at Far North District Council; and
Jaimee Cannon, Senior Principal Planner at Boffa Miskell Limited.

A handwritten signature in blue ink, appearing to be "James R Witham", written over a horizontal line.

Approved by: James R Witham – Team Leader District Plan, Far North District Council.

Date: 7 October 2025