

Appendix A - Officers Recommended Decisions on Submissions - Natural Features and Landscapes

Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
26.66	Chorus New Zealand Ltd, Connexa Ltd, Spark NZ Trading Ltd, Fortysouth Group LP and One NZ	NFL-P4	Oppose	<p>ADD the following clause to NFL-P4.2.c as follows:</p> <p><u>v. For new Regionally Significant Infrastructure, the constraints on form and location due to operational need or functional need.</u></p> <p>AND Any alternative relief and/or consequential amendments.</p>	<ul style="list-style-type: none"> Notified policy is generally consistent with Policy 4.6.1 of the Regional Policy Statement in regard to managing effects on the characteristics and qualities of natural features and landscapes. However, Policy 5.3.3(1) includes a framework for new Regionally Significant Infrastructure which includes recognition of the constraints that limit rral the design and location of the activity. This element is not reflected in Policy NFL-P4. Regionally Significant Infrastructure may need to be located in these environments due to functional need or operational need. 	Reject	Topic 5: Policies
FS82.87	Northpower Limited	NFL-P4	Support	Accept the relief sought by the submitter.	<ul style="list-style-type: none"> Supports the additional clause as proposed to give effect to direction within the RPS. 	Reject	Topic 5: Policies
FS93.4	Royal Forest and Bird Protection Society of NZ	NFL-P4	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> The clause is unnecessary and inappropriate within the context of protecting ONFLs. 	Accept	Topic 5: Policies
FS100.2	Transpower New Zealand Ltd	NFL-P4	Support	Accept the relief sought by the submitter.	<ul style="list-style-type: none"> Supports the intent of the submission to enable Regionally Significant Infrastructure in areas of significance where there are 	Reject	Topic 5: Policies

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					operational or functional needs for it to be located there.		
26.67	Chorus New Zealand Ltd, Connexa Ltd, Spark NZ Trading Ltd, Fortysouth Group LP and One NZ	NFL-P5	Support	RETAIN NFL-P5 as notified. AND Any alternative relief and/or consequential amendments.	<ul style="list-style-type: none"> Provides a framework for enabling the operation, maintenance and upgrading of Regionally Significant Infrastructure in ONLs and ONFs which is consistent with Policy 5.3.3 of the Regional Policy Statement for Northland. 	Reject	Topic 5: Policies
26.68	Chorus New Zealand Ltd, Connexa Ltd, Spark NZ Trading Ltd, Fortysouth Group LP and One NZ	NFL-R2	Oppose	ADD a new clause to NFL-R2.1 for permitted buildings and structures (subject to standards NFL-S1, S2 and S3) as follows: <u>iii. Regionally Significant Infrastructure</u> AND Any alternative relief and/or consequential amendments.	<ul style="list-style-type: none"> Under clause 1 there is no permitted activity allowance for Regionally Significant Infrastructure in ONFs and ONLs. A permitted activity allowance in accordance with the standards in NFL-S1, s2 and s3 is sought, which is consistent with avoiding significant adverse effects from new structures outside of the Coastal Environment in NFL-P2. A new standard to provide an allowance for antennas on existing buildings and poles and attached antenna sin road reserves is also sought under separate submission point to provide some practical provision for telecommunications in ONL/ONF areas outside the coastal environment. Existing roads traversing ONL/ONF areas and where there are existing buildings, the 	Reject	Topic 6: Rules

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					values attributed to these areas in those locations have already been modified.		
FS93.5	Royal Forest and Bird Protection Society of NZ	NFL-R2	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> It is inappropriate to include Regionally Significant Infrastructure within the rule. 	Accept	Topic 6: Rules
FS100.3	Transpower New Zealand Ltd		Support	Accept the relief sought in part.	<ul style="list-style-type: none"> Supports the intent of the submission to enable Regionally Significant Infrastructure, insofar as any relief granted is consistent with its submission. 	Reject	Topic 6: Rules
26.69	Chorus New Zealand Ltd, Connexa Ltd, Spark NZ Trading Ltd, Fortysouth Group LP and One NZ	NFL-S1	Oppose	<p>AMEND NFL-S1 such that there are exceptions to the general height standards as follows:</p> <ol style="list-style-type: none"> i. Antennas attached to existing buildings not exceeding the highest point of the roof by more than 5m; and ii. Telecommunications poles and attached antennas in formed roads not exceeding 20m in height and a diameter including all antennas of 1.2m. <p>AND Any alternative relief and/or consequential amendments.</p>	<ul style="list-style-type: none"> A new standard to provide an allowance for antennas on existing buildings and poles and attached antenna sin road reserves is sought in line with submission point 26.68 to provide some practical provision for telecommunications in ONL/ONF areas outside the coastal environment. Existing roads traversing ONL/ONF areas and where there are existing buildings, the values attributed to these areas in those locations have already been modified. 	Accept	Topic 7: Standards
26.70	Chorus New Zealand Ltd, Connexa Ltd, Spark NZ Trading	NFL-R2	Oppose	<p>AMEND NFL-R2.6 by adding in standards to be complied with NFL-S1, S2 and S3.</p> <p>AND</p>	<ul style="list-style-type: none"> Under clause 6, Regionally Significant Infrastructure is a permitted activity in the Coastal Environment, without 	Accept in part	Topic 6: Rules

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	Ltd, Fortysouth Group LP and One NZ			AMEND NFL-R2.7 as necessary to allow the correct cross-reference in regard to when non-complying activity status applies. AND Any alternative relief and/or consequential amendments.	standards. Standards NFL-S1, S2 and S3 should be applied to provide a permitted envelope. <ul style="list-style-type: none"> Clause 7 appears to have a cross-referencing error as it attributes non-complying activity status where NFL-R2.4 is not met. That cross-referred standard relates to matters of discretion for structures and buildings outside the coastal environment. 		
FS100.4	Transpower New Zealand Ltd		Support	Accept the relief sought by the submitter.	<ul style="list-style-type: none"> Supports the intent of the submission to enable Regionally Significant Infrastructure. 	Accept in part	Topic 6: Rules
26.71	Chorus New Zealand Ltd, Connexa Ltd, Spark NZ Trading Ltd, Fortysouth Group LP and One NZ	NFL-R4	Oppose	AMEND NFL-R4.4 by adding in a permitted earthworks allowance for Regionally Significant Infrastructure in the Coastal Environment of 20m ³ . AND Any alternative relief and/or consequential amendments.	<ul style="list-style-type: none"> A small, permitted activity allowance is considered to be appropriate that would not materially adversely affect the values and qualities of ONLs and ONFs. 	Accept in part	Topic 6: Rules
FS100.5	Transpower New Zealand Ltd	NFL-R4	Support	Accept the relief sought by the submitter.	<ul style="list-style-type: none"> Supports the intent of the submission to enable Regionally Significant Infrastructure. 	Accept in part	Topic 6: Rules
FS93.8	Royal Forest and Bird Protection Society of NZ	NFL-R4	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> It is inappropriate to include new Regionally Significant Infrastructure within this context as a permitted activity. 	Accept in part	Topic 6: Rules

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26.72	Chorus New Zealand Ltd, Connexa Ltd, Spark NZ Trading Ltd, Fortysouth Group LP and One NZ	NFL-R3	Oppose	<p>ADD the following clause to NFL-R3.1 as follows: <u>c. The indigenous vegetation clearance is associated with Regionally Significant Infrastructure including access.</u></p> <p>AND AMEND NFL-R3.4 by adding in Standard NFL-S5 to be complied with. AND Any alternative relief and/or consequential amendments.</p>	<ul style="list-style-type: none"> Clause 1 of this rule allows for indigenous vegetation clearance outside the coastal environment (subject to meeting Standard NFL-S5) for a list of activities that does not include clearance for Regionally Significant Infrastructure (only clearance around existing infrastructure). Clause 4 of this rule for indigenous vegetation clearance inside the coastal environment for Regionally Significant Infrastructure, but with no standards. Standard NFL-S5 should apply. 	Accept in part	Topic 6: Rules
FS100.6	Transpower New Zealand Ltd	NFL-R3	Support	Accept the relief sought by the submitter.	<ul style="list-style-type: none"> Supports the intent of the submission to enable Regionally Significant Infrastructure. 	Accept in part	Topic 6: Rules
FS45.6	Director General of Conservation	NFL-R3	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> Does not support as the rule provides for unrestricted vegetation clearance in ONLS both inside and outside of the coastal environment without significance identification. Fails to recognise and provide for s6(c) RMA and NZCPS. 	Accept in part	Topic 6: Rules
FS93.6	Royal Forest and Bird Protection Society of NZ	NFL-R3	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> It is inappropriate to include Regionally Significant Infrastructure. 	Accept in part	Topic 6: Rules

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FS93.7	Royal Forest and Bird Protection Society of NZ	NFL-R3	Support	Allow the original submission.	<ul style="list-style-type: none"> Requiring compliance with NFL-S5 is consistent with the original relief sought by Forest and Bird. 	Accept in part	Topic 6: Rules
50.23	Evolve Planning and Landscape Architecture	General	Oppose	ADD objectives and policies to the Natural Features and Landscapes chapter, using Whangarei District Plan as an example.	<ul style="list-style-type: none"> Adequate protection for Outstanding Natural Landscapes, High Natural Character and Outstanding Natural Features is not provided. Inconsistent with the purpose and principles of Part II of the RMA, NSCPA and Northland Regional Policy Statement. Rules are weak and offer no protection to these features either through land use or subdivision. Exclusions are provided that are site specific and should not be in the District Plan, but in their consent and associated conditions. Colour rule provides for colours that are not appropriate, also within the Coastal Environment Overlay. Both need revising to be specific in terms of colours. 	Reject	Topic 1: General Submissions on the NFL Chapter
FS35.3	Bream Tail Residents Association	General	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> Reference to another district plan as an example lacks specificity. Moreover, it is not supported by s32 analysis. 	Accept	Topic 1: General Submissions on the NFL Chapter
FS44.3	Daytona Trust	General	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> Reference to another district plan as an example lacks specificity. 	Accept	Topic 1: General Submissions on the NFL Chapter

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					Moreover, it is not supported by s32 analysis.		
FS47.11	Federated Farmers of New Zealand	General	Oppose	Reject the relief sought.	<ul style="list-style-type: none"> As no proposed wording has been provided, and the submission merely refers to another district's plan, it is difficult to ascertain what the submitter is seeking and assess any implications. 	Accept	Topic 1: General Submissions on the NFL Chapter
FS97.3	Tappenden Holdings Limited	General	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> Reference to another district plan as an example lacks specificity. Moreover, it is not supported by s32 analysis. 	Accept	Topic 1: General Submissions on the NFL Chapter
50.24	Evolve Planning and Landscape Architecture	General	Amend	ADD more rules to the Natural Features and Landscapes chapter using Whangarei District Plan as an example.	<ul style="list-style-type: none"> Adequate protection for Outstanding Natural Landscapes, High Natural Character and Outstanding Natural Features is not provided. Inconsistent with the purpose and principles of Part II of the RMA, NSCPA and Northland Regional Policy Statement. Rules are weak and offer no protection to these features either through land use or subdivision. Exclusions are provided that are site specific and should not be in the District Plan, but in their consent and associated conditions. Colour rule provides for colours that are not appropriate, also within the Coastal Environment Overlay. Both 	Accept in part	Topic 6: Rules

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					need revising to be specific in terms of colours.		
FS35.4	Bream Tail Residents Association	General	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> Reference to another district plan as an example lacks specificity. Moreover, it is not supported by s32 analysis. 	Accept in part	Topic 6: Rules
FS44.4	Daytona Trust	General	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> Reference to another district plan as an example lacks specificity. Moreover, it is not supported by s32 analysis. 	Accept in part	Topic 6: Rules
FS47.12	Federated Farmers of New Zealand	General	Oppose	Reject the relief sought.	<ul style="list-style-type: none"> As no proposed wording has been provided, and the submission merely refers to another district's plan, it is difficult to ascertain what the submitter is seeking and assess any implications. 	Accept in part	Topic 6: Rules
FS97.4	Tappenden Holdings Limited	General	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> Reference to another district plan as an example lacks specificity. Moreover, it is not supported by s32 analysis. 	Accept in part	Topic 6: Rules
50.25	Evolve Planning and Landscape Architecture	General	Amend	AMEND the Natural Features and Landscapes chapter to require the protection of these features through subdivision and development.	<ul style="list-style-type: none"> Adequate protection for Outstanding Natural Landscapes, High Natural Character and Outstanding Natural Features is not provided. Inconsistent with the purpose and principles of Part II of the RMA, NSCPA and Northland Regional Policy Statement. 	Accept in part	Topic 6: Rules

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					<ul style="list-style-type: none"> Rules are weak and offer no protection to these features either through land use or subdivision. Exclusions are provided that are site specific and should not be in the District Plan, but in their consent and associated conditions. Colour rule provides for colours that are not appropriate, also within the Coastal Environment Overlay. Both need revising to be specific in terms of colours. 		
FS47.13	Federated Farmers of New Zealand	General	Oppose	Reject the relief sought	<ul style="list-style-type: none"> It is not clear what relief is being sought and what this would mean for affected parties. 	Accept in part	Topic 6: Rules
50.26	Evolve Planning and Landscape Architecture	General	Amend	<p>DELETE all references to “This rule does not apply to: The defined Exclusive Use Areas shown on the Survey Plan for lots 1-29, 32,34,40,41 and 45 DP 348513 consented by RM050086 (Bream Tail) provided that the other conditions of the Consent Notices (dated 2 February 2004) on these titles are complied with, which shall rely on Rule 12.10.3c.2 in Chapter 12 of the Kaipara Operative District Plan.” within the Outstanding Natural Features and Landscapes chapter.</p> <p>AND Any consequential amendments.</p>	<ul style="list-style-type: none"> Adequate protection for Outstanding Natural Landscapes, High Natural Character and Outstanding Natural Features is not provided. Inconsistent with the purpose and principles of Part II of the RMA, NSCPA and Northland Regional Policy Statement. Rules are weak and offer no protection to these features either through land use or subdivision. Exclusions are provided that are site specific and should not be in the District Plan, but in their consent and associated conditions. 	Accept	Topic 6: Rules

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					<ul style="list-style-type: none"> Colour rule provides for colours that are not appropriate, also within the Coastal Environment Overlay. Both need revising to be specific in terms of colours. 		
FS35.5	Bream Tail Residents Association	General	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> The notified provisions are appropriate as they expressly recognise the Bream Tail subdivision, including: <ul style="list-style-type: none"> Consent notice requirements; and ongoing landscape and ecological mitigations Such recognition reduces consenting burden, risks and enables appropriate development while benefitting Bream Tail ecology and landscape. 	Reject	Topic 6: Rules
FS44.5	Daytona Trust	General	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> The notified provisions are appropriate as they expressly recognise the Bream Tail subdivision, including: <ul style="list-style-type: none"> Consent notice requirements; and ongoing landscape and ecological mitigations Such recognition reduces consenting burden, risks and enables appropriate development while benefitting Bream Tail ecology and landscape. 	Reject	Topic 6: Rules

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
FS97.5	Tappenden Holdings Limited	General	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> The notified provisions are appropriate as they expressly recognise the Bream Tail subdivision, including: <ul style="list-style-type: none"> Consent notice requirements; and ongoing landscape and ecological mitigations Such recognition reduces consenting burden, risks and enables appropriate development while benefitting Bream Tail ecology and landscape. 	Reject	Topic 6: Rules
50.27	Evolve Planning and Landscape Architecture	General	Amend	DELETE all references to Lots 1-4 and 6-14 as shown on the Survey Plan consented by RM090103 for Lot 2 DP 316176 (Mangawhai Heads Holdings Limited) in the Outstanding Natural Features and Landscapes chapter. AND Any consequential amendments.	<ul style="list-style-type: none"> Adequate protection for Outstanding Natural Landscapes, High Natural Character and Outstanding Natural Features is not provided. Inconsistent with the purpose and principles of Part II of the RMA, NSCPA and Northland Regional Policy Statement. Rules are weak and offer no protection to these features either through land use or subdivision. Exclusions are provided that are site specific and should not be in the District Plan, but in their consent and associated conditions. Colour rule provides for colours that are not appropriate, also within the Coastal Environment Overlay. Both 	Accept	Topic 6: Rules

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					need revising to be specific in terms of colours.		
FS58.3	J & C Hawley	General	Support	Allow the submission in part.	<ul style="list-style-type: none"> Supports the deletion of site-specific exclusions as there is no reason for them to be within the PDP. 	Accept	Topic 6: Rules
FS71.1	Mangawhai Heads Holdings Ltd	General	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> Opposes the deletion of NFL-R2.5 for the reason it would not be in line with the Environment Court Decision determined in <i>Calveley v Kaipara District Council</i> [2015] NZEnvC 69 . No resource management reason to delete the provision given that the land will be developed within the PDP's lifetime. Retaining the rule will provide clarity and be more effective and efficient than removal considering the sites are still to be developed. Seeks the ODP rule is retained, but with amendments to reflect the current subdivision status. 	Reject	Topic 6: Rules
FS74.3	Marunui Conservation Ltd	General	Support	Allow the original submission.	<ul style="list-style-type: none"> Site-specific exclusions should not be within the PDP and the deletions sought are supported. 	Accept	Topic 6: Rules
50.28	Evolve Planning and Landscape Architecture	NFL-R3	Amend	AMEND NFL-R3.a to include 'Colours to be natural and in keeping with the landscape'.	<ul style="list-style-type: none"> The colour rule provides for colours that are not appropriate and need to be revised to be specific in terms of colours. 	Accept in part	Topic 7: Standards

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51.10	Elaine and Josephine Reddy	NFL-P4	Amend	RETAIN NFL-P4.	<ul style="list-style-type: none"> The best way to "avoid, remedy, and mitigate" adverse effects to Pukepohatu/Bald Rock and the surrounding valleys is to prohibit mining, quarrying and earthworks, which would negatively impact the natural features and landscape of the surrounding area. 	Accept in part	Topic 5: Policies
FS29.10	Atlas Quarries Limited	NFL-P4	Oppose in part	Reject the relief sought in part.	<ul style="list-style-type: none"> The PDP must give effect to the provisions as they relate to mineral extraction activities within the RPS and Parts 2 and 3 RMA. 	Accept in part	Topic 5: Policies
51.11	Elaine and Josephine Reddy	NFL-P6	Amend	RETAIN NFL-P6.	<ul style="list-style-type: none"> There will be a negative impact on the ridgelines and skyline if there is a collapse or damage to the dacite dome or side of the rock faces. Prohibiting quarrying and mining will avoid, remedy or mitigate adverse effects on the Natural Features and Landscapes characteristics. Pukepohatu/Bald Rock was once an existing quarry site. The site is no longer safe for quarrying, mining or earthworks because of significant development in housing, subdivision and business in the area. The tangata whenua insight of the connection between land and people needs to be upheld and the site protected. 	Accept in part	Topic 5: Policies

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					<ul style="list-style-type: none"> • There are aesthetic values, memorability and naturalness which are of great value to the community, including local activities and history. • The aesthetic harmony of the two maunga and the valley, including views and giving a sense of place, strong community association, public esteem and sense of home and belonging. 		
FS29.11	Atlas Quarries Limited	NFL-P6	Oppose in part	Reject the relief sought in part.	<ul style="list-style-type: none"> • The PDP must give effect to the provisions as they relate to mineral extraction activities within the RPS and Parts 2 and 3 RMA. 	Accept in part	Topic 5: Policies
51.12	Elaine and Josephine Reddy	General		AMEND the Proposed District Plan to obtain protection for the Pukepohatu / Bald Rock dacite dome and its adjoining landscape by prohibiting all new and existing mining, quarrying and adverse effects from large-scale earthworks and infrastructure.	<ul style="list-style-type: none"> • To protect the valley and surrounding area. • The beauty of Pukepohatu/Bald Rock and Pukekaroro is dependent on its surrounding natural environment. • Their aesthetic values, including memorability and naturalness are of great value to the community. • These maunga/mountains are connected to the surrounding landscape and hold historical significance to tangata whenua Te Uri o Hau of Ngati Whatua. They are not single identities and need to be viewed as an area of outstanding natural landscape. 	Reject	Topic 6: Rules

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FS29.12	Atlas Quarries Limited	General	Support in part	Reject the relief sought in part.	<ul style="list-style-type: none"> The PDP must give effect to the provisions as they relate to mineral extraction activities within the RPS and Parts 2 and 3 RMA. 	Reject	Topic 6: Rules
51.6	Elaine and Josephine Reddy	NFL-O1	Support	RETAIN NFL-O1 insofar as it gives greater significance and protection to Pukepohatu/Bald Rock and the surrounding valley that sits between Pukepohatu/Bald Rock and Pukekaroro.	<ul style="list-style-type: none"> To protect the valley and surrounding area by prohibiting mining, quarrying and adverse effects from large-scale earthworks and infrastructure that will impact the natural features and landscape. To protect the surrounding natural environment of Pukepohatu/Bald Rock and Pukekaroro, whose aesthetic values are of great value to the community. These maunga/mountains are connected to the surrounding landscape and hold historical significance to Te Uri o hau of Ngati Whatua, not as single identities and need to be viewed as an area of outstanding natural landscape. 	Accept	Topic 4: Objectives
FS29.6	Atlas Quarries Limited	NFL-O1	Oppose in part	Reject the relief sought in part.	<ul style="list-style-type: none"> The PDP must give effect to the provisions as they relate to mineral extraction activities within the RPS and Parts 2 and 3 RMA. 	Accept in part	Topic 4: Objectives
51.7	Elaine and Josephine Reddy	NFL-O2	Support	RETAIN NFL-O2 insofar as it gives greater significance and protection to Pukepohatu/Bald Rock and the surrounding	<ul style="list-style-type: none"> All maintenance will enhance the outstanding natural landscapes. For the protection of native and exotic vegetation through 	Accept	Topic 4: Objectives

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				valley that sits between Pukepohatu/Bald Rock and Pukekaroro.	<p>regenerative planting, to which quarrying and mining would cause damage and delay regeneration.</p> <ul style="list-style-type: none"> Natural science factor, including geological, topographical, ecological, and dynamic components. It is an example of a dacite dome, considered a fragile landform and mining/quarrying would damage the integrity of the structure. Maintenance of water, streams and rivers surrounding Pukepohatu/Bald Rock needs to be protected. 		
FS29.7	Atlas Quarries Limited	NFL-O2	Oppose in part	Reject the relief sought in part.	<ul style="list-style-type: none"> The PDP must give effect to the provisions as they relate to mineral extraction activities within the RPS and Parts 2 and 3 RMA. 	Accept in part	Topic 4: Objectives
51.8	Elaine and Josephine Reddy	NFL-P1	Support	RETAIN NFL-P1 insofar as it gives greater significance and protection to Pukepohatu/Bald Rock and the surrounding valley that sits between Pukepohatu/Bald Rock and Pukekaroro.	<ul style="list-style-type: none"> All maintenance will enhance the outstanding natural landscapes. For the protection of native and exotic vegetation through regenerative planting, to which quarrying and mining would cause damage and delay regeneration. Natural science factor, including geological, topographical, ecological, and dynamic components. It is an example of a dacite dome, considered a fragile landform and mining/quarrying would damage the integrity of the structure. 	Accept	Topic 5: Policies

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					<ul style="list-style-type: none"> Maintenance of water, streams and rivers surrounding Pukepohatu/Bald Rock needs to be protected. 		
FS29.8	Atlas Quarries Limited	NFL-P1	Oppose in part	Reject the relief sought in part.	<ul style="list-style-type: none"> The PDP must give effect to the provisions as they relate to mineral extraction activities within the RPS and Parts 2 and 3 RMA. 	Accept in part	Topic 5: Policies
51.9	Elaine and Josephine Reddy	NFL-P2	Oppose	No specific decision requested; however, the submission opposes NFL-P2.	<ul style="list-style-type: none"> To allow to continue without restriction the lawfully established land use and development within Outstanding Natural Features and Outstanding Natural Landscapes. The site is no longer safe for quarrying, mining or earthworks because of significant development in housing, subdivision and business in the area. The tangata whenua insight of the connection between land and people needs to be upheld and the site protected. There are aesthetic values, memorability and naturalness which are of great value to the community, including local activities and history. The aesthetic harmony of the two maunga and the valley, including views and giving a sense of place, strong community association, public esteem and sense of home and belonging. 	Reject	Topic 5: Policies

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FS29.9	Atlas Quarries Limited	NFL-P2	Oppose in part	Reject the relief sought in part.	<ul style="list-style-type: none"> The PDP must give effect to the provisions as they relate to mineral extraction activities within the RPS and Parts 2 and 3 RMA. 	Accept in part	Topic 5: Policies
73.1	PF Olsen Ltd	General	Amend	AMEND the boundaries of ONL23 (North Head Coast and Western Dune Lakes) to exclude areas that do not exhibit Outstanding Natural Landscape characteristics and undertake a site-specific review of these ONL boundaries using recent aerial imagery and land use records to ensure that only areas meeting ONL criteria are included in Schedule 5 (see map contained in original submission for extent of area of ONL23 that the submitter seeks be amended).	<ul style="list-style-type: none"> See submission for detailed reasons. Reasons are summarised as follows: Inaccuracy of ONL Mapping Failure of the area to meet ONL criteria Delay between the assessment undertaken by Kaipara District Council of ONL areas, and the notification of the Proposed District Plan. Inconsistencies with Higher-Order Documents, including the Northland Regional Policy Statement. Practical and legal implications of incorrect mapping - including recently planted commercial forestry or pastureland within ONL boundaries undermines the integrity and credibility of the ONL overlay creating uncertainty for landowners. 	Accept in part	Topic 2: ONL and ONF mapping
73.2	PF Olsen Ltd	General	Amend	AMEND the boundaries of ONL9 (Tangihua Range) to exclude areas that do not exhibit Outstanding Natural Landscape characteristics and undertake a site-specific review of these ONL boundaries using recent aerial imagery and land use records to ensure that only areas meeting ONL	<ul style="list-style-type: none"> See submission for full reasons. Reasons are summarised as follows: Inaccuracy of ONL Mapping - ONL9 boundaries encompass areas that either had pasture landscape or have been planted in commercial forestry. 	Reject	Topic 2: ONL and ONF mapping

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				criteria are included in Schedule 5 (see map contained in original submission for extent of area of ONL9 that the submitter seeks be amended).	<ul style="list-style-type: none"> • Failure to meet ONL criteria. • Delay in notification of the Proposed District Plan - Section 32 Report states ground-truthing undertaken by Kaipara District Council in 2019 but Proposed District Plan was notified in 2025. This is a 6-year gap. • Practical and legal implications of incorrect mapping - Including recently planted commercial forestry or pastureland within ONL boundaries undermines the integrity and credibility of the ONL overlay creating uncertainty for landowners. 		
73.3	PF Olsen Ltd	General	Amend	AMEND the boundaries of ONL8 (Maungaru Range) to exclude areas that do not exhibit Outstanding Natural Landscape characteristics and undertake a site-specific review of these ONL boundaries using recent aerial imagery and land use records to ensure that only areas meeting ONL criteria are included in Schedule 5 (see map contained in original submission for extent of area of ONL8 that the submitter seeks be amended).	<ul style="list-style-type: none"> • See submission for detailed reasons. Reasons are summarised as follows: • Inaccuracy of ONL Mapping • Failure of the area to meet ONL criteria • Delay between the assessment undertaken by Kaipara District Council of ONL areas, and the notification of the Proposed District Plan. • Practical and legal implications of incorrect mapping - including recently planted commercial forestry or pastureland within ONL boundaries undermines the integrity 	Reject	Topic 2: ONL and ONF mapping

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					and credibility of the ONL overlay creating uncertainty for landowners.		
73.11	PF Olsen Ltd	NFL-R3	Amend	<p>AMEND the reference to forestry tracks in NFL-R3.1.b.vii as follows:</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The activity complies with NFL-S5 Indigenous vegetation clearance; or</p> <p>b. Clearance for the operation, repair or maintenance of the following activities where they have been lawfully established:</p> <p>i. Fences;</p> <p>ii. Infrastructure, including effluent disposal systems;</p> <p>iii. Buildings and swimming pools;</p> <p>iv. Driveways, parking areas and access;</p> <p>v. Walking tracks;</p> <p>vi. Cycling tracks;</p> <p>vii. Farming and <u>commercial</u> forestry tracks; and</p> <p>viii. Farm drains.</p>	<ul style="list-style-type: none"> The term forestry tracks is imprecise and risks inconsistent interpretation and implementation. The amendment to refer to <u>commercial</u> forestry tracks is to improve clarity and ensure alignment with other plan provisions. The terminology more accurately reflects the scope and intent of the rules. 	Reject	Topic 6: Rules
73.12	PF Olsen Ltd	NFL-R4	Amend	<p>AMEND the reference to forestry tracks in NFL-R4.1.b. as follows:</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The earthworks complies with NFL-S4 Earthworks; or</p> <p>b. The earthworks is for the maintenance of lawfully established roads, fences, utility connections, driveways, parking</p>	<ul style="list-style-type: none"> The term forestry tracks is imprecise and risks inconsistent interpretation and implementation. The amendment to refer to <u>commercial</u> forestry tracks is to improve clarity and ensure alignment with other plan provisions. The terminology more accurately reflects the scope and intent of the rules. 	Reject	Topic 6: Rules

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				areas, effluent disposal systems, swimming pools, walking or cycling tracks, or farm and <u>commercial</u> forestry tracks.			
99.1	Venessa Anich	NFL-P6	Amend	AMEND NFL-P3 to include reference to Ripiro Beach and the Wild West Coast ONL (West Coast Ocean Beach).	<ul style="list-style-type: none"> It has "special characteristics for Kaipara District." 	Reject	Topic 5: Policies
99.2	Venessa Anich	Overview	Amend	<p>RETAIN the statement in the Overview of the Natural Features and Landscapes chapter that ONL's are undeveloped and should be protected from inappropriate subdivision and development, as a Part II RMA matter and should be protected as per NZCPS requirements.</p> <p>AND</p> <p>ADD a statement to the Overview in the Natural Features and Landscapes chapter that the intention of the District Plan for ONLs to remain undeveloped.</p>	<ul style="list-style-type: none"> No reasons provided. 	Accept in part	Topic 5: Policies
99.3	Venessa Anich	NFL-P6	Amend	ADD to NFL-P6.4 that buildings should not be visible within the ONL West Coast Ocean Beach from Ripiro beach, including at low tide.	<ul style="list-style-type: none"> Ripiro Beach is worthy of special mention because of its unique characteristics of being the Wild West Coast. Built form visible from the beach detracts from the unique characteristics, with the exception of established communities like Bayleys or Glinks Gully. Ripiro Beach needs to be protected from development being visible from the beach even at low tide. 	Reject	Topic 5: Policies

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99.4	Venessa Anich	NFL-P3	Amend	ADD to NFL-P3 provision to mention Ripiro Beach as being the Wild West Coast.	<ul style="list-style-type: none"> The submitter requests including Ripiro Beach as being the Wild West Coast to this provision. 	Reject	Topic 5: Policies
99.5	Venessa Anich	NFL-R2	Amend	AMEND NFL-R2 to clarify how the rule controls new buildings and structures in the Coastal Environment.	<ul style="list-style-type: none"> It is unclear which sub part of this rule controls new buildings and structures in an ONL in the Coastal Environment. 	Reject	Topic 6: Rules
119.5	Amanda (Mandy) Harris	General	Amend	AMEND the Landscape, Landforms and Natural Character chapters to include stormwater management provisions.	<ul style="list-style-type: none"> The submitter supports the inclusion of comprehensive urban stormwater planning provisions in the Proposed Kaipara District Plan 2025. Kaiwaka is identified as a key growth area, therefore it is essential that the District Plan embeds robust, future-focused infrastructure policies to safeguard environmental health, reduce flood risk, and support sustainable community development. Stormwater provisions should be embedded across multiple chapters of the District Plan to reflect the cross-cutting nature of water infrastructure and its impact on land use, biodiversity, and hazard management. These methods align with Te Mana o te Wai, reduce pollution, and enhance climate resilience. Without firm direction in the District Plan, Kaipara risks being reactive to changing government policy rather 	Reject	Topic 1: General Submissions on the NFL Chapter

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					<p>than proactive in protecting its unique environment.</p> <ul style="list-style-type: none"> • Māori and local lived experience are essential for designing resilient, place-based infrastructure. I support the inclusion of policy that reflects the knowledge and expertise of local Tangata Whenua. • Without enforceable obligations, stormwater systems risk becoming reactive rather than preventive. • Extreme weather and rising groundwater levels are already impacting infrastructure resilience: <ul style="list-style-type: none"> ○ Kaiwaka’s wastewater treatment plant leaked into the Kaiwaka River following heavy rainfall in May 2025. ○ Urban runoff from SH1 contributes heavy metals, hydrocarbons, and sediment to receiving waters. ○ Flood-prone development and limited Council resourcing have resulted in unsafe footpaths, damaged properties, and insufficient drainage. ○ Insurance risks are climbing, with some properties potentially becoming uninsurable. • Recent events underscore the urgent need for improved infrastructure: 		

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					<ul style="list-style-type: none"> ○ The May 2025 overflow of the Kaiwaka Wastewater Treatment Plant led to a health warning for the Kaiwaka and Otamatea rivers and Kaipara Harbour. ○ Urban development along SH1 has intensified runoff and pollutant loading. ○ Two open gullies currently drain unfiltered stormwater directly into the Kaiwaka River. ○ Many private properties have inadequate or unsafe stormwater systems, with limited Council capacity to enforce compliance. ● Kaiwaka’s topography offers natural opportunities for bioretention and green infrastructure. These should be leveraged to: <ul style="list-style-type: none"> ○ Reduce runoff velocity and volume. ○ Filter contaminants before they reach the river. ○ Mitigate future leakage from the wastewater plan. ● The submitter believes that addressing stormwater and wastewater issues in Kaiwaka through the District Plan is not only prudent, it is essential. The health of the river, the safety of the community, and the long-term 		

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					viability of Kaiwaka as a growth node depend on it.		
136.61	Federated Farmers of New Zealand (Inc) - Northland Province	NFL-R3	Support	DELETE NFL-R3. AND ADD NFL-R3 to the Ecosystems and Indigenous Biodiversity chapter. AND Any consequential amendments.	<ul style="list-style-type: none"> The submitter considers that the PDP may be easier to use if all rules for indigenous vegetation clearance, including those in the overlays, are located in the Ecosystems and Indigenous Biodiversity chapter. The National Planning Standards gives mandatory direction for the layout of District Plans. Section 7, clause 19 states that matters relating to the maintenance of biological diversity must be located in the Ecosystems and Indigenous Biodiversity chapter, although clause 20 also provides for provisions to protect natural character to be located in the Natural Character chapter. Section 7, clause 28 (a) allows the Coastal Environment chapter to set out provisions for implementing coastal environment functions and duties, while (c) provides for cross-referencing to specific coastal provisions that may be located in other chapters. 	Reject	Topic 6: Rules
136.62	Federated Farmers of New Zealand (Inc) -	NFL-R7	Support	DELETE NFL-R7. AND ADD NFL-R7 to the Ecosystems and Indigenous Biodiversity chapter.	<ul style="list-style-type: none"> The submitter considers that the PDP may be easier to use if all rules for indigenous vegetation clearance, including those in the overlays, are 	Reject	Topic 6: Rules

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	Northland Province			AND Any consequential amendments.	<p>located in the Ecosystems and Indigenous Biodiversity chapter.</p> <ul style="list-style-type: none"> The National Planning Standards gives mandatory direction for the layout of District Plans. Section 7, clause 19 states that matters relating to the maintenance of biological diversity must be located in the Ecosystems and Indigenous Biodiversity chapter, although clause 20 also provides for provisions to protect natural character to be located in the Natural Character chapter. Section 7, clause 28 (a) allows the Coastal Environment chapter to set out provisions for implementing coastal environment functions and duties, while (c) provides for cross-referencing to specific coastal provisions that may be located in other chapters. 		
136.63	Federated Farmers of New Zealand (Inc) - Northland Province	NFL-S5	Support	DELETE NFL-S5. AND ADD NFL-S5 to the Ecosystems and Indigenous Biodiversity chapter. AND Any consequential amendments.	<ul style="list-style-type: none"> The submitter considers that the PDP may be easier to use if all rules for indigenous vegetation clearance, including those in the overlays, are located in the Ecosystems and Indigenous Biodiversity chapter. The National Planning Standards gives mandatory direction for the layout of District Plans. Section 7, clause 19 states that matters relating 	Reject	Topic 6: Rules

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					to the maintenance of biological diversity must be located in the Ecosystems and Indigenous Biodiversity chapter, although clause 20 also provides for provisions to protect natural character to be located in the Natural Character chapter. Section 7, clause 28 (a) allows the Coastal Environment chapter to set out provisions for implementing coastal environment functions and duties, while (c) provides for cross-referencing to specific coastal provisions that may be located in other chapters.		
136.77	Federated Farmers of New Zealand (Inc) - Northland Province	NFL-O1	Support	RETAIN NFL-O1 as notified. OR Wording with similar intent. AND Any consequential amendments.	<ul style="list-style-type: none"> Supports NFL-O1 as notified. 	Accept	Topic 4: Objectives
136.78	Federated Farmers of New Zealand (Inc) - Northland Province	NFL-O2	Support	AMEND NFL-O2 as follows: <u>To promote</u> the maintenance and enhancement of the characteristics, qualities and values <u>that contribute to the recognition</u> of Outstanding Natural Features and Outstanding Natural Landscapes <u>is promoted</u> . AND Any consequential amendments.	<ul style="list-style-type: none"> The submitter would prefer amendments to NFL-O2 so that it improves its framing as an objective. 	Reject	Topic 4: Objectives

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FS93.35	Royal Forest and Bird Protection Society of NZ	NFL-O2	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> Amendments sought will add uncertainty and are inconsistent with protecting ONFLs. 	Accept	Topic 4: Objectives
136.79	Federated Farmers of New Zealand (Inc) - Northland Province	NFL-P1	Support	<p>AMEND NFL-P1 as follows: Enable activities that maintain, restore or enhance the characteristics, qualities and values of ONF and ONL as set out in Schedule 4 and Schedule 5, including: <u>a. conservation activities; and</u> <u>b. the removal of redundant buildings and structures;</u> <u>c. new buildings or structures where there is a functional need or operational need;</u> <u>d. activities for health and safety or biosecurity purposes.</u> OR With wording to similar effect. OR ADD a new NFL policy to recognise and provide for the activities identified in c. and d. above. AND Any consequential amendments.</p>	<ul style="list-style-type: none"> The submitter supports NFL-P1 in part. It is noted that there is no specific policy that provides for new activities with an operational or functional need to be located in an ONL or ONF. For natural character, this policy provision has been made by both policies NATC-P2 and NATC-P3. The submitter seeks that similar provisions are included in the Natural Features and Landscapes chapter. This would be consistent with NFL-R1 and NFL-R2 which provide for new buildings and structures and alterations and additions. 	Reject	Topic 5: Policies
FS93.36	Royal Forest and Bird Protection Society of NZ	NFL-P1	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> Amendments sought will add uncertainty and are inconsistent with protecting ONFLs. 	Accept	Topic 5: Policies
136.80	Federated Farmers of New Zealand (Inc) -	NFL-P2	Support	<p>RETAIN NFL-P2 as notified. OR With wording that achieves a similar effect.</p>	<ul style="list-style-type: none"> Supports NFL-P2 as notified. 	Accept in part	Topic 5: Policies

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	Northland Province			AND Any other consequential amendments.			
136.81	Federated Farmers of New Zealand (Inc) - Northland Province	NFL-P3	Support	RETAIN NFL-P3 as notified. OR With wording that achieves a similar effect. AND Any other consequential amendments.	<ul style="list-style-type: none"> Supports NFL-P3 as notified. 	Accept in part	Topic 5: Policies
136.82	Federated Farmers of New Zealand (Inc) - Northland Province	NFL-P4	Support	<p>AMEND NFL-P4 as follows: Outside the coastal environment, <u>ensure the adverse effects of land use and development on the characteristics, qualities and values of ONFs and ONLs set out in Schedule 4 and Schedule 5 are:</u></p> <ol style="list-style-type: none"> <u>Avoided, where the adverse effects are significant-adverse effects of land use and development on the characteristics, qualities and values of ONF and ONL as set out in Schedule 4 and Schedule 5;</u> and <u>All other effects are a Avoided, remedied or mitigated-other adverse effects (including cumulative adverse effects) of land use and development on the characteristics, qualities and values of ONF and ONL including by: ...</u> <p>AND DELETE NFL-P4 clause 2.c in favour of its inclusion in NFL-P6; AND Any consequential amendments.</p>	<ul style="list-style-type: none"> The submitter supports in part NFL-P4. Amendments are sought to improve clarity so that it is made clear that the characteristics, qualities and values being considered are those specifically listed in Schedules 4 and 5. It is noted that clause 2.c effectively lists matters of discretion that will be considered in the assessment of resource consent applications, it is felt that the Council should consider simplifying its policy framework by deleting clause 2.c from policy NFL-P4 and including it in policy NFL-P6 which deals directly with the assessment of resource consents. 	Accept in part	Topic 5: Policies

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FS45.11	Director General of Conservation	NFL-P4	Oppose in part	Disallow the submission in part.	<ul style="list-style-type: none"> Supports the intent being to simplify NFL-P4 for plan effectiveness. However, the amendments sought by the submitter are opposed in part as they do not sufficiently implement 6(b) RMA or relevant policy direction. 	Accept in part	Topic 5: Policies
FS93.37	Royal Forest and Bird Protection Society of NZ	NFL-P4	Support	Allow the original submission.	<ul style="list-style-type: none"> Amendments to clause 2 must retain “including by: (a) In...; and (b) In...”. 	Accept in part	Topic 5: Policies
136.83	Federated Farmers of New Zealand (Inc) – Northland Province	NFL-P6	Support	<p>AMEND NFL-P6 as follows:</p> <p>Have regard to the following matters when assessing the effects of resource consent applications for land use and development <u>on the characteristics, qualities and values of an ONF and ONL set out in Schedule 4 and Schedule 5: ...</u></p> <p><u>X1. The operational need or functional need of any building or structures;</u></p> <p><u>X2. Integration of development into the ONF or ONL, maintenance of low development density, and retention of predominant vegetation cover;</u></p> <p><u>X3. The location, design, scale, prominence and visibility of any buildings, structures, access, earthworks and indigenous vegetation clearance;</u></p> <p><u>X4. Methods and timelines for restoring or reinstating earthworks and revegetating land; and</u></p>	<ul style="list-style-type: none"> The submitter supports NFL-P6 in part. Amendments are sought so that: Provision for the consideration of the functional or operational need of any building and structure (consistent with the relief sought for policy NFL-P1). A link back to the characteristics, qualities and values of ONFs and ONLs as set out in Schedules 4 and 5, consistent with policy NFL-P4. Incorporation of the matters of discretion that are currently located in policy NFL-P4, clause 2.c. Improved alignment with policy NATC-P5, which is a similar policy for natural character (which has similarities and linkages to landscape and features). It would be helpful to plan users to use a similar order and wording of 	Accept in part	Topic 5: Policies

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				<p><u>X5. The finish of any buildings or structures, including materials, reflectivity and colour; and landscaping and fencing.</u> AND AMEND the order and phrasing of the conditions of policy NFL-P6, to improve consistency and alignment with policy NATC-P5. AND Any consequential amendments.</p>	<p>matters that are common to both Natural Character and Natural Features and Landscapes.</p> <ul style="list-style-type: none"> It is also noted that subdivision is included in policy NATC-P5 but is omitted from policy NFL-P6. The standard SUB-S14 otherwise lists matters of discretion for subdivision and does not otherwise link back to provisions in either the Natural Character or Natural Features and Landscape chapters. 		
FS45.12	Director General of Conservation	NFL-P6	Oppose in part	Disallow the submission in part.	<ul style="list-style-type: none"> Supports the proposed additions in part, but considers the policy needs to include additional matters in order to appropriately implement s6(b) RMA and relevant policy direction. 	Accept in part	Topic 5: Policies
FS93.38	Royal Forest and Bird Protection Society of NZ	NFL-P6	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> The proposed clause X1 is not appropriate. 	Accept in part	Topic 5: Policies
136.84	Federated Farmers of New Zealand (Inc) – Northland Province	NFL-R1	Support	<p>AMEND NFL-R1 as follows: 3. Activity status when compliance not achieved: <u>Restricted</u> Discretionary 4. Matters over which discretion is restricted: a. <u>The matters in NFL-P5; and</u> b. <u>The positive effects of the activity.</u> OR Wording of similar effect. AND</p>	<ul style="list-style-type: none"> The submitter supports NFL-R1 in part. However, it is thought that the Council can reasonably identify all of effects or issues that this activity may have, and as such the rule when compliance is not achieved should be given restricted discretionary status. This would improve certainty and efficiency for both landowners and the Council. The activity 	Accept	Topic 6: Rules

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				Any consequential amendments.	provided for is not complex, or its effects uncertain, to justify the current discretionary rule status.		
FS93.39	Royal Forest and Bird Protection Society of NZ	NFL-R1	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> Such amendments are inconsistent with s6(a) and s6(c) RMA and will not give effect to the RPS, NPSIB or the NZCPS. 	Reject	Topic 6: Rules
136.85	Federated Farmers of New Zealand (Inc) - Northland Province	NFL-R2	Support	AMEND NFL-R2 so that it provides for new buildings and structures associated with farming as a permitted activity regardless of whether the building or structure is within or outside of an ONF or ONL overlay, inside or outside of the coastal environment.	<ul style="list-style-type: none"> The submitter supports NFL-R2. However, the limitation on new buildings and structures only being permitted when associated with regionally significant infrastructure is not supported. The default to an activity then being classified as non-complying simply because it is not related to regional significant infrastructure is not supported either. The coastal environment overlay covers over 57 percent of farms located in the Kaipara district – an area of around 12,292 hectares. The requirement for farmers to have to go through a non-complying resource consent application each time they want to erect a new building or structure on their land is onerous and unwarranted. 	Reject	Topic 6: Rules
FS93.40	Royal Forest and Bird Protection Society of NZ	NFL-R2	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> Such amendments are inconsistent with s6(a) and s6(c) RMA and will not 	Reject	Topic 6: Rules

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					give effect to the RPS, NPSIB or the NZCPS.		
136.86	Federated Farmers of New Zealand (Inc) - Northland Province	NFL-R3	Support	<p>AMEND NFL-R3 as follows: ONL outside the coastal environment 1. Activity status: Permitted Where: ... b. Clearance for the operation, repair or maintenance of the following activities where they have been lawfully established:</p> <ul style="list-style-type: none"> i. Fences; ii. Infrastructure, including effluent disposal systems; iii. Buildings and swimming pools; iv. Driveways, parking <u>or hardstand</u> areas and access; v. Walking tracks; vi. Cycling tracks; vii. Farming and forestry tracks; and viii. Farm drains <p><u>ix new buildings or structures permitted by NFL-R2; or</u> <u>x biosecurity or natural hazard management purposes.</u> AND ONL within the coastal environment Where: ... <u>X. the activity is associated with essential farming activities such as fencing, farm tacks and farm drains.</u></p>	<ul style="list-style-type: none"> • The submitter supports NFL-R3 ONL in part. • There is provision for maintenance of existing identified assets that are not subject to an area restriction. The submitter believes amendments are necessary to ensure the new activities that have been requested are provided for in policy NATC-P1, being new buildings and structures (also provided for by rule NFL-R2) and work necessary for biosecurity or hazard management purposes. • The submitter does not support the default activity status for ONLs within the coastal environment and the fact that only clearance associated with regionally significance infrastructure is provided for as a permitted activity. The coastal environment overlay covers over 57 percent of farms located in the Kaipara district. The requirement for farmers to have to go through a noncomplying resource consent application each time they want to clear indigenous vegetation on their land is restrictive and unnecessary. 	Accept in part	Topic 6: Rules

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				<p>OR With wording of similar effect; AND AMEND the formatting, order and phrasing of the conditions of rule NFL-R3 to improve consistency and alignment with rules NATC-R4 and NFL-R4. AND DELETE NFL-R3. AND ADD NFL-R3 into the Ecosystems and Indigenous Biodiversity chapter. AND Any consequential amendments.</p>	<ul style="list-style-type: none"> It would also be useful for plan users if a similar format and wording was used in this rule as has been used in NATC-R4 and NFL-R4. As previously highlighted in its submission, the submitter supports all provisions for indigenous vegetation clearance being located in the Ecosystems and Indigenous Biodiversity chapter. By doing this, consistency with the National Planning Standards would be achieved. 		
FS45.13	Director General of Conservation	NFL-R3	Oppose in part	Disallow the submission in part.	<ul style="list-style-type: none"> Do not support the additions sought as they are inconsistent with any recognition and provision for relevant matters of national importance under the RMA. 	Accept in part	Topic 6: Rules
FS93.41	Royal Forest and Bird Protection Society of NZ	NFL-R3	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> Such amendments are inconsistent with s6(a) and s6(c) RMA and will not give effect to the RPS, NPSIB or the NZCPS. 	Accept in part	Topic 6: Rules
FS89.6	P F Olsen	NFL-R3	Support in part	Accept the submission in part.	<ul style="list-style-type: none"> The submission point is consistent with this submitter's intent that primary production infrastructure remains workable within ONLs. However, the term "commercial forestry tracks" is preferable to avoid ambiguity and to align with NES-CF. 	Accept in part	Topic 6: Rules

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
					<ul style="list-style-type: none"> Supports the maintenance of farm and commercial forestry tracks and drains being enabled in NFL-R3 (amended to replace “forestry tracks” with “farm and commercial forestry tracks” or equivalent throughout the rule). 		
136.87	Federated Farmers of New Zealand (Inc) - Northland Province	NFL-R4	Support	<p>AMEND NFL-R4 as follows:</p> <p>(a) ONL outside the coastal environment</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The activity complies with NFL-S4 – Earthworks; or</p> <p>b. The earthworks is for the maintenance of lawfully established <u>infrastructure roads</u>, fences, utility connections, driveways, parking <u>or hardstand</u> areas, effluent disposal systems, swimming pools, walking or cycling tracks, or farm and forestry tracks; <u>or</u></p> <p>(c) <u>new buildings or structures permitted by NFL-R2; or</u></p> <p>(iii) <u>biosecurity or natural hazard management purposes</u></p> <p>AND</p> <p>AMEND the formatting, order and phrasing of the conditions of rule NFL-R3, to improve consistency and alignment with rule NATC-R4;</p> <p>AND</p> <p>ADD NFL-R4 to the Earthworks chapter.</p>	<ul style="list-style-type: none"> The submitter supports the rule as it provides for earthworks as a permitted activity with restricted discretionary status where compliance is not achieved. The submitter believes amendments to the rule are necessary to ensure the new activities that have been requested are provided for in NATC-P1, being new buildings and structures (also provided for by NFL-R2) and work necessary for biosecurity or hazard management purposes. It is noted that the rule also makes provision for farm drains and farm tracks. While this inclusion is supported by the submitter, it again highlights the issue of how the Council has treated the matter of infrastructure in its PDP which is creating confusion. The submitter appreciates recognition of farm drains in the rule, 	Reject	Topic 6: Rules

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
				<p>AND ADD to NFL-R4 ONL within the coastal environment as follows: Where: ... <u>X. the activity is associated with essential farming activities such as fencing, farm tacks and farm drains.</u></p> <p>OR Wording with similar effect. AND Any consequential amendments.</p>	<p>these meet the definition of "Infrastructure", so the submitter believes it is unnecessary to specifically identify them here.</p> <ul style="list-style-type: none"> • It would be helpful to plan users to use a similar formatting, order and wording to NATC-R4. It is also considered that the PDP may be easier to use if all provisions for earthworks are in the Earthworks chapter in accordance with the National Planning Standards. • The default activity status for ONLs within the coastal environment is not supported as the coastal environment overlay covers over 57 percent of farms located in the Kaipara district. The requirement for farmers to have to go through a non-complying resource consent application each time they want to clear indigenous vegetation on their land is restrictive and unnecessary. 		
FS89.7	P F Olsen	NFL-R4	Support in part	Accept the submission in part.	<ul style="list-style-type: none"> • Supports in part to ensure the maintenance of farm and commercial forestry tracks and drains is enabled. • Notably, supports the enabling intent of the submission but opposes the continued use of the generic "forestry tracks" terminology. Terminology 	Reject	Topic 6: Rules

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					consistent with its relief sought and NES-CF is preferred.		
FS93.42	Royal Forest and Bird Protection Society of NZ	NFL-R4	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> Such amendments are inconsistent with s6(a) and s6(c) RMA and will not give effect to the RPS, NPSIB or the NZCPS. 	Accept	Topic 6: Rules
146.30	New Zealand Agricultural Aviation Association	NFL-O2	Amend	AMEND NFL-O2 as follows: The maintenance and enhancement of the characteristics, qualities and values of Outstanding Natural Features and Outstanding Natural Landscapes is promoted <u>and provided for</u> .	<ul style="list-style-type: none"> Activities that maintain and enhance ONF's and ONL's should be provided for and promoted. 	Reject	Topic 4: Objectives
146.31	New Zealand Agricultural Aviation Association	NFL-P1	Support	RETAIN NFL-P1 as notified.	<ul style="list-style-type: none"> The restoration and enhancement of ONFs and ONLs are important for community wellbeing. 	Accept in part	Topic 5: Policies
146.32	New Zealand Agricultural Aviation Association	NFL-R7	Amend	RETAIN NFL-R7. AND AMEND NFL-S5 as requested (contained in another submission point).	<ul style="list-style-type: none"> Supports NFL-R7 but requests that amendments are made to NFL-S5. The submitter considers the eradication of pests for conservation and biosecurity is vital to restore and enhance ONFs and ONLs. 	Accept in part	Topic 6: Rules
146.33	New Zealand Agricultural Aviation Association	NFL-S5	Support	AMEND NFL-S5.1. as follows: The indigenous vegetation clearance must not exceed 150m ² in any 12- month period per site <u>except when the clearance of indigenous vegetation is for the purposes of eradicating pest weeds</u> .	<ul style="list-style-type: none"> The eradication of pest weeds requires total removal of the invasion. As such, restricting the area of clearance compromises NFL Objectives seeking to restore and enhance ONFs and ONLs. The submitter notes that oftentimes pest 	Accept in part	Topic 7: Standards

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					weeds can be intermingled with indigenous vegetation.		
FS23.5	W Birt	NFL-S5	Support	Allow the original submission.	<ul style="list-style-type: none"> Considers it important to control pest weeds efficiently. 	Accept in part	Topic 7: Standards
FS93.78	Royal Forest and Bird Protection Society of NZ	NFL-S5	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> Amendment sought is inappropriate and may result in unrestricted loss of indigenous vegetation and habitats. 	Accept in part	Topic 7: Standards
149.55	Royal Forest and Bird Protection Society of New Zealand Incorporated	Overview	Amend	<p>AMEND the second paragraph of the Overview to the Natural Features and Landscapes chapter so it clearly states that natural features and landscapes are sensitive to inappropriate subdivision, use, and development. Also, so that appropriate proposals avoid adverse effects on identified values.</p> <p>AND</p> <p>AMEND the Overview to the Natural Features and Landscapes chapter to remove or reframe language that implies development may be acceptable in areas deemed 'less sensitive' to avoid creating a permissive interpretation that could undermine the protection of natural character and landscape values.</p> <p>AND</p> <p>AMEND the Overview to expressly acknowledge areas frequently contain indigenous vegetation and habitat for indigenous fauna, and these biodiversity</p>	<ul style="list-style-type: none"> The submitter is generally supportive of the Overview but considers the second paragraph should be reframed to better reflect how sensitivity of natural features and landscapes relates to vulnerability to inappropriate subdivision, use, and development. Appropriate proposals are those capable of maintaining or enhancing identified values. The submitter requests that language implying that development may be acceptable in areas deemed 'less sensitive' is either removed or amended in order to avoid creating a permissive interpretation capable of undermining the protection of natural character and landscape value and may enable the degradation of values over time. The Overview must include greater recognition of how these areas provide indigenous biodiversity, with 	Reject	Topic 3: Overview

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				values make up an area's 'outstanding' value. AND Any consequential amendments and alternative relief to address the concerns raised.	indigenous vegetation and indigenous fauna present, and that this contributes to value.		
FS42.11	Chorus, Spark, Fortysouth, One NZ and Connexa	Overview	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> The amendments proposed would not align with notified policy INF-P5. 	Accept	Topic 3: Overview
FS45.46	Director General of Conservation	Overview	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> Does not support the proposed cumulative threshold, as it permits the same amount of vegetation clearance as the current standard. 	Accept	Topic 3: Overview
149.56	Royal Forest and Bird Protection Society of New Zealand Incorporated	NFL-P2	Oppose	<p>AMEND NFL-P2 as follows: Recognise that lawfully established land use and development are located within Outstanding Natural Features and Outstanding Natural Landscapes and allow them to continue without undue restriction <u>provided that additional adverse effects on the characteristics, qualities and values of Outstanding Natural Features and Outstanding Natural Landscapes as set out in Schedule 4 and Schedule 5 are avoided.</u> AND Any consequential amendments and alternative relief to address the concerns raised.</p>	<ul style="list-style-type: none"> The submitter considers that, without amendment, NFL-P2 could enable unrestricted existing use and development. This could result in the incremental intensification of existing activities and use over time, thus adversely affecting the values which make an area outstanding. It is requested that NFL-P2 is amended to restrict the scale and intensity of existing use and development from increasing. 	Reject	Topic 5: Policies

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FS35.34	Bream Tail Residents Association	NFL-P2	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> The relief sought is not in accordance with existing use rights under the RMA. Moreover, it does not appropriately recognise existing land uses as required by the RPS. 	Accept	Topic 5: Policies
FS41.11	Channel Terminal Services Ltd	NFL-P2	Oppose	Reject the relief sought.	<ul style="list-style-type: none"> Does not consider the proposed amendment to NPF-P2 is appropriate or necessary. It would be overly restrictive and unjustifiably constrain reasonable use and development Additional adverse effects arising from lawfully established activities can be appropriately managed. A balanced approach is necessary to protect outstanding values and the continued use of existing land use and development. 	Accept	Topic 5: Policies
FS44.33	Daytona Trust	NFL-P2	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> The relief sought is not in accordance with existing use rights under the RMA. Moreover, it does not appropriately recognise existing land uses as required by the RPS. 	Accept	Topic 5: Policies
FS45.47	Director General of Conservation	NFL-P2	Support	Allow the original submission.	<ul style="list-style-type: none"> Supports the amendments proposed as they recognise and provide for s6(b) RMA. 	Reject	Topic 5: Policies
FS47.52	Federated Farmers of New Zealand	NFL-P2	Oppose	Reject the relief sought.	<ul style="list-style-type: none"> The relief sought will generate confusion regarding what 'additional adverse effects' means and is inconsistent with Federated Farmers' submission. 	Accept	Topic 5: Policies

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
FS82.86	Northpower Limited	NFL-P2	Oppose	Reject the relief sought.	<ul style="list-style-type: none"> A blanket 'avoid' for additional adverse effects arising from lawfully established land use and development would be overly restrictive given additional adverse effects can be appropriately managed. 	Accept	Topic 5: Policies
FS97.33	Tappenden Holdings Limited	NFL-P2	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> The relief sought is not in accordance with existing use rights under the RMA. Moreover, it does not appropriately recognise existing land uses as required by the RPS. 	Accept	Topic 5: Policies
149.57	Royal Forest and Bird Protection Society of New Zealand Incorporated	NFL-P3	Amend	<p>DELETE NFL-P3 from the Natural Features and Landscapes Chapter.</p> <p>AND</p> <p>ADD NFL-P3 to the Coastal Environment Chapter.</p> <p>AND</p> <p>AMEND NFL-P3 to give effect to Policy 15 of the New Zealand Coastal Policy Statement.</p> <p>AND</p> <p>Any consequential amendments and alternative relief to address the concerns raised.</p>	<ul style="list-style-type: none"> The submitter opposes NFL-P3 in part. All coastal environment-related provisions should be within the Coastal Environment chapter. This change is sought for plan certainty and effectiveness. Policy 15 of the New Zealand Coastal Policy Statement provides direction on adverse effects which are not included in NFL-P3. In order to give effect to the New Zealand Coastal Policy Statement, Policy 15 wording should be included within the PDP. 	Reject	Topic 5: Policies
FS45.48	Director General of Conservation	NFL-P3	Support	Allow the original submission.	<ul style="list-style-type: none"> It is appropriate for NFL-P3 to be relocated into the Coastal Environment chapter. 	Reject	Topic 5: Policies

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
149.58	Royal Forest and Bird Protection Society of New Zealand Incorporated	NFL-P4	Amend	AMEND NFL-P4 to include indigenous vegetation alteration and removal as considerations when avoiding, remedying and mitigating adverse effects on features and landscapes. AND Any consequential amendments and alternative relief to address the concerns raised.	<ul style="list-style-type: none"> The submitter opposes NFL-P4 in part as they consider that the policy does not cover indigenous vegetation alteration or clearance, despite indigenous vegetation contributing to the value, quality and characteristics of most outstanding natural features and landscapes. It is requested that NFL-P4 is amended to include direction on indigenous vegetation alteration and clearance. 	Reject	Topic 5: Policies
FS45.49	Director General of Conservation	NFL-P4	Support	Allow the original submission.	<ul style="list-style-type: none"> Supports the proposed wording and considers the alternatives test to be an appropriate measure to protect ONFLs. 	Reject	Topic 5: Policies
FS58.6	J & C Hawley	NFL-P4	Support	Allow the original submission.	<ul style="list-style-type: none"> Amend NFL-P4 to place greater emphasis on the retention of indigenous vegetation in ONLs and restrictions on alteration and clearance. 	Reject	Topic 5: Policies
FS74.6	Marunui Conservation Ltd	NFL-P4	Support	Allow the original submission.	<ul style="list-style-type: none"> Amend NFL-P4 to place greater emphasis on the retention of indigenous vegetation in ONLs and restrictions on alteration and clearance. 	Reject	Topic 5: Policies
149.59	Royal Forest and Bird Protection Society of New Zealand	NFL-P5	Oppose	ADD a new clause to NFL-P5 which requires demonstration of there being no other feasible alternative locations available	<ul style="list-style-type: none"> The submitter is concerned that, as currently drafted, the policy can enable development of infrastructure within Outstanding Natural Features 	Reject	Topic 5: Policies

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
	Zealand Incorporated			outside of the Outstanding Natural Feature or Outstanding Natural Landscape. AND Any consequential amendments and alternative relief to address the concerns raised.	and Outstanding Natural Landscapes without sufficient consideration of whether it could be feasibly located elsewhere. <ul style="list-style-type: none"> By including an alternatives test, this would help to ensure the protection of Outstanding Natural Features and Outstanding Natural Landscapes and give it appropriate weight in decision-making. Moreover, this is consistent with higher-order policy direction. 		
149.60	Royal Forest and Bird Protection Society of New Zealand Incorporated	General	Amend	AMEND NFL Rules so that compliance with NFL-S4 and NFL-S5 is required for all permitted activities. AND Any consequential amendments and alternative relief to address the concerns raised.	<ul style="list-style-type: none"> The submitter opposes these rules in part. The submitter is concerned that NFL rules, as currently drafted, do not require permitted activities to meet indigenous vegetation clearance and earthworks standards. Rules should include a condition requiring compliance with NFL- S4 and NFL-S5, in order to ensure the protection of outstanding natural features and landscapes in accordance with section 6(b) RMA. 	Reject	Topic 6: Rules
FS58.7	J & C Hawley	General	Support	Allow the original submission.	<ul style="list-style-type: none"> Requiring compliance with standards NFL S4 and NFL-S5 for all permitted activities and cross referencing relevant rules will serve to better protect ONLs. 	Reject	Topic 6: Rules

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
FS74.7	Marunui Conservation Ltd	General	Support	Allow the original submission.	<ul style="list-style-type: none"> Requiring compliance with standards NFL S4 and NFL-S5 for all permitted activities and cross referencing relevant rules will serve to better protect ONLs. 	Reject	Topic 6: Rules
FS82.92	Northpower Limited	General	Oppose	Reject the relief sought.	<ul style="list-style-type: none"> Compliance with NFL-S4 and NFL-S5 should not be required for all permitted activities. In particular, earthworks and indigenous vegetation clearance required for the operation, repair, maintenance and upgrading of lawfully established infrastructure. Requiring such compliance would result in additional unnecessary costs and delays. The submitter seeks to retain notified provisions which provide exemptions for earthworks and indigenous vegetation clearance associated with the operation, repair, maintenance and upgrading of lawfully established infrastructure from NFL-S4 and NFL-S5. 	Accept	Topic 6: Rules
149.61	Royal Forest and Bird Protection Society of New Zealand Incorporated	NFL-S2	Amend	AMEND NFL-S2 to ensure all buildings and structures are covered by the rule framework and associated gross floor area standard. AND	<ul style="list-style-type: none"> The submitter opposes NFL-S2 in part. The submitter notes that buildings other than accessory buildings and residential units may be proposed within an Outstanding Natural Feature or Landscape area, and the standard (and associated 	Reject	Topic 7: Standards

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				Any consequential amendments and alternative relief to address the concerns raised.	rules) do not cover other types of buildings.		
149.62	Royal Forest and Bird Protection Society of New Zealand Incorporated	NFL-S4	Oppose	ADD to NFL-S4 a 500m ³ lifetime of plan limit on earthworks per site for permitted or controlled activities. AND AMEND the depth in NFL-S4.2. to either 0.5m or a more conservative height to protect characteristics, values and qualities of identified Outstanding Natural Landscapes. AND Any consequential amendments and alternative relief to address the concerns raised.	<ul style="list-style-type: none"> The submitter opposes NFL-S4 as they are concerned that there are no total limits to ensure cumulative adverse effects of earthworks are avoided (i.e., adverse effects cumulating over long time periods such as the District Plan lifetime). The submitter also opposes NFL-S4 enabling 2m cut and full, as this can result in adverse effects. 	Reject	Topic 7: Standards
FS42.12	Chorus, Spark, Fortysouth, One NZ and Connexa	NFL-S4	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> A 'lifetime of plan limit' is not practical to monitor and implement. Does not support a reduced depth cut of 0.5m as it will impact on work such as pole foundations. 	Accept	Topic 7: Standards
FS82.93	Northpower Limited	NFL-S4	Oppose	Reject the relief sought.	<ul style="list-style-type: none"> The limits sought regarding earthworks depth and volume per site are overly restrictive and arbitrary for new infrastructure. Such limits may result in unnecessary resource consent triggers, associated costs and delays. 	Accept	Topic 7: Standards

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149.63	Royal Forest and Bird Protection Society of New Zealand Incorporated	NFL-S5	Oppose	<p>ADD to NFL-S5 a 500m² lifetime of plan limit for indigenous vegetation clearance per site.</p> <p>AND</p> <p>AMEND NFL-S5 to ensure the proposed limit is outside areas meeting Regional Policy Statement significance criteria (inferred).</p> <p>AND</p> <p>AMEND the area limit of clearance to 50m² to protect characteristics, values and qualities of Outstanding Natural Landscapes.</p> <p>AND</p> <p>Any consequential amendments and alternative relief to address the concerns raised.</p>	<ul style="list-style-type: none"> The submitter opposes NFL-S5 and requests that an overall limit is placed on vegetation clearance, spanning the lifetime of the District Plan. The submitter considers this is required to avoid the cumulative adverse effects of vegetation clearance. Moreover, the submitter is concerned that permitted 150m² of vegetation clearance per site will result in adverse effects and requests this limit is decreased to protect the characteristics, values and qualities of Outstanding Natural Features and Landscapes. 	Accept in part	Topic 7: Standards
FS58.8	J & C Hawley	NFL-S5	Support	Allow the submission in part.	<ul style="list-style-type: none"> Supports limiting indigenous vegetation clearance per to reduce the potential for cumulative adverse effects and protect the characteristics, values and qualities of ONLs and ONFs. In particular, ensuring the proposed limit is outside areas meeting NRPS significance criteria and decreasing the permitted vegetation clearance per site. 	Accept in part	Topic 7: Standards
FS74.8	Marunui Conservation Ltd	NFL-S5	Support	Allow the submission in part.	<ul style="list-style-type: none"> Supports limiting indigenous vegetation clearance per to reduce the potential for cumulative adverse 	Accept in part	Topic 7: Standards

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					<p>effects and protect the characteristics, values and qualities of ONLs and ONFs.</p> <ul style="list-style-type: none"> In particular, ensuring the proposed limit is outside areas meeting NRPS significance criteria and decreasing the permitted vegetation clearance per site. 		
FS82.94	Northpower Limited	NFL-S5	Oppose	Reject the relief sought.	<ul style="list-style-type: none"> The limits sought regarding indigenous vegetation clearance are overly restrictive and arbitrary for new infrastructure. Such limits may result in unnecessary resource consent triggers, associated costs and delays. 	Accept in part	Topic 7: Standards
149.64	Royal Forest and Bird Protection Society of New Zealand Incorporated	NFL-S6	Oppose	<p>AMEND the percentage limit in NFL-S6 to either 10% or a more conservative limit consistent with protecting Outstanding Natural Features and Landscapes. AND Any consequential amendments and alternative relief to address the concerns raised.</p>	<ul style="list-style-type: none"> The submitter is concerned about NFL-S6 enabling a 20% increase in building and structure floor areas. This is because, for larger existing buildings and structures, 20% would be a large increase. A more conservative limit is sought to protect Outstanding Natural Features and Landscapes. 	Reject	Topic 7: Standards
FS58.9	J & C Hawley	NFL-S6	Support	Allow the original submission.	<ul style="list-style-type: none"> Considers the 20% increase in gross floor area enabled by NFL-S6 to be too large. Where an existing building or structure is already large a 20% increase will have adverse effects on the ONL. 	Reject	Topic 7: Standards

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FS74.9	Marunui Conservation Ltd	NFL-S6	Support	Allow the original submission.	<ul style="list-style-type: none"> Considers the 20% increase in gross floor area enabled by NFL-S6 to be too large. Where an existing building or structure is already large a 20% increase will have adverse effects on the ONL. 	Reject	Topic 7: Standards
FS82.96	Northpower Limited	NFL-S6	Oppose	Reject the relief sought.	<ul style="list-style-type: none"> A reduction in the gross floor area percentage limit for minor upgrading of lawfully established structures would be overly restrictive and arbitrary for new infrastructure. 	Accept	Topic 7: Standards
158.5	Manulife Forest Management NZ Ltd	NFL-R3	Amend	<p>AMEND NFL-R3.1.b as follows:</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The activity complies with NFL-S5 Indigenous vegetation clearance; or</p> <p>b. Clearance for the operation, repair or maintenance of the following activities where they have been lawfully established:</p> <p>i. Fences;</p> <p>ii. Infrastructure, including effluent disposal systems;</p> <p>iii. Buildings and swimming pools;</p> <p>iv. Driveways, parking areas and access;</p> <p>v. Walking tracks;</p> <p>vi. Cycling tracks;</p> <p>vii. Farming and <u>commercial</u> forestry tracks; and</p>	<ul style="list-style-type: none"> The submitter supports this rule in principle, however, has suggested the amendment above to ensure consistency throughout the proposed district plan. 	Reject	Topic 6: Rules
FS89.11	P F Olsen	NFL-R3	Support	Allow the original submission.	<ul style="list-style-type: none"> Supports the submission as it expressly includes commercial 	Reject	Topic 6: Rules

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					forestry and aligns with terminology NES-CF standardisation.		
158.6	Manulife Forest Management NZ Ltd	NFL-R4	Amend	<p>AMEND NFL-R4.1.b as follows:</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> The earthworks complies with NFL-S4 Earthworks; or The earthworks is for the maintenance of lawfully established roads, fences, utility connections, driveways, parking areas, effluent disposal systems, swimming pools, walking or cycling tracks, or farm and <u>commercial</u> forestry tracks. 	<ul style="list-style-type: none"> The submitter supports this rule in principle, however, has suggested the amendment above to ensure consistency throughout the proposed district plan. 	Reject	Topic 6: Rules
FS89.12	P F Olsen	NFL-R4	Support	Allow the original submission.	<ul style="list-style-type: none"> Supports the submission as it expressly includes commercial forestry and aligns with terminology NES-CF standardisation. 	Reject	Topic 6: Rules
158.12	Manulife Forest Management NZ Ltd	General	Amend	<p>DELETE all commercial forestry from Outstanding Natural Landscape mapped areas.</p> <p>OR</p> <p>ADD a rule to allow for commercial forestry activities in Outstanding Natural Landscapes to be a permitted activity.</p>	<ul style="list-style-type: none"> The submitter supports the mapping of Outstanding Natural Landscape. However, they do not support the inclusion of commercial forestry in these areas to ensure that land captured under the Outstanding Natural Landscape is only land intended, and productive land is removed. 	Accept in part	Topic 2: ONL and ONF mapping
FS89.14	P F Olsen	General	Support	Allow the submission in part.	<ul style="list-style-type: none"> Supports the submission in relation to the boundaries of ONL8, ONL9 	Accept in part	Topic 2: ONL and ONF mapping

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					and ONL23 in order to exclude areas that do not exhibit ONL characteristics.		
175.1	D Hastie	General	Support	RETAIN ONF2 Bald Rock dacite dome in SCHED 4 Outstanding Natural Features	<ul style="list-style-type: none"> • Vulnerable iconic features that are covered in indigenous flora and fauna. • Locals have spent years, and often at their own cost, eradicating noxious plants and animals. • Recently we have seen the return of native birds tom tits and kaka. • Any disturbance to these environments will damage not only the features but all the hard work done by their neighbours. 	Accept	Topic 2: ONL and ONF mapping
175.2	D Hastie	General	Support	RETAIN ONF23 Pukekaroro dacite dome, Kaiwaka in SCHED 4 – Outstanding Natural Features.	<ul style="list-style-type: none"> • Vulnerable iconic features that are covered in indigenous flora and fauna. • Locals have spent years, and often at their own cost, eradicating noxious plants and animals. • Recently we have seen the return of native birds tomtits and kaka. • Any disturbance to these environments will damage not only the features but all the hard work done by their neighbours. 	Accept	Topic 2: ONL and ONF mapping
175.3	D Hastie	General	Support	RETAIN ONL 15 Bald Rock in SCHED5 – Outstanding Natural Landscapes.	<ul style="list-style-type: none"> • Vulnerable iconic features that are covered in indigenous flora and fauna. 	Accept	Topic 2: ONL and ONF mapping

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					<ul style="list-style-type: none"> Locals have spent years, and often at their own cost, eradicating noxious plants and animals. Recently we have seen the return of native birds tomtits and kaka. Any disturbance to these environments will damage not only the features but all the hard work done by their neighbours. 		
175.6	D Hastie	NFL-R8	Support	RETAIN the non-complying activity status (or better) for NFL-R8.	<ul style="list-style-type: none"> Mining and quarrying in Overlay Significant areas do more harm than good. Flora and Fauna can never be 'reinstated' to their original form. The proposal from Bald Rock owners to quarry this ONF is not for the benefit of Kaipara's infrastructure but to produce 'garden ornaments for the subdivision in Mangawhai'. 	Accept	Topic 6: Rules
FS29.52	Atlas Quarries Limited	NFL-R8	Oppose in part	Reject the relief sought in part.	<ul style="list-style-type: none"> The PDP must give effect to the provisions as they relate to mineral extraction activities within the RPS and Parts 2 and 3 RMA. 	Accept in part	Topic 6: Rules
193.5	Chases Gorge Camp Club	General	Support	RETAIN the Outstanding Landscape Area and Outstanding Natural Feature overlays over Ripiro Beach.	<ul style="list-style-type: none"> No specific reasons provided. 	Accept	Topic 2: ONL and ONF mapping
193.6	Chases Gorge Camp Club	General	Amend	No specific decision requested; however, the submitter raises concerns as to how a major structure was allowed to be constructed within the Outstanding	<ul style="list-style-type: none"> No reasons provided. 	Reject	Topic 1: General Submissions on the NFL Chapter

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
				Landscape Area / Outstanding Natural Feature overlays near the Chases Gorge Camp Club, Ripiro Beach without public notification or communication and with major landscape impact for users, visitors and the view of Club houses.			
224.1	M Fyson	NFL-R2	Oppose	DELETE NFL-R2.5 and the special provisions for a particular site.	<ul style="list-style-type: none"> • Opposes NFL-R2.5 and requests it is deleted. The submitter does not consider there should be special provision made to remove protections over outstanding landscape areas. Remaining natural environment area are precious and must be preserved. No person should have the opportunity to alter an outstanding landscape and override protections. • In particular, the submitter opposes a restricted discretionary activity status being applied to 13 identified building locations and it applying on a non-notified basis. 	Accept	Topic 6: Rules
FS58.12	J & C Hawley	NFL-R2	Support	Allow the submission in part.	<ul style="list-style-type: none"> • Supports the deletion of NFL2.5. • NFL-R2.5 references Lots 1-4 and 6-14 consented by RM090103 for lot 2 DP 316176 which dates back to a 2015 Environment Court decision. Site-specific exclusions are not necessary, nor are any references to subsequent s127 variations. 	Accept	Topic 6: Rules

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
FS71.2	Mangawhai Heads Holdings Ltd	NFL-R2	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> • Opposes the deletion of NFL-R2.5 for the reason it would not be in line with the Environment Court Decision determined in <i>Calveley v Kaipara District Council</i> [2015] NZEnvC 69 . • No resource management reason to delete the provision given that the land will be developed within the PDP's lifetime. • Existing subdivision consent RM090103 and subsequently approved s127 variations, authorised the creation of rural residential lots within an Outstanding Natural Landscape and imposed a suite of approved design controls. These controls were recommended by the Landscape and Visual expert involved in the original application and are required to be secured by way of consent notices on the newly created lots. Given that these consents have been granted, it is reasonable for the consent holder to undertake the approved activities in accordance with the conditions of consent. These matters have already been assessed and determined through the statutory resource consent process. 	Reject	Topic 6: Rules
FS74.12	Marunui Conservation Ltd	NFL-R2	Support	Allow the submission in part.	<ul style="list-style-type: none"> • Supports the deletion of NFL2.5. 	Accept	Topic 6: Rules

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
					<ul style="list-style-type: none"> NFL-R2.5 references Lots 1-4 and 6-14 consented by RM090103 for lot 2 DP 316176 which dates back to a 2015 Environment Court decision. Site-specific exclusions are not necessary, nor are any references to subsequent s127 variations. 		
227.1	N Smith	General	Oppose	AMEND the Proposed District Plan to protect the Brynderwyn Ranges indefinitely from developing any houses or clearing of the native bush.	<ul style="list-style-type: none"> The Brynderwyn Ranges are kiwi habitat and have an amazing vista. Development would ruin a very valuable ecological area. 	Accept in part	All topics
228.1	P Hunt	General	Oppose	No specific decision requested, however the submission considers that building on ridges is generally a bad idea, but especially so when it impacts on Outstanding Natural Landscapes or Outstanding Natural Features. The submission opposes development detracting from Outstanding Natural Landscapes or Outstanding Natural Features, particularly the Brynderwyn Hills.	<ul style="list-style-type: none"> The Brynderwyn Hills are largely uninhabited and provide a spectacular backdrop to the area. The submitter aims to protect ONLs and ONFs. The submission refers to a recent development on Kapawiti Road which has building sites on a ridge and impacted on an ONL/ONF. Developing difficult sites is costly and impacts environmental damage and public amenity. 	Reject	Topic 1: General Submissions on the NFL Chapter
257.1	Piroa Conservation Trust	General	Support	RETAIN the Natural Features and Landscapes Chapter (inferred) with its aim to protect Outstanding Natural Features and Outstanding Natural Landscapes from inappropriate subdivision, use, and development as a matter of national importance under the RMA s6(b).	<ul style="list-style-type: none"> The aim of the Chapter to protect Outstanding Natural Features and Outstanding Natural Landscapes as a matter of national importance under Section 6(b) of the RMA is supported. 	Accept	Topic 1: General Submissions on the NFL Chapter

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
257.2	Piroa Conservation Trust	General	Support	RETAIN the mapped extent and boundary of ONL14 Bream Tail / Brynderwyn Ranges.	<ul style="list-style-type: none"> No reasons provided. 	Accept	Topic 2: ONL and ONF mapping
257.3	Piroa Conservation Trust	General	Amend	RETAIN the reference to the "NRPS Appendix 1: Mapping Methods" in the Natural Features and Landscapes chapter. AND ADD reference to the Northland Regional Policy Statement Landscape Assessment Worksheets (2014) in the Natural Features and Landscapes chapter.	<ul style="list-style-type: none"> The Northland Regional Policy Statement Landscape Assessment Worksheets (2014 are more detailed and recent than Kaipara's Landscape Technical Report (2010). They contain comprehensive details on each identified Outstanding Natural Landscape and Outstanding Natural Feature. 	Accept in part	Topic 3: Overview
257.4	Piroa Conservation Trust	NFL-O2	Amend	AMEND NFL-O2, as follows: The <u>conservation</u> , maintenance and enhancement of the characteristics, qualities and values of Outstanding Natural Features and Outstanding Natural Landscapes is promoted.	<ul style="list-style-type: none"> Conservation should also be a prime objective. 	Reject	Topic 4: Objectives
FS45.79	Director General of Conservation	NFL-O2	Support	Allow the original submission.	<ul style="list-style-type: none"> Supports the inclusion of 'conservation'. 	Reject	Topic 4: Objectives
257.5	Piroa Conservation Trust	NFL-P1	Amend	AMEND NFL-P1, as follows: Enable activities that <u>protect</u> , maintain, restore or enhance the characteristics, qualities and values of Outstanding Natural Features and Outstanding Natural Landscapes as set out in Schedule 4 and Schedule 5, including conservation activities and the removal of redundant buildings and structures.	<ul style="list-style-type: none"> Addition reflects emphasis on protection as per Section 6(b) RMA. 	Accept	Topic 5: Policies

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
FS45.80	Director General of Conservation	NFL-P1	Support	Allow the original submission.	<ul style="list-style-type: none"> Supports the inclusion of 'protect' as it recognises and provides for s6(b) RMA. 	Accept	Topic 5: Policies
257.6	Piroa Conservation Trust	NFL-P4	Amend	<p>AMEND NFL-P4, as follows: Outside the coastal environment:</p> <ol style="list-style-type: none"> Avoid significant adverse effects of <u>subdivision</u>, land use and development on the characteristics, qualities and values of Outstanding Natural Features and Outstanding Natural Landscapes as set out in Schedule 4 and Schedule 5; and Avoid, remedy or mitigate other adverse effects (including cumulative adverse effects) of <u>subdivision</u>, land use and development on the characteristics, qualities and values of Outstanding Natural Features and Outstanding Natural Landscapes including by: <ol style="list-style-type: none"> In Outstanding Natural Features, <u>ensuring requiring</u> that the scale and intensity of earthworks and built development is appropriate taking into account the scale, form and vulnerability to modification of the feature; In Outstanding Natural Landscapes, <u>ensuring requiring</u> that the location and intensity of subdivision, use and built development is appropriate 	<ul style="list-style-type: none"> The additions reflect the inclusion of subdivision in NFL-P4.2.b, and RMA Section 6(b). The amendments to NFL-P4.2.a. and b. are consistent with the Northland Regional Policy Statement Policy 4.6.1 on Outstanding Natural Landscapes. 	Accept in part	Topic 5: Policies

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
				<p>having regard to, natural elements, landforms and processes, including vegetation patterns, ridgelines and freshwater bodies and their margins; and</p> <p>c. Having regard to:</p> <p>i. Integration of development into the Outstanding Natural Feature or Outstanding Natural Landscape, maintenance of low development density, and retention of predominant vegetation cover, <u>particularly indigenous vegetation</u>;</p> <p>ii. The location, design, scale, prominence and visibility of any buildings, structures, <u>and access, and the extent of earthworks</u> and indigenous vegetation clearance;</p> <p>iii. Methods and timelines for restoring or reinstating earthworks and revegetating land; and</p> <p>iv. The finish of any buildings or structures, including materials, reflectivity and colour; and landscaping and fencing.</p>			
257.7	Piroa Conservation Trust	NFL-P6	Amend	<p>AMEND NFL-P6, as follows: Have regard to the following matters when assessing resource consent applications for</p>	<ul style="list-style-type: none"> Addition of 'subdivision' reflects Section 6(b) RMA. 	Accept in part	Topic 5: Policies

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
				<p><u>subdivision</u>, land use and development in Outstanding Natural Features and Outstanding Natural Landscapes:</p> <ol style="list-style-type: none"> 1. The physical and visual integrity and any fragmentation of the landscape or feature, and its sensitivity or vulnerability to change; 2. Adverse and positive effects on identified characteristics, qualities and values; 3. The intensity of buildings, structures or infrastructure in the locality and the landscape values of surrounding land and established activities; <u>The extent of the area affected and whether adverse effects are minor, more than minor or transitory;</u> 4. The location, scale and design of proposed development including in relation to ridgelines, skylines and prominent headlands, the values of surrounding land and established activities and visibility from roads and public places; 5. Integration of the building, structure, access or activity into the landscape or feature, including materials, reflectivity, colour, landscaping and fencing; 6. The need for, extent, design, location and visibility of earthworks and vegetation clearance; and The degree of modification, damage, loss or 	<ul style="list-style-type: none"> • Clause 3 largely repeats clause 4 and the intensity of buildings, structures and infrastructure in the area surrounding an Outstanding Natural Landscape (ONL) should not determine the density of the same within an ONL. • Regarding Clause 6, the emphasis should be on the effects rather than the need for earthworks and vegetation clearance activities. 		

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
				<p><u>destruction that will result from the activity in terms of vegetation clearance and earthworks;</u></p> <p>7. <u>Historical or cultural associations with the feature or landscape;</u> and</p> <p>8. <u>The maintenance of established areas and patterns of indigenous vegetation cover.</u></p>			
257.8	Piroa Conservation Trust	NFL-R2	Amend	<p>AMEND NFL-R2.3. as follows:</p> <p>3. Activity status where compliance not achieved: Restricted Discretionary Non-Complying</p> <p>AND</p> <p>AMEND NFL-R2.4 as follows:</p> <p>4. Matters over which discretion is restricted:</p> <p>a. The matters in NFL-P6; and</p> <p>b. The positive effects of the activity.</p>	<ul style="list-style-type: none"> Amendments requested reflect the need for Council to give full consideration to its obligations under s.6(b) and s.6(c) of the RMA and apply the activity status which best achieves the levels of protection required for such a significant area. The positive effect of the activity is not needed as an assessment criteria as NFL-P6 refers to both positive and adverse effects. 	Reject	Topic 6: Rules
FS42.18	Chorus, Spark, Fortysouth, One NZ and Connexa	NFL-R2	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> The changes sought to NFL-R2.3 do not provide a practical framework for necessary network utilities works. 	Accept	Topic 6: Rules
FS42.19	Chorus, Spark, Fortysouth, One NZ and Connexa	NFL-R2	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> The changes sought to NFL-R2.4 do not provide a practical framework for necessary network utilities works. 	Accept	Topic 6: Rules
FS71.12	Mangawhai Heads Holdings Ltd	NFL-R2	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> Considers the notified proposed activity status for when compliance is not achieved is suitable. 	Accept	Topic 6: Rules

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
FS77.1	Mercury NZ Limited	NFL-R2	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> Renewable energy generation, wind farms in particular (and associated infrastructure e.g., access roads, transmission lines etc.) often traverse ONLs. Discretionary status allows for a robust, merit-based assessment without the pre-determination such an activity is contrary to plan objectives. A Non-Complying status signals the activity is inappropriate, thus failing to recognise the benefits of renewable electricity generation. 	Accept	Topic 6: Rules
257.9	Piroa Conservation Trust	NFL-R3	Amend	<p>AMEND NFL-R3.1 as follows: 1. Activity status: Permitted-Discretionary AND AMEND NFL-R3.2 as follows: 2. Activity status when compliance not achieved: Restricted-Discretionary-Non-Complying AND AMEND NFL-R3.3 as follows: 3. Matters over which discretion is restricted: a. The matters in NFL-P6; and b. The positive effects of the activity.</p>	<ul style="list-style-type: none"> Non-complying status requires effects to be minor and not contrary to the Plan's objectives and policies. This is important given the significance of indigenous vegetation and the requirement for its protection under Section 6(c) RMA. The vital contribution of ONL14 to indigenous biodiversity cannot be understated. The positive effect of the activity is not needed as an assessment criteria as NFL-P6 refers to both positive and adverse effects. 	Reject	Topic 6: Rules
FS42.20	Chorus, Spark, Fortysouth, One NZ and Connexa	NFL-R3	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> The changes sought to NFL-R3.1 do not provide a practical framework for necessary network utilities works. 	Accept	Topic 6: Rules

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FS42.21	Chorus, Spark, Fortysouth, One NZ and Connexa	NFL-R3	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> The changes sought to NFL-R3.2 do not provide a practical framework for necessary network utilities works. 	Accept	Topic 6: Rules
FS42.22	Chorus, Spark, Fortysouth, One NZ and Connexa	NFL-R3	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> The changes sought to NFL-R3.3 do not provide a practical framework for necessary network utilities works. 	Accept	Topic 6: Rules
FS77.2	Mercury NZ Limited	NFL-R3	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> Renewable energy generation, wind farms in particular (and associated infrastructure e.g., access roads, transmission lines etc.) often traverse ONLs. Discretionary status allows for a robust, merit-based assessment without the pre-determination such an activity is contrary to plan objectives. A Non-Complying status signals the activity is inappropriate, thus failing to recognise the benefits of renewable electricity generation. 	Accept	Topic 6: Rules
257.10	Piroa Conservation Trust	NFL-R4	Amend	<p>AMEND NFL-R4.1 as follows: 1. Activity Status: Permitted <u>Discretionary</u> AND AMEND NFL-R4.2 as follows: 2. Activity status when compliance not achieved: Restricted-Discretionary-Non- <u>Complying</u> AND AMEND NFL-R4.3 as follows:</p>	<ul style="list-style-type: none"> Non-Complying status requires adverse effects to be minor and not contrary to the Plan's objectives and policies. Clause 3.b is unnecessary as NFL-P6 refers to both adverse and positive effects. 	Reject	Topic 6: Rules

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
				3. Matters over which discretion is restricted: a. The matters in NFL-P6; and b. The positive effects of the activity.			
FS42.23	Chorus, Spark, Fortysouth, One NZ and Connexa	NFL-R4	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> The changes sought to NFL-R4.1 do not provide a practical framework for necessary network utilities works. 	Accept	Topic 6: Rules
FS42.24	Chorus, Spark, Fortysouth, One NZ and Connexa	NFL-R4	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> The changes sought to NFL-R4.2 do not provide a practical framework for necessary network utilities works. 	Accept	Topic 6: Rules
FS42.25	Chorus, Spark, Fortysouth, One NZ and Connexa	NFL-R4	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> The changes sought to NFL-R4.3 do not provide a practical framework for necessary network utilities works. 	Accept	Topic 6: Rules
257.11	Piroa Conservation Trust	NFL-S2	Amend	AMEND NFL-S2 as follows: 1. The gross floor area of any new building or existing building plus addition must not exceed: a. 100m² 50m² for any accessory building; and b. 150m² 100m² for any residential unit.	<ul style="list-style-type: none"> The Gross Floor Areas are both excessive, particularly for an accessory building. Scale and size has potential to generate adverse effects. Reduced sizes considered more appropriate in context of protecting Outstanding Natural Landscapes such as the Piroa Brynderwyn Range, and Outstanding Natural Features. 	Reject	Topic 7: Standards
257.12	Piroa Conservation Trust	NFL-S4	Amend	AMEND NFL-S4 as follows: 1. The earthworks must not exceed 150m ³ in any 12-month period per site; and 2. The maximum cut height or fill depth must not exceed 2m.	<ul style="list-style-type: none"> Repeated earthworks at this scale would have a cumulative adverse effect on Outstanding Natural Landscapes and/or Outstanding Natural Features. 	Reject	Topic 7: Standards

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
FS29.61	Atlas Quarries Limited	NFL-S4	Accept in part	Accept the relief sought in part.	<ul style="list-style-type: none"> The PDP must give effect to the provisions as they relate to mineral extraction activities within the RPS and Parts 2 and 3 RMA. Significant mineral resources within Kaipara should be protected. 	Accept in part	Topic 7: Standards
257.13	Piroa Conservation Trust	NFL-S5	Amend	<p>AMEND NFL-S5 as follows:</p> <p>1. The indigenous vegetation clearance must:</p> <p><u>a. Maintain established areas and patterns of indigenous vegetation cover.</u></p> <p><u>b. Not exceed 150m² in any 12 month period per site.</u></p> <p><u>c. Not take place in a continuous area of predominantly indigenous vegetation over 1ha in area.</u></p> <p><u>d. Take account of the ecological significance of indigenous vegetation and the presence of rare or endangered flora and fauna</u></p> <p><u>e. Not take place in an area identified by the Department of Conservation as having high kiwi density.</u></p> <p>AND</p> <p>ADD a map showing areas of high kiwi density that should be available from the Department of Conservation as an Appendix in the PDP.</p>	<ul style="list-style-type: none"> Clearance or disturbance should not be permitted more than once on a site. Over time repeated annual clearance would result in removal of considerable areas of significant indigenous vegetation, generating cumulative adverse effects. The inclusion of one standard is inadequate. 	Reject	Topic 7: Standards
FS45.81	Director General of Conservation	NFL-S5	Support in part	Allow the submission in part.	<ul style="list-style-type: none"> Supports the inclusion of additional compliance requirements which recognise and provide for s6(c) RMA. 	Accept in part	Topic 7: Standards

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
262.2	Coatestone Limited	General	Amend	<p>AMEND the extent of the Outstanding Natural Landscape Overlay for Bald Rock / Pukepohatu ONL15 to only the upper (more visually prominent) parts of Bald Rock such as the western side and above a certain height on the eastern side.</p> <p>AND</p> <p>Any further or consequential amendments necessary to enable quarrying activity in a manner that protects the ONF and better reflects the site's operational, legal, and cultural context.</p>	<ul style="list-style-type: none"> The submitter opposes the majority of its land being identified as an ONL and requests that the ONL extent is amended to better enable the recommencement of quarrying activities on the eastern part of the land. It is noted that the submitter does support the top (dome) of Bald Rock being identified as an Outstanding Natural Landscape as this area is clear of any likely future quarrying and should be protected. The assessment undertaken to identify the land as an ONL acknowledged that the land contains a quarry and noted the quarry is located in less-prominent parts of the land. As such, the submitter opposes the ONL extent as proposed and requests it is amended by taking a more precise landscape mapping approach, for example, only applying the ONL above a certain contour. This approach would protect the peak's visual prominence while allowing quarrying in the previously disturbed eastern area. As proposed, the ONL extent does not promote the sustainable management of resources, nor will it achieve the purpose of the RMA and is contrary to Part 2 of the RMA. The 	Reject	Topic 2: ONL and ONF mapping

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
					submitter requests amendments to better serve the social and economic wellbeing of Kaipara and to ensure Council has regard to the efficiency and effectiveness of the provisions.		
FS29.62	Atlas Quarries Limited	General	Support in part	Accept the relief sought in part.	<ul style="list-style-type: none"> The PDP must give effect to the provisions as they relate to mineral extraction activities within the RPS and Parts 2 and 3 RMA. 		
262.3	Coatstone Limited	General		<p>RETAIN the location of the Outstanding Natural Feature ONF2 as it applies to the top area of the main Bald Rock dome. AND PROVIDE clarification that the Outstanding Natural Feature does not apply to, or constrain, quarrying activity outside its mapped boundary. AND Any further or consequential amendments necessary to enable quarrying activity in a manner that protects the Outstanding Natural Feature and better reflects the site's operational, legal, and cultural context.</p>	<ul style="list-style-type: none"> The submitter supports the ONF classification on the basis that it will not hinder the potential for quarrying. Opposes the ONL extent as it applies to the site and seeks that this be amended to a more precise landscape mapping approach (e.g., applying the ONL only above a certain contour) to protect the visual prominence of the peak while allowing quarrying in the previously disturbed eastern area. 	Accept in part	Topic 2: ONL and ONF mapping
FS29.63	Atlas Quarries Limited	General	Support in part	Accept the relief sought in part.	<ul style="list-style-type: none"> The PDP must give effect to the provisions as they relate to mineral extraction activities within the RPS and Parts 2 and 3 RMA. 	Accept in part	Topic 2: ONL and ONF mapping
263.15	Daytona Trust	General	Support	RETAIN NFL-O1. AND	<ul style="list-style-type: none"> The objective correctly gives effect to the New Zealand Coastal Policy 	Accept in part	Topic 4: Objectives

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
				Any consequential amendments or alternative relief to address the matters raised in the submission.	Statement and the Regional Policy Statement.		
FS35.57	Bream Tail Residents Association	General	Support	Allow the original submission.	<ul style="list-style-type: none"> NFL-O1 gives effect to both the NZCPS and RPS. 	Accept in part	Topic 4: Objectives
263.16	Daytona Trust	NFL-P1	Amend	<p>AMEND NFL-P1 to ensure a cross reference to the accurate inclusion and description of the characteristics, qualities and values of Outstanding Natural Features and Outstanding Natural Landscapes is cross referenced in Schedule 4 and Schedule 5.</p> <p>AND</p> <p>Any consequential amendments or alternative relief to address the matters raised in the submission.</p>	<ul style="list-style-type: none"> The policy is generally supported but it should be amended to ensure accurate inclusion in Schedule 4 or Schedule 5 of the descriptions used in the evaluation sheets which informed the Regional Policy Statement mapping, including a full description of the characteristics, qualities and values of the outstanding natural landscapes in each case, as is sought elsewhere in this submission. This information is not included in Schedule 4 and Schedule 5 as notified. 	Accept in part	Topic 5: Policies
FS35.58	Bream Tail Residents Association	NFL-P1	Support	Allow the original submission.	<ul style="list-style-type: none"> Generally supports NFL-P1, but considers amendments are required to ensure the accurate inclusion of descriptions used in the evaluation sheets (which informed RPS mapping) in SCHED4 or SCHED5. Descriptions should include detailed characteristics, qualities and values of the ONL. 	Accept in part	Topic 5: Policies

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
263.17	Daytona Trust	NFL-P3	Amend	AMEND NFL-P3 to ensure a cross reference to the accurate inclusion and description of the characteristics, qualities and values of Outstanding Natural Features and Outstanding Natural Landscapes is cross referenced in Schedule 4 and Schedule 5. AND Any consequential amendments or alternative relief to address the matters raised in the submission.	<ul style="list-style-type: none"> The policy is generally supported but it should be amended to ensure accurate inclusion in Schedule 4 or Schedule 5 of the descriptions used in the evaluation sheets which informed the Regional Policy Statement mapping, including a full description of the characteristics, qualities and values of the outstanding natural landscapes in each case, as is sought elsewhere in this submission. This information is not included in Schedule 4 and Schedule 5 as notified. 	Accept in part	Topic 5: Policies
FS35.59	Bream Tail Residents Association	NFL-P3	Support	Allow the original submission.	<ul style="list-style-type: none"> Generally supports NFL-P3, but considers amendments are required to ensure the accurate inclusion of descriptions used in the evaluation sheets (which informed RPS mapping) in SCHED4 or SCHED5. Descriptions should include detailed characteristics, qualities and values of the ONL. 	Accept in part	Topic 5: Policies
263.18	Daytona Trust	NFL-P4	Amend	AMEND NFL-P4 to ensure a cross reference to the accurate inclusion and description of the characteristics, qualities and values of Outstanding Natural Features and Outstanding Natural Landscapes is cross referenced in Schedule 4 and Schedule 5. AND	<ul style="list-style-type: none"> The policy is generally supported but it should be amended to ensure accurate inclusion in Schedule 4 or Schedule 5 of the descriptions used in the evaluation sheets which informed the Regional Policy Statement mapping, including a full description of the characteristics, 	Accept in part	Topic 5: Policies

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
				Any consequential amendments or alternative relief to address the matters raised in the submission.	qualities and values of the outstanding natural landscapes in each case, as is sought elsewhere in this submission. This information is not included in Schedule 4 and Schedule 5 as notified.		
FS35.60	Bream Tail Residents Association	NFL-P4	Support	Allow the original submission.	<ul style="list-style-type: none"> Generally supports NFL-P3, but considers amendments are required to ensure the accurate inclusion of descriptions used in the evaluation sheets (which informed RPS mapping) in SCHED4 or SCHED5. Descriptions should include detailed characteristics, qualities and values of the ONL. 	Accept in part	Topic 5: Policies
263.19	Daytona Trust	NFL-P2	Amend	<p>AMEND NFL-P2, as follows: Policy NFL-P2 Existing <u>subdivision</u>, use and development Recognise that lawfully established <u>subdivision</u>, land use and development are located within Outstanding Natural Features and Outstanding Natural Landscapes and allow them to continue without undue restriction. AND Any consequential amendments or alternative relief to address the matters raised in the submission.</p>	<ul style="list-style-type: none"> The policy should also recognise that lawfully established subdivision, with sites as yet unbuilt, are also located within Outstanding Natural Features and Outstanding Natural Landscapes, including the submitter's site at Bream Tail. 	Accept	Topic 5: Policies

Appendix A - Officers Recommended Decisions on Submissions - Natural Features and Landscapes

Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
FS35.61	Bream Tail Residents Association	NFL-P2	Support	Allow the original submission.	<ul style="list-style-type: none"> NFL-P2 should also recognise lawfully established subdivision (including unbuilt sites) are also located within ONFL, including sites at Bream Tail. 	Accept	Topic 5: Policies
263.20	Daytona Trust	NFL-P6	Amend	<p>AMEND NFL-P6, as follows: Have regard to the following matters when assessing resource consent applications for <u>subdivision</u>, land use and development in Outstanding Natural Features and Outstanding Natural Landscapes: AND AMEND NFL-P6 to have regard to whether land use and development is on a previously approved building platform or necessary to provide access to a previously approved building platform. AND Any consequential amendments or alternative relief to address the matters raised in the submission.</p>	<ul style="list-style-type: none"> NFL-P6 seeks to have regard to a range of matters when considering an application for land use and development, but not subdivision. Specific recognition should be given to the existence of consented building platforms and access to those platforms when considering resource consent applications under NFL-P6. This aligns with the NFL-P2 recognition of existing use and development, which would otherwise not come into play when considering these restricted discretionary activity matters. 	Accept in part	Topic 5: Policies
FS35.62	Bream Tail Residents Association	NFL-P6	Support	Allow the original submission.	<ul style="list-style-type: none"> Consented building platforms and associated access should be recognised when considering resource consent applications under NFL-P6. This aligns with recognising existing use and development as per NFL-P2, which may not otherwise be considered in relation to restricted discretionary activity matters. 	Accept in part	Topic 5: Policies

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
263.21	Daytona Trust	NFL-R1	Amend	AMEND NFL-R1 to delete reference to and requirement to comply with NFL-S2 Gross Floor Area. AND Any consequential amendments or alternative relief to address the matters raised in the submission.	<ul style="list-style-type: none"> External additions and alterations to existing buildings or structures should not be limited as to gross floor area to achieve permitted activity status. The reference to gross floor area might, for example, better replaced with a reference to the standard NFL-S6 Minor upgrading. 	Reject	Topic 6: Rules
FS35.63	Bream Tail Residents Association	NFL-R1	Support	Allow the original submission.	<ul style="list-style-type: none"> External additions and alterations to existing buildings or structures should not be limited by gross floor area. 	Reject	Topic 6: Rules
263.22	Daytona Trust	NFL-R2	Amend	AMEND NFL-R2 so that the permitted activity status applies to new buildings and structures in the Outstanding Natural Landscapes and Outstanding Natural Features, irrespective of whether they are inside or outside the Coastal Environment, as follows: NFL-R2 New buildings and structures ONL and ONF outside the coastal environment AND DELETE the requirement in NFL-R2.1. to comply with NFL-S2. AND AMEND NFL-R2.1.a.ii. as follows: ii. On a building platform identified in an existing approved subdivision consent	<ul style="list-style-type: none"> A number of approved defined exclusive use areas and nominated buildable areas on lots at Bream Tail are within the coastal environment and within an Outstanding Natural Landscape. The existence of these lots was taken into account and recognised in the Northland Regional Council's evaluation of the applicable Outstanding Natural Landscape. The default to non-complying activity would require a wholesale reassessment of the appropriateness to build on these already approved exclusive use areas and nominated buildable areas. It imposes considerable unnecessary cost and risk. For these reasons, the rule is 	Accept in part	Topic 6: Rules

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
				<p>and/or land use consent lodged with Council prior to 30 April 2025.</p> <p>AND</p> <p>Any consequential amendments or alternative relief to address the matters raised in the submission.</p>	<p>sought be amended to apply the same permitted activity provisions whether the building or structure is inside or outside the coastal environment.</p> <ul style="list-style-type: none"> • Permitted activity status is an efficient and effective way of recognising existing expectations to build under the terms of consents and avoids the costs associated with new consent for buildings on locations already confirmed as appropriate by way of previous consents. • As set out in the rule, this permitted activity status is dependent on compliance with NFL-S1 Building and Structure Height and NFL-S3 Exterior Colour and Reflectivity (apart from the exception for Bream Tail under rule NFL-R2.2 sought elsewhere in this submission). • The requirement to comply with NFL-S2 Gross Floor Area is opposed on the basis that the limitation of 150m² for any residential unit and 100m² for any accessory building is too low to accommodate many residential dwellings including the average size of a dwelling in New Zealand (excluding terrace houses etc). It is unnecessary in terms of managing 		

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
					<p>effects on the characteristics, qualities and values of Outstanding Natural Landscapes and Outstanding Natural Features, having regard to the other rules and standards which apply.</p> <ul style="list-style-type: none"> The reference to building platforms identified in an existing subdivision consent “approved prior to 1 April 2025 is unnecessary. 		
FS35.64	Bream Tail Residents Association	NFL-R2	Support	Allow the original submission.	<ul style="list-style-type: none"> Default to non-complying activity status would require reassessment of the appropriateness to build in already approved exclusive-use and/or nominated buildable areas. Reassessment poses unnecessary costs and risk. The rule should apply the same permitted activity provisions whether the building or structure is inside or outside the coastal environment. 	Accept in part	Topic 6: Rules
263.23	Daytona Trust	NFL-R3	Amend	AMEND NFL-R3 so that the permitted activity status applies to indigenous vegetation clearance in the Outstanding Natural Landscape, irrespective of whether they are inside or outside of the coastal environment, and to also provide for the Outstanding Natural Feature, as follows: NFL-R3 Indigenous vegetation clearance ONL and ONE outside the coastal environment	<ul style="list-style-type: none"> Rule NFL-R3 only applies permitted activity status to indigenous vegetation clearance in Outstanding Natural Landscapes outside the coastal environment, and not for Outstanding Natural Landscapes within the coastal environment. In addition, no provision is made for Indigenous vegetation clearance in the Outstanding Natural Features, 	Accept in part	Topic 6: Rules

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
				AND Any consequential amendments or alternative relief to address the matters raised in the submission.	<p>leaving the activity status for that uncertain. The only provision for permitted activity Indigenous vegetation clearance in Outstanding Natural Landscapes within the coastal environment is made at NFL-R3.6 for regionally significant infrastructure.</p> <ul style="list-style-type: none"> The maximum area allowances in standard NFL-S5 and the limited range of permitted activities for indigenous vegetation clearance (as sought to be amended by this submission) provide sufficient protection. 		
FS35.65	Bream Tail Residents Association	NFL-R3	Support	Allow the original submission.	<ul style="list-style-type: none"> NFL-R3 only applies permitted activity status to indigenous vegetation clearance in ONLs outside the coastal environment. Moreover, no provision or activity status is provided for Indigenous vegetation clearance in ONFs. The only provision for permitted activity Indigenous vegetation clearance in ONLs within the coastal environment is via NFL-R3.6 for Regionally Significant Infrastructure. 	Accept in part	Topic 6: Rules
263.24	Daytona Trust	NFL-R4	Amend	AMEND NFL-R4 so that the permitted activity status applies to earthworks in the Outstanding Natural Landscape and Outstanding Natural Feature, irrespective of	<ul style="list-style-type: none"> A restricted activity status (as is the effect of the Proposed Plan rule as sought to be amended by this submission) is appropriate for earthworks on approved building 	Accept in part	Topic 6: Rules

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
				<p>whether they are inside or outside of the coastal environment, as follows: NFL-R4 Earthworks ONL and ONF outside the coastal environment. AND Any consequential amendments or alternative relief to address the matters raised in the submission.</p>	<p>platforms and the access driveways to them inside and outside the Outstanding Natural Landscape and Outstanding Natural Feature, noting that the appropriateness of construction on approved building platforms has already been determined at subdivision stage.</p> <ul style="list-style-type: none"> The maximum volume and cut face allowances in NFL-S4, the limited range of permitted activities and the restricted discretionary activity status for earthworks above these limits provide sufficient protection for the characteristics, qualities and values of the Outstanding Natural Landscape and Outstanding Natural Feature and appropriately give effect to the Regional Policy Statement and the New Zealand Coastal Policy Statement in respect to the coastal environment. 		
FS35.66	Bream Tail Residents Association	NFL-R4	Support	Allow the original submission.	<ul style="list-style-type: none"> A restricted activity status is appropriate for earthworks on approved building platforms and access driveways inside and outside ONFLs, noting the appropriateness of construction on approved building platforms has already been determined at subdivision stage. 	Accept in part	Topic 6: Rules

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
263.25	Daytona Trust	NFL-R7	Support	RETAIN NFL-R7. AND Any consequential amendments or alternative relief to address the matters raised in the submission.	<ul style="list-style-type: none"> The rule is supported, noting the submitter's other relief sought for indigenous vegetation clearance as a permitted activity in particular circumstances. 	Accept in part	Topic 6: Rules
FS35.67	Bream Tail Residents Association	NFL-R7	Support	Allow the original submission.	<ul style="list-style-type: none"> The rule is supported, noting the original submitter's other relief sought for indigenous vegetation clearance as a permitted activity in particular circumstances. 	Accept in part	Topic 6: Rules
263.26	Daytona Trust	NFL-S1	Amend	AMEND NFL-S1 to exempt the following from the maximum height: <u>a. Chimney structures not exceeding 1.2m in width and 1m in height on any elevation.</u> <u>b. Architectural features (e.g. finials, spires) that do not exceed 1m in height.</u> <u>c. Solar and water heating components provided these do not exceed the height by more than 0.5m on any elevation.</u> <u>d. Satellite dishes and aerials that do not exceed 1m in height and/or diameter on any elevation.</u>	<ul style="list-style-type: none"> Additional allowances should be made for roof top projections within specified parameters. Requiring resource consents for the placement of such features where they exceed the height is inefficient and adds costs which do not outweigh the benefits. 	Accept	Topic 7: Standards
FS35.68	Bream Tail Residents Association	NFL-S1	Support	Allow the original submission.	<ul style="list-style-type: none"> Additional allowances should be made for roof top projections within specified parameters. Requiring resource consents for the placement of such features where they exceed the height is inefficient and adds costs which do not outweigh the benefits. 	Accept	Topic 7: Standards

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
263.27	Daytona Trust	NFL-S2	Oppose	DELETE NFL-S2. AND Any consequential amendments or alternative relief to address the matters raised in the submission.	<ul style="list-style-type: none"> The standard unnecessarily limits gross floor area and is considered too low to accommodate many residential dwellings, including the average size of a dwelling in New Zealand. The submitter considers standard is unnecessary in terms of managing effects, having regard to the balance of other rules and standards which apply to Natural Features and Landscapes. 	Reject	Topic 7: Standards
FS35.69	Bream Tail Residents Association	NFL-S2	Support	Allow the original submission.	<ul style="list-style-type: none"> The limits to gross floor area are considered unnecessarily restrictive and too low to accommodate many residential dwellings (e.g., cannot accommodate the average New Zealand dwelling size). 	Reject	Topic 7: Standards
263.28	Daytona Trust	NFL-S3	Amend	AMEND NFL-S3 to allow for natural materials, as follows: 1. The building and structure exteriors must: a. Not utilise mirror glazing; and b. Be <u>constructed of natural materials or if the exterior surface is coloured or painted with</u> then be a colour with a reflectance value no greater than 35% (provided that 2% of each exterior elevation is exempt) and with a roof colour with a reflectance value no greater than 30%. AND	<ul style="list-style-type: none"> The standard should allow for the use of natural materials as a permitted activity, with such materials being visually suitable in Outstanding Natural Landscapes and Outstanding Natural Features areas, including in the coastal environment. 	Reject	Topic 7: Standards

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
				Any consequential amendments or alternative relief to address the matters raised in the submission.			
FS35.70	Bream Tail Residents Association	NFL-S3	Support	Allow the original submission.	<ul style="list-style-type: none"> The use of natural materials should be a permitted activity as they are visually suitable in ONFL areas, including in the coastal environment. 	Reject	Topic 7: Standards
263.54	Daytona Trust	General	Amend	<p>AMEND SCHED-5 as follows:</p> <ul style="list-style-type: none"> Replace the link to the 2010 Landscape Technical Report with the evaluation sheets which informed the maps adopted from the Northland Regional Policy Statement 2016; and Amend descriptions to follow that used in the evaluation sheets which informed the Regional Policy Statement mapping, including a full description of the characteristics, qualities and values of the outstanding natural landscapes in each case. <p>AND</p> <p>Any consequential amendments or alternative relief to address the matters raised in the submission.</p>	<ul style="list-style-type: none"> SCHED5 – Outstanding Natural Landscapes has the following link: “Access to full report on Outstanding Natural Landscapes”. This links to a 2010 Landscape Technical Report which is the incorrect basis for the evaluation and determination of outstanding natural landscapes in the district. The use of the correct descriptions in Schedule 5 of outstanding natural landscapes is important because of the requirements of the related policies in the Proposed District Plan. 	Accept	Topic 2: ONL and ONF mapping
FS35.96	Bream Tail Residents Association	General	Support	Allow the original submission.	<ul style="list-style-type: none"> SCHED5 must use correct ONL descriptions to satisfy the requirements of related PDP policies. 	Accept	Topic 2: ONL and ONF mapping
263.58	Daytona Trust	General	Amend	AMEND the mapped extent of the Outstanding Natural Landscape overlay from the following properties at Bream Tail	<ul style="list-style-type: none"> The mapped extent of the Outstanding Natural Landscape at Bream Tail Farm follows a simplified 	Reject	Topic 2: ONL and ONF mapping

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
				<p>so that it accurately follows characteristics and features according to the Landscape Assessment Criteria of the Regional Policy Statement:</p> <ol style="list-style-type: none"> 1. 15 Tuaraki Road, Mangawhai (LOT 6 DP 400385); and 2. 17 Tuaraki Road, Mangawhai (LOT 5 DP 400385). <p>AND Any consequential amendments or alternative relief to address the matters raised in the submission.</p>	<p>straight-line form and an approximation of key features set out in the Landscape Assessment Criteria of the Regional Policy Statement.</p> <ul style="list-style-type: none"> • Method 4.5.4(2) of the Regional Policy Statement allows for the mapped areas to be changed at any time (using the Schedule 1 process). 		
263.67	Daytona Trust	General	Support	<p>RETAIN NFL-O2. AND Any consequential amendments or alternative relief to address the matters raised in the submission.</p>	<ul style="list-style-type: none"> • The objective correctly gives effect to the New Zealand Coastal Policy Statement and the Regional Policy Statement. 	Accept	Topic 4: Objectives
263.68	Daytona Trust	NFL-R2	Amend	<p>AMEND NFL-R2.2. to retain the exclusion to defined exclusive use areas at Bream Tail, amended to ensure the permitted activity rules do apply to Bream Tail and without reference to the consent notice, previous consents or Operative District Plan. This can be achieved by the following amendments, or similar:</p> <p><u>2. Activity Status: Permitted</u> <u>a. Where the building or structure is on a defined exclusive use area as shown on the survey plan for Lots 1- 4, 6-8, 10, 12-17, 22-29, 34 and 40-45 DP348513, Lot 1 DP493396, Lots 5 and 9 DP435202, Lots 101</u></p>	<ul style="list-style-type: none"> • The drafting of NFL-R2.2. requires improvements to achieve its intended outcome to specifically recognise the particular circumstances of the Bream Tail subdivision, including the detailed requirements of consent notices that exist on the titles as set out in the submission. • The header words "This rule does not apply to....." mean that the permitted activity rule NFL-R2 does not apply to Bream Tail. This has the opposite effect of what is intended because it leaves no permitted 	Reject	Topic 6: Rules

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
				<p><u>and 102 DP528288, Lots 1 and 2 DP408561, Lots 3 and 4 DP404524, Lots 5 and 6 DP400385, and Lots 7 and 8 DP404525 (Bream Tail), or a nominated buildable area or a building platform otherwise approved on those properties.</u></p> <p>AND</p> <p>Any consequential amendments or alternative relief to address the matters raised in the submission.</p>	<p>activity status for new buildings and structures in the Outstanding Natural Landscapes and Outstanding Natural Features outside the coastal environment.</p>		
FS35.99	Bream Tail Residents Association	NFL-R2	Support	Allow the original submission.	<ul style="list-style-type: none"> NFL-R2.2. requires amendments to achieve its intended outcome. I.e., to specifically recognise the Bream Tail subdivision. 	Reject	Topic 6: Rules
263.69	Daytona Trust	NFL-R3	Amend	<p>AMEND NFL-R3 ONL outside the coastal environment to add as permitted activities indigenous vegetation clearance for the following purposes (without a requirement for these to comply with the area limitation standards under NFL-S5 and in addition to the repair and maintenance allowances in the rule as proposed):</p> <ol style="list-style-type: none"> To address an immediate risk to the public safety or damage to property; The formation of walking tracks less than 1.5m wide; The construction of a new fence where the purpose of the new fence is to exclude stock and/or pests from the area of indigenous vegetation, provided that the clearance does not exceed 	<ul style="list-style-type: none"> Rule NFL-R3 should be amended to make additional allowances for indigenous vegetation clearance which by its nature will have minor effects on the Outstanding Natural Landscape (whether inside or outside the coastal environment), is required to enable positive effects, or is required for the health and safety of people. 	Accept in part	Topic 6: Rules

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
				<p>3.5m in width either side of the fence line;</p> <p>d. To remove pest species in accordance with any approved pest management plan or biosecurity operational plan;</p> <p>e. To create or maintain a 20m setback from an area of indigenous vegetation to a residential unit (excluding accessory buildings);</p> <p>f. The removal or clearance of indigenous vegetation from land that was previously cleared and where the indigenous vegetation to be cleared is less than 10 years old; and</p> <p>g. Creation and maintenance of firebreaks to manage fire risk.</p> <p>AND</p> <p>Any consequential amendments or alternative relief to address the matters raised in the submission.</p>			
FS35.100	Bream Tail Residents Association	NFL-R3	Support	Allow the original submission.	<ul style="list-style-type: none"> Amend NFL-R3 to make additional allowances for indigenous vegetation clearance which will inherently have minor effects on an ONL (whether inside or outside the coastal environment), but is required to enable positive effects or for the health and safety. 	Accept in part	Topic 6: Rules
265.3	Environmental Defence Society Incorporated	General	Amend	AMEND the Ecosystems and Indigenous Biodiversity Chapter to give effect to	<ul style="list-style-type: none"> The submitter opposes the Ecosystems and Indigenous Biodiversity Chapter in part as it 	Accept in part	Topic 1: General submissions on the NFL chapter

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
				<p>national direction and regional planning instruments. AND RETAIN the integrity of natural environment mapping ONL, ONF, HNC and ONC (inferred). AND AMEND relevant objectives, policies, rules and standards to ensure planning outcomes are achieved which will not jeopardise the integrity of Kaipara's natural environment. AND Any similar, consequential or alternative relief as is necessary to address the issues raised.</p>	<p>does not include mapped areas of significant indigenous vegetation and significant habitats of indigenous fauna - contrary to the National Policy Statement for Indigenous Biodiversity (NPS-IB) and the National Policy Statement for Freshwater Management. It is noted that the NPS-IB states that each territorial authority must undertake a district-wide assessment to identify area of significant indigenous vegetation or significant habitat of indigenous fauna that qualify as Significant Natural Areas (SNAs). This has not been done and, without SNA mapping, the submitter does not consider that the PDP gives effect to national direction or achieves the purpose of the RMA.</p> <ul style="list-style-type: none"> • Relying on future plan changes is not a solution. Rather, NPS-IB requirements should be incorporated into the PDP now to enable the drafting of associated objectives, policies, rules and standards to ensure SNA's can be identified, protected, managed and restored (as required by National Planning Standards chapter 7, para 19). The same goes in regard to the National Policy Statement for 		Topic 2: ONL and ONF mapping

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
					<p>Freshwater Management 2020 (NPS-FM).</p> <ul style="list-style-type: none"> • The submitter notes that a series of other natural environment features are mapped within the PDP and this is supported. This includes ONL, ONF, HNC and ONC. However, it is integral that these features should continue to be protected and not be diminished (unless they no longer meet the required threshold). • The submitter requests that the Ecosystems and Indigenous Biodiversity, Natural Character, Natural Features and Landscapes Chapters are re-drafted to give effect to national direction and the RMA. Within these chapters, the following issues need to be considered: <ul style="list-style-type: none"> ○ Subdivision needs to be referred to alongside use and development. ○ Regulatory thresholds should be strengthened. ○ Activity statuses need to be 'ratcheted up'. ○ Provision for earthworks and indigenous vegetation clearance should not be annually. ○ Matters of control and discretion should provide for 		

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
					<p>the protection, management and restoration of indigenous biodiversity and outstanding landscapes and features.</p> <ul style="list-style-type: none"> • The omissions in PDP framework risk the loss of important natural values which require protection for future generations. • The submitter suggests that provisions the same or similar to Auckland Council's natural environment mapping are included within the PDP (provided in Attachment 1 of the submission). 		
FS45.85	Director General of Conservation	General	Support in part	Allow the submission in part.	<ul style="list-style-type: none"> • The chapter does not give effect to higher order documents, including the NPS-IB (noting the NPS-IB requirement to identify SNAs has been delayed until 2027). In any case, s6(c) remains and areas of significant indigenous vegetation and habitats of indigenous fauna can be mapped accordingly. 	Accept in part	<p>Topic 1: General submissions on the NFL chapter</p> <p>Topic 2: ONL and ONF mapping</p>
265.5	Environmental Defence Society Incorporated	General	Amend	<p>AMEND the Natural Features and Landscapes Chapter to give effect to national direction and regional planning instruments.</p> <p>AND</p> <p>RETAIN the integrity of natural environment mapping (inferred).</p> <p>AND</p>	<ul style="list-style-type: none"> • The submitter opposes the Natural Features and Landscapes Chapter in part as it does not include mapped areas of significant indigenous vegetation and significant habitats of indigenous fauna - contrary to the National Policy Statement for Indigenous Biodiversity (NPS-IB) and 	Accept in part	Topic 1: General Submissions on the NFL Chapter

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
				<p>AMEND relevant objectives, policies, rules and standards to ensure planning outcomes are achieved which will not jeopardise the integrity of Kaipara's natural environment. AND Any similar, consequential or alternative relief as is necessary to address the issues raised.</p>	<p>the National Policy Statement for Freshwater Management. It is noted that the NPS-IB states that each territorial authority must undertake a district-wide assessment to identify area of significant indigenous vegetation or significant habitat of indigenous fauna that qualify as Significant Natural Areas (SNAs). This has not been done, and, without SNA mapping, the submitter does not consider that the Proposed District Plan (PDP) gives effect to national direction or achieves the purpose of the RMA.</p> <ul style="list-style-type: none"> • Relying on future plan changes is not a solution. Rather, NPS-IB requirements should be incorporated into the PDP now to enable the drafting of associated objectives, policies, rules and standards to ensure SNA's can be identified, protected, managed and restored (as required by National Planning Standards chapter 7, para 19). The same goes in regard to the National Policy Statement for Freshwater Management 2020 (NPS-FM). • The submitter notes that a series of other natural environment features are mapped within the PDP and this is supported. This includes ONL, ONF, 		

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
					<p>HNC and ONC. However, it is integral that these features should continue to be protected and not be diminished (unless they no longer meet the required threshold).</p> <ul style="list-style-type: none"> • The submitter requests that the Ecosystems and Indigenous Biodiversity, Natural Character, Natural Features and Landscapes Chapters are re-drafted to give effect to national direction and the RMA. Within these chapters, the following issues need to be considered: <ul style="list-style-type: none"> ○ Subdivision needs to be referred to alongside use and development. ○ Regulatory thresholds should be strengthened. ○ Activity statuses need to be 'ratcheted up'. ○ Provision for earthworks and indigenous vegetation clearance should not be annually. ○ Matters of control and discretion should provide for the protection, management and restoration of indigenous biodiversity and outstanding landscapes and features. • The omissions in PDP framework risk the loss of important natural values 		

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
					<p>which require protection for future generations.</p> <ul style="list-style-type: none"> The submitter suggests that provisions the same or similar to Auckland Council's natural environment mapping are included within the PDP (provided in Attachment 1 of the submission). 		
FS100.58	Transpower New Zealand Ltd	General	Oppose	Reject the relief sought.	<ul style="list-style-type: none"> Extensive unspecified amendments to the NFL chapter are sought. Due to the nature of the submission, it is not possible to determine the effect of the proposed changes on the National Grid or the implementation of the NPS-ET. As such, the submission point is opposed insofar as the relief is inconsistent with the relief sought in the original submission. 	Accept in part	Topic 1: General Submissions on the NFL Chapter
FS35.103	Bream Tail Residents Association	General	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> The submission lacks specificity as to the relief requested and is not supported by s32 analysis. 	Accept in part	Topic 1: General Submissions on the NFL Chapter
FS44.44	Daytona Trust	General	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> The submission lacks specificity as to the relief requested and is not supported by s32 analysis. 	Accept in part	Topic 1: General Submissions on the NFL Chapter
FS47.95	Federated Farmers of New Zealand	General	Oppose	Reject the relief sought.	<ul style="list-style-type: none"> No wording has been proposed. As such, it is not possible to assess the impact of any potential relief being granted. 	Accept in part	Topic 1: General Submissions on the NFL Chapter

Appendix A - Officers Recommended Decisions on Submissions - Natural Features and Landscapes

Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
FS77.7	Mercury NZ Limited	General	Oppose	Reject the relief sought.	<ul style="list-style-type: none"> Renewable electricity generation (REG) activities have a functional need to locate where the renewable resource exists (e.g., ridgelines for wind). These locations often overlap with ONLs and/or areas of ecological value. To have strict avoidance without recognising functional need is inconsistent with the NPS-REG which requires decision-makers to recognise the practical constraints of REG. To remove such pathways would actively prohibit new REG in Kaipara, ultimately undermining national climate change targets. 	Accept in part	Topic 1: General Submissions on the NFL Chapter
FS93.68	Royal Forest and Bird Protection Society of NZ	General	Support	Allow the original submission.	<ul style="list-style-type: none"> Seeks to improve outcomes for indigenous biodiversity 	Accept in part	Topic 1: General Submissions on the NFL Chapter
FS97.44	Tappenden Holdings Limited	General	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> The submission lacks specificity as to the relief requested and is not supported by s32 analysis. 	Accept in part	Topic 1: General Submissions on the NFL Chapter
265.8	Environmental Defence Society Incorporated	General	Support	RETAIN mapped areas of Outstanding Natural Landscape. AND Any similar, consequential or alternative relief as necessary to address the issues raised.	<ul style="list-style-type: none"> The submitter supports mapped ONLs as they appear to reflect PC1 of the Operative District Plan. 	Accept	Topic 2: ONL and ONF mapping

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
FS93.71	Royal Forest and Bird Protection Society of NZ	General	Support	Allow the original submission.	<ul style="list-style-type: none"> Seeks to improve outcomes for indigenous biodiversity 	Accept	Topic 2: ONL and ONF mapping
272.1	J & C Hawley	General	Support	RETAIN the Natural Features and Landscapes chapter.	<ul style="list-style-type: none"> The aim of the chapter to protect Outstanding Natural Features and Outstanding Natural Landscapes as a matter of national importance under Section 6(b) of the RMA is supported. 	Accept	Topic 1: General Submissions on the NFL Chapter
272.2	J & C Hawley	General	Support	RETAIN the boundary of ONL14 Bream Tail/Brynderwyn Ranges as shown on the planning map.	<ul style="list-style-type: none"> No reasons provided. 	Accept	Topic 2: ONL and ONF mapping
272.3	J & C Hawley	General	Amend	RETAIN the reference to the "Northland Regional Policy Statement Appendix 1: Mapping Methods". AND ADD reference to the Northland Regional Policy Statement Landscape Assessment Worksheets (2014) in the Overview of the Natural Features and Landscapes chapter.	<ul style="list-style-type: none"> The Northland Regional Policy Statement Landscape Assessment Worksheets (2014) are more detailed and recent than Kaipara's Landscape Technical Report (2010). 	Accept in part	Topic 3: Overview
272.4	J & C Hawley	NFL-O2	Amend	AMEND NFL-O2 as follows: The <u>conservation</u> , maintenance and enhancement of the characteristics, qualities and values of Outstanding Natural Features and Outstanding Natural Landscapes is promoted	<ul style="list-style-type: none"> Conservation should be a key objective. 	Reject	Topic 4: Objectives
272.5	J & C Hawley	NFL-P1	Amend	AMEND NFL-P1 as follows: "Enable activities that <u>protect</u> , maintain, restore or enhance the characteristics,"	<ul style="list-style-type: none"> The addition reflects emphasis on protection as per Section 6(b) of the RMA. 	Accept	Topic 4: Objectives

Appendix A - Officers Recommended Decisions on Submissions - Natural Features and Landscapes

Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
272.6	J & C Hawley	NFL-P4	Amend	<p>AMEND NFL-P4 as follows:</p> <ol style="list-style-type: none"> 1. Avoid significant adverse effects of <u>subdivision</u>, land use and development on the characteristics, qualities and values of Outstanding Natural Features and Outstanding Natural Landscapes as set out in Schedule 4 and Schedule 5; and 2. Avoid, remedy or mitigate other adverse effects (including cumulative adverse effects) of <u>subdivision</u>, land use and development on the characteristics, qualities and values of Outstanding Natural Features and Outstanding Natural Landscapes including by: <ol style="list-style-type: none"> a. In Outstanding Natural Features, ensuring<u>requiring</u> that the scale and intensity of earthworks and built development is appropriate taking into account the scale, form and vulnerability to modification of the feature; b. In Outstanding Natural Landscapes, ensuring<u>requiring</u> that the location and intensity of subdivision, use and built development is appropriate having regard to, natural elements, landforms and processes, including vegetation patterns, ridgelines and freshwater bodies and their margins; and 	<ul style="list-style-type: none"> • The sought relief above reflects the inclusion of subdivision in NFL-P4.2.b. and RMA Section 6(b). The amendments to NFL-P4.2.a. and b. are consistent with the Northland Regional Policy Statement Policy 4.6.1 on Outstanding Natural Landscapes. 	Accept in part	Topic 5: Policies

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
				<p>c. Having regard to:</p> <ul style="list-style-type: none"> i. Integration of development into the Outstanding Natural Feature or Outstanding Natural Landscape, maintenance of low development density, and retention of predominant vegetation cover, <u>particularly indigenous vegetation</u>; ii. The location, design, scale, prominence and visibility of any buildings, structures, <u>and access, and the extent of earthworks and indigenous vegetation clearance</u>; iii. Methods and timelines for restoring or reinstating earthworks and revegetating land; and iv. The finish of any buildings or structures, including materials, reflectivity and colour; and landscaping and fencing. 			
272.7	J & C Hawley	NFL-P6	Amend	<p>AMEND NFL-P6 as follows: Have regard to the following matters when assessing resource consent applications for <u>subdivision</u>, land use and development in Outstanding Natural Features and Outstanding Natural Landscapes:</p>	<ul style="list-style-type: none"> • Addition of 'subdivision' reflects Section 6(b) RMA. • Clause 3 largely repeats clause 4 and the intensity of buildings, structures and infrastructure in the area surrounding an Outstanding Natural Landscape should not determine the 	Accept in part	Topic 5: Policies

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
				<ol style="list-style-type: none"> 1. The physical and visual integrity and any fragmentation of the landscape or feature, and its sensitivity or vulnerability to change; 2. Adverse and positive effects on identified characteristics, qualities and values; 3. The intensity of buildings, structures or infrastructure in the locality and the landscape values of surrounding land and established activities; The <u>extent of the area affected and whether adverse effects are minor, more than minor or transitory;</u> 4. The location, scale and design of proposed development including in relation to ridgelines, skylines and prominent headlands, the values of surrounding land and established activities and visibility from roads and public places; 5. Integration of the building, structure, access or activity into the landscape or feature, including materials, reflectivity, colour, landscaping and fencing; 6. The need for, extent, design, location and visibility of earthworks and vegetation clearance; and The degree <u>of modification, damage, loss or destruction that will result from the</u> 	<p>density of the same within an Outstanding Natural Landscape.</p> <ul style="list-style-type: none"> • Regarding Clause 6, the emphases should be on the effects rather than the need for earthworks and vegetation clearance activities. 		

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
				<p><u>activity in terms of vegetation clearance and earthworks;</u></p> <p>7. <u>Historical or cultural associations with the feature or landscape; and</u></p> <p>8. <u>The maintenance of established areas and patterns of indigenous vegetation cover.</u></p>			
272.8	J & C Hawley	NFL-R2	Amend	<p>AMEND the activity status in NFL-R2.3. as follows: 3. Activity status where compliance not achieved: Restricted Discretionary Non-Complying AND AMEND NFL-R2.4. as follows: 4. Matters over which discretion is restricted: a. The matters in NFL-P6; and b. The positive effects of the activity.</p>	<ul style="list-style-type: none"> Amendments requested reflect the need for Council to give full consideration to its obligations under s.6(b) and s.6(c) of the RMA and apply the activity status which best achieves the levels of protection required for such a significant area. Reference to the positive effects is not necessary as NFL-P6.2. refers to both adverse and positive effects. 	Reject	Topic 6: Rules
FS42.27	Chorus, Spark, Fortysouth, One NZ and Connexa	NFL-R2	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> The changes sought to NFL-R2.3 do not provide a practical framework for necessary network utilities works. 	Accept	Topic 6: Rules
FS42.28	Chorus, Spark, Fortysouth, One NZ and Connexa	NFL-R2	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> The changes sought to NFL-R2.4 do not provide a practical framework for necessary network utilities works. 	Accept	Topic 6: Rules
FS71.13	Mangawhai Heads Holdings Ltd	NFL-R2	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> Considers the notified proposed activity status for when compliance is not achieved is suitable. 	Accept	Topic 6: Rules
272.9	J & C Hawley	NFL-R2	Amend	DELETE any reference to RM090103 for Lot 2 DP 316176 (inferred)	<ul style="list-style-type: none"> It is unclear why reference to RM090103 for Lot 2 DP 316176 is 	Accept	Topic 6: Rules

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
				OR PROVIDE clarity that the Restricted Discretionary Activity Status is an exception as a result of the Environment Court Decision No [2015] NZEnvC 069.	included in the Proposed District Plan.		
FS71.6	Mangawhai Heads Holdings Ltd	NFL-R2	Accept in part	Allow the submission in part.	<ul style="list-style-type: none"> Disallow the DELETE request but allow the PROVIDE clarification of restricted discretionary status being an exception due to NZEnvC 069 [2015]. Opposes the deletion of any reference to RM090103 for Lot 2 DP 316176 as its deletion would not be in line with the Environment Court Decision determined in <i>Calveley v Kaipara District Council</i> [2015] NZEnvC 69 . No resource management reason for such deletion, given that the land will be developed within the PDP's lifetime. 	Reject	Topic 6: Rules
272.10	J & C Hawley	NFL-R3	Amend	AMEND the activity status of NFL-R3.1. as follows: 1. Activity status: Permitted Discretionary AND AMEND the activity status of NFL-R3.2. as follows: 2. Activity status when compliance not achieved: Restricted Discretionary <u>Non-Complying</u> AND	<ul style="list-style-type: none"> Non-complying status requires effects to be minor and not contrary to the Proposed District Plan's objectives and policies. This is important given the significance of indigenous vegetation and the requirement for its protection under Section 6(c) RMA. 	Reject	Topic 6: Rules

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
				AMEND NFL-R3.3. as follows: 3. Matters over which discretion is restricted: a. The matters in NFL-P6; and b. The positive effects of the activity.	<ul style="list-style-type: none"> The vital contribution of ONL14 to indigenous biodiversity cannot be understated. NFL-R3.3.b. is unnecessary as NFL-P6, assessment criteria 2 refers to both adverse and positive effects. 		
FS42.29	Chorus, Spark, Fortysouth, One NZ and Connexa	NFL-R3	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> The changes sought to NFL-R3.1 do not provide a practical framework for necessary network utilities works. 	Accept	Topic 6: Rules
FS42.30	Chorus, Spark, Fortysouth, One NZ and Connexa	NFL-R3	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> The changes sought to NFL-R3.2 do not provide a practical framework for necessary network utilities works. 	Accept	Topic 6: Rules
FS42.31	Chorus, Spark, Fortysouth, One NZ and Connexa	NFL-R3	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> The changes sought to NFL-R3.3 do not provide a practical framework for necessary network utilities works. 	Accept	Topic 6: Rules
272.11	J & C Hawley	NFL-R4	Amend	AMEND the activity status of NFL-R4.1. as follows: 1. Activity Status: Permitted Discretionary AND AMEND the activity status of NFL-R4.2. as follows: 2. Activity status when compliance not achieved: Restricted Discretionary Non-Complying AND AMEND NFL-R4.3 as follows:	<ul style="list-style-type: none"> This status requires adverse effects to be minor and not contrary to the Proposed District Plan's objectives and policies. The reference to positive effects is unnecessary as NFL-P6.2. refers to both adverse and positive effects. 	Reject	Topic 6: Rules

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
				3. Matters over which discretion is restricted: a. The matters in NFL-P6; and b. The positive effects of the activity.			
FS42.32	Chorus, Spark, Fortysouth, One NZ and Connexa	NFL-R4	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> The changes sought to NFL-R4.1 do not provide a practical framework for necessary network utilities works. 	Accept	Topic 6: Rules
FS42.33	Chorus, Spark, Fortysouth, One NZ and Connexa	NFL-R4	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> The changes sought to NFL-R4.2 do not provide a practical framework for necessary network utilities works. 	Accept	Topic 6: Rules
FS42.34	Chorus, Spark, Fortysouth, One NZ and Connexa	NFL-R4	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> The changes sought to NFL-R4.3 do not provide a practical framework for necessary network utilities works. 	Accept	Topic 6: Rules
272.12	J & C Hawley	NFL-S2	Amend	AMEND NFL-S2.1 as follows: 1. The gross floor area of any new building or existing building plus addition must not exceed: a. 100m² <u>50m²</u> for any accessory building; and b. 150m² <u>100m²</u> for any residential unit.	<ul style="list-style-type: none"> The gross floor areas are both excessive, particularly or an accessory building. Scale and size have potential to generate adverse effects. Reduced sizes are considered more appropriate in the context of protecting Outstanding Natural Landscapes. 	Reject	Topic 7: Standards
272.13	J & C Hawley	NFL-S4	Amend	AMEND NFL-S4 as follows: 1. The earthworks must not exceed 150m ³ in any 12 month period per site; and 2. The maximum cut height or fill depth must not exceed 2m.	<ul style="list-style-type: none"> Repeated earthworks at this scale would have a cumulative adverse effect on Outstanding Natural Landscapes, and/or Outstanding Natural Features. 	Reject	Topic 7: Standards
FS29.66	Atlas Quarries Limited	NFL-S4	Oppose in part	Reject the relief sought in part.	<ul style="list-style-type: none"> The PDP must give effect to the provisions as they relate to mineral 	Accept in part	Topic 7: Standards

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					extraction activities within the RPS and Parts 2 and 3 RMA.		
272.14	J & C Hawley	NFL-S5	Amend	<p>AMEND NFL-S5 as follows:</p> <p>1. The indigenous vegetation clearance must:</p> <p><u>a. Maintain established areas and patterns of indigenous vegetation cover.</u></p> <p><u>b. Not exceed 150m² in any 12-month period per site.</u></p> <p><u>c. Not take place in a continuous area of predominantly indigenous vegetation over 1ha in area.</u></p> <p><u>d. Take account of the ecological significance of indigenous vegetation and the presence of rare or endangered flora and fauna</u></p> <p><u>e. Not take place in an area identified by the Department of Conservation as having high kiwi density.</u></p> <p>AND</p> <p>ADD a map showing areas of high kiwi density that should be available from the Department of Conservation as an Appendix in the Proposed District Plan.</p>	<ul style="list-style-type: none"> • Clearance or disturbance should not be permitted more than once on a site. • Over time repeated annual clearance would result in removal of considerable areas of significant indigenous vegetation, generating cumulative adverse effects. • Standards are required that reflect the significance of indigenous vegetation, the habitat it provides for flora and fauna, and afford it sufficient and appropriate protection. The inclusion of just one standard is inadequate. 	Reject	Topic 7: Standards
272.38	J & C Hawley	Definitions	Amend	<p>ADD a definition for "Outstanding Natural Feature".</p>	<ul style="list-style-type: none"> • It would be useful to include a definition for this term. 	Reject	Topic 1: General submissions on the NFL chapter
272.39	J & C Hawley	Definitions	Amend	<p>ADD a definition for "Outstanding Natural Landscape".</p>	<ul style="list-style-type: none"> • It would be useful to include a definition for this term. 	Reject	Topic 1: General submissions on the NFL chapter

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
276.1	Mangawhai Heads Holdings Limited	NFL-R2	Amend	<p>AMEND (inferred) NFL-R2.5, and Notes 1, 2, and 3, to read as follows: 5. Activity status: Restricted Discretionary Where: a. For the erection of a dwelling, exceeding 50m² but not exceeding 350m² <u>gross floor area</u>, on Lots 1-4 and 6-14 as shown on the Survey Plan consented by RM090103 <u>(and any subsequent s127 variations)</u> for Lot 2 DP 316176 (Mangawhai Heads Holdings Limited) b. A dwelling on a relevant lot exceeds the 50m² gross floor area limit specified in Rule 12.10.3c(1)(b)(i) in Chapter 12 of the Kaipara Operative District Plan (but does not exceed 350m² gross floor area), Council has restricted its discretion to the matter specified in Condition 1(p) of consent RM090103, dated 17 April 2015. <u>Matters over which discretion is restricted:</u> <u>The matters listed in Condition 1(p) of consent RM090103, dated 17 April 2015.</u></p> <p>Note 1: The restricted discretionary activity opportunity provided by this Rule applies subject to the following provisions: a. It expressly applies only to the 13 identified building locations within Lots 1-4 and 6-14 shown on a Survey Plan consent by RM090103 for Lot 2 DP 316176 (or as</p>	<ul style="list-style-type: none"> The subdivision consent (RM090103) provides approval to create rural residential Lots within an Outstanding Natural Landscape and included a number of approved design controls imposed as part of the recommendations of the Landscape and Visual expert provided with the subdivision application which are required to be registered as consent notices on the new Lots. The submitter considers it reasonable that Council's discretion is limited to these matters given they have been tested through the resource consent process. 	Reject	Topic 6: Rules

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				<p>shown on any subsequent DP replacing 316176); or to one dwelling on the existing Lot 2 DP 316176 (or any subsequent DP replacing 316176) providing that the dwelling is in one of the 13 identified building locations and is designed in accordance with the controls specified in condition 1(p) of <u>RM090103</u>. Note that a number of s127 variations have been approved to <u>RM090103</u> and this condition reference (i.e. 1(p)) is to the original consent numbering under RM090103, dated 17 April 2015.</p> <p>b. A certificate of title must have been issued for the lot concerned, subject to a consent notice relating to the continuing requirements of condition 1(p) of consent RM090103.</p> <p>c. If consent RM090103 lapses without being implemented, then this rule shall cease to apply, (Rule 12.10.3c would then apply as normal), except as provided in respect of one dwelling in (a.) above.</p> <p>Note 2: An application for restricted discretionary activity resource consent pursuant to this Rule will be considered on a non-notified basis.</p> <p>Note 3: <u>Standards NFL-S1 – 3 do not apply to</u></p>			

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				dwelling s utilising this provision. The restricted discretionary activity opportunity provided by this Rule applies only to the performance standard in Rule 12.10.3c(1)(b)(i) of the Operative Kaipara District Plan. The remaining performance standards specified in Rule 12.10.3c(1) of the Operative Kaipara District Plan continue to apply to any dwelling on the relevant lots as normal. In addition, Any dwelling exceeding 350m ² gross floor area is a discretionary activity.			
FS58.13	J & C Hawley	NFL-R2	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> Does not consider there is any justification to include site-specific exclusions in the PDP, or references to subsequent s127 variations. 	Accept	Topic 6: Rules
FS73.1	M Tschirky	NFL-R2	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> Lots 1-4 and 6-14 (RM090103 for Lot 2 DP 316176) within ONL14 has been given exemptions which are site-specific and date back to an Environment Court decision 17/4/2015. It is inappropriate to include this site-specific exclusion in the PDP or references to subsequent s127 variations fo Lot 2 as variations are unknown, unspecified and thus should not be provided for. 	Accept	Topic 6: Rules

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
278.1	Marunui Conservation Ltd	General	Support	RETAIN the Natural Features and Landscapes Chapter (inferred).	<ul style="list-style-type: none"> The aim of the chapter to protect Outstanding Natural Features and Outstanding Natural Landscapes as a matter of national importance under Section 6(b) of the RMA is supported. 	Accept	Topic 1: General Submissions on the NFL Chapter
278.2	Marunui Conservation Ltd	General	Support	RETAIN the boundary of ONL14 Bream Tail/Brynderwyn Ranges as shown on the planning map.	<ul style="list-style-type: none"> No reasons provided. 	Accept	Topic 2: ONL and ONF mapping
278.3	Marunui Conservation Ltd	General	Amend	RETAIN the reference to the Northland Regional Policy Statement - Appendix 1: Mapping Methods in the Overview of the Natural Features and Landscapes chapter. AND ADD reference to the Northland Regional Policy Statement Landscape Assessment Worksheets (2014).	<ul style="list-style-type: none"> The Northland Regional Policy Statement Landscape Assessment Worksheets (2014) are more detailed and recent than Kaipara's Landscape Technical Report (2010). 	Accept in part	Topic 2: ONL and ONF mapping
278.4	Marunui Conservation Ltd	NFL-O2	Amend	AMEND NFL-O2, as follows: The <u>conservation</u> , maintenance and enhancement of the characteristics, qualities and values of Outstanding Natural Features and Outstanding Natural Landscapes is promoted.	<ul style="list-style-type: none"> Conservation should also be a key objective. 	Reject	Topic 4: Objectives
278.5	Marunui Conservation Ltd	NFL-P1	Amend	AMEND NFL-P1 as follows: "Enable activities that <u>protect</u> , maintain, restore or enhance the characteristics,"	<ul style="list-style-type: none"> The addition reflects emphasis on protection as per Section 6(b) of the RMA. 	Accept	Topic 5: Policies
278.6	Marunui Conservation Ltd	NFL-P4	Amend	AMEND NFL-P4 as follows: 1. Avoid significant adverse effects of <u>subdivision</u> , land use and development	<ul style="list-style-type: none"> The sought relief above reflects the inclusion of subdivision in NFL-P4.2.b., and RMA Section 6(b). The 	Accept in part	Topic 5: Policies

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				<p>on the characteristics, qualities and values of Outstanding Natural Features and Outstanding Natural Landscapes as set out in Schedule 4 and Schedule 5; and</p> <p>2. Avoid, remedy or mitigate other adverse effects (including cumulative adverse effects) of <u>subdivision</u>, land use and development on the characteristics, qualities and values of Outstanding Natural Features and Outstanding Natural Landscapes including by:</p> <p>a. In Outstanding Natural Features, <u>ensuring requiring</u> that the scale and intensity of earthworks and built development is appropriate taking into account the scale, form and vulnerability to modification of the feature;</p> <p>1. In Outstanding Natural Landscapes, <u>ensuring requiring</u> that the location and intensity of subdivision, use and built development is appropriate having regard to, natural elements, landforms and processes, including vegetation patterns, ridgelines and freshwater bodies and their margins; and</p> <p>3. Having regard to:</p>	<p>amendments to NFL-P4.2.a. and b. are consistent with the Northland Regional Policy Statement Policy 4.6.1 on Outstanding Natural Landscapes.</p>		

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
				<p>a. Integration of development into the Outstanding Natural Feature or Outstanding Natural Landscape, maintenance of low development density, and retention of predominant vegetation cover; <u>particularly indigenous vegetation;</u></p> <p>b. The location, design, scale, prominence and visibility of any buildings, structures, <u>and</u> access, <u>and the extent of</u> earthworks and indigenous vegetation clearance;</p>			
278.7	Marunui Conservation Ltd	NFL-P6	Amend	<p>AMEND NFL-P6 as follows: Have regard to the following matters when assessing resource consent applications for <u>subdivision</u>, land use and development in Outstanding Natural Features and Outstanding Natural Landscapes:</p> <ol style="list-style-type: none"> 1. The physical and visual integrity and any fragmentation of the landscape or feature, and its sensitivity or vulnerability to change; 2. Adverse and positive effects on identified characteristics, qualities and values; 3. The intensity of buildings, structures or infrastructure in the locality and the landscape values of surrounding land and established activities; <u>The extent of the area affected and whether adverse</u> 	<ul style="list-style-type: none"> • Addition of 'subdivision' reflects Section 6(b) RMA. • Clause 3 largely repeats clause 4 and the intensity of buildings, structures and infrastructure in the area surrounding an Outstanding Natural Landscape (ONL) should not determine the density of the same within an ONL. • Regarding Clause 6, the emphases should be on the effects rather than the need for earthworks and vegetation clearance activities. 	Accept in part	Topic 5: Policies

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
				<p><u>effects are minor, more than minor or transitory;</u></p> <p>4. The location, scale and design of proposed development including in relation to ridgelines, skylines and prominent headlands, the values of surrounding land and established activities and visibility from roads and public places;</p> <p>5. Integration of the building, structure, access or activity into the landscape or feature, including materials, reflectivity, colour, landscaping and fencing;</p> <p>6. <u>The need for, extent, design, location and visibility of earthworks and vegetation clearance; and The degree of modification, damage, loss or destruction that will result from the activity in terms of vegetation clearance and earthworks;</u></p> <p>7. Historical or cultural associations with the feature or landscape; <u>and</u></p> <p>8. <u>The maintenance of established areas and patterns of indigenous vegetation cover.</u></p>			
278.8	Marunui Conservation Ltd	NFL-R2	Amend	<p>AMEND clause 3 of NFL-R2 as follows: 3. Activity status where compliance not achieved: Restricted Discretionary Non-Complying AND AMEND NFL-R2 clause 4, as follows:</p>	<ul style="list-style-type: none"> Amendments requested reflect the need for Council to give full consideration to its obligations under s.6(b) and s.6(c) of the RMA and apply the activity status which best achieves the levels of 	Reject	Topic 6: Rules

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
				4. Matters over which discretion is restricted: a. The matters in NFL-P6; and b. The positive effects of the activity.	protection required for such a significant area.		
FS42.36	Chorus, Spark, Fortysouth, One NZ and Connexa	NFL-R2	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> The changes sought do not provide a practical framework for necessary network utilities works. 	Accept	Topic 6: Rules
FS71.11	Mangawhai Heads Holdings Ltd	NFL-R2	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> Considers the notified proposed activity status for when compliance is not achieved is suitable. 	Accept	Topic 6: Rules
278.9	Marunui Conservation Ltd	NFL-R3	Amend	<p>AMEND the activity status of NFL-R3.1. as follows: 1. Activity status: Permitted-Discretionary AND AMEND the activity status of NFL-R3.2. as follows: 2. Activity status when compliance not achieved: Restricted-Discretionary <u>Non-Complying</u> AND AMEND NFL-R3.3 as follows: 3. Matters over which discretion is restricted: a. The matters in NFL-P6; and b. The positive effects of the activity.</p>	<ul style="list-style-type: none"> Non-complying status requires effects to be minor and not contrary to the PDP's objectives and policies. This is important given the significance of indigenous vegetation and the requirement for its protection under Section 6(c) RMA. The vital contribution of ONL14 to indigenous biodiversity cannot be understated. 	Reject	Topic 6: Rules
FS42.37	Chorus, Spark, Fortysouth, One NZ and Connexa	NFL-R3	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> The changes sought to NFL-R3.1 do not provide a practical framework for necessary network utilities works. 	Accept	Topic 6: Rules

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
FS42.38	Chorus, Spark, Fortysouth, One NZ and Connexa	NFL-R3	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> The changes sought to NFL-R3.2 do not provide a practical framework for necessary network utilities works. 	Accept	Topic 6: Rules
FS42.39	Chorus, Spark, Fortysouth, One NZ and Connexa	NFL-R3	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> The changes sought to NFL-R3.3 do not provide a practical framework for necessary network utilities works. 	Accept	Topic 6: Rules
278.10	Marunui Conservation Ltd	NFL-R4	Amend	<p>AMEND the activity status of NFL-R4.1. as follows: 1. Activity Status: Permitted Discretionary AND AMEND the activity status of NFL-R4.2. as follows: 2. Activity status when compliance not achieved: Restricted Discretionary Non-Complying AND AMEND NFL-R4.3 as follows: 4. Matters over which discretion is restricted: a. The matters in NFL-P6; and b. The positive effects of the activity.</p>	<ul style="list-style-type: none"> Non-Complying status requires adverse effects to be minor and not contrary to the PDP's objectives and policies. Clause 3.b. is unnecessary as NFL-P6 refers to both adverse and positive effects. 	Reject	Topic 6: Rules
FS42.40	Chorus, Spark, Fortysouth, One NZ and Connexa	NFL-R4	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> The changes sought do not provide a practical framework for necessary network utilities works. 	Accept	Topic 6: Rules
FS42.41	Chorus, Spark, Fortysouth, One NZ and Connexa	NFL-R4	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> The changes sought do not provide a practical framework for necessary network utilities works. 	Accept	Topic 6: Rules

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
278.11	Marunui Conservation Ltd	NFL-S2	Amend	AMEND NFL-S2 as follows: 1. The gross floor area of any new building or existing building plus addition must not exceed: a. 100m² 50m² for any accessory building; and b. 150m² 100m² for any residential unit.	<ul style="list-style-type: none"> The gross floor areas are both excessive, particularly or an accessory building. Scale and size have potential to generate adverse effects. Reduced sizes are considered more appropriate in the context of protecting Outstanding Natural Landscapes. 	Reject	Topic 7: Standards
278.12	Marunui Conservation Ltd	NFL-S4	Amend	AMEND NFL-S4 as follows: 1. The earthworks must not exceed 150m ³ in any 12 month period per site; and 2. The maximum cut height or fill depth must not exceed 2m.	<ul style="list-style-type: none"> Repeated earthworks at this scale would have a cumulative adverse effect on Outstanding Natural Landscapes, and/or Outstanding Natural Features. 	Reject	Topic 7: Standards
FS29.67	Atlas Quarries Limited	NFL-S4	Oppose in part	Reject the relief sought in part.	<ul style="list-style-type: none"> The PDP must give effect to the provisions as they relate to mineral extraction activities within the RPS and Parts 2 and 3 RMA. 	Accept in part	Topic 7: Standards
278.13	Marunui Conservation Ltd	NFL-S5	Amend	AMEND NFL-S5 as follows: 1. The indigenous vegetation clearance must: a. <u>Maintain established areas and patterns of indigenous vegetation cover.</u> b. <u>Not exceed 150m² in any 12 month period per site.</u> c. <u>Not take place in a continuous area of predominantly indigenous vegetation over 1ha in area.</u> d. <u>Take account of the ecological significance of indigenous vegetation and</u>	<ul style="list-style-type: none"> Clearance or disturbance should not be permitted more than once on a site. Over time repeated annual clearance would result in removal of considerable areas of significant indigenous vegetation, generating cumulative adverse effects. Standards are required that reflect the significance of indigenous vegetation, the habitat is provided for flora and fauna and afford it sufficient 	Reject	Topic 7: Standards

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
				<p><u>the presence of rare or endangered flora and fauna</u> <u>e. Not take place in an area identified by the Department of Conservation as having high kiwi density.</u> AND ADD a map showing areas of high kiwi density that should be available from the Department of Conservation as an Appendix in the Proposed District Plan.</p>	and appropriate protection. The inclusion of just one standard is inadequate.		
278.37	Marunui Conservation Ltd	Definitions	Amend	ADD a new definition for "Outstanding Natural Feature".	<ul style="list-style-type: none"> It would be useful to include definitions for these terms. 	Reject	Topic 1: General Submissions on the NFL Chapter
FS45.95	Director General of Conservation	Definitions	Support	Allow the original submission.	<ul style="list-style-type: none"> Supports the inclusion of a definition for 'Outstanding Natural Feature'. 	Reject	Topic 1: General Submissions on the NFL Chapter
278.38	Marunui Conservation Ltd	Definitions	Amend	ADD a new definition for "Outstanding Natural Landscape".	<ul style="list-style-type: none"> It would be useful to include definitions for these terms. 	Reject	Topic 1: General Submissions on the NFL Chapter
FS45.96	Director General of Conservation	Definitions	Support	Allow the original submission.	<ul style="list-style-type: none"> Supports the inclusion of a definition for 'Outstanding Natural Landscape'. 	Reject	Topic 1: General Submissions on the NFL Chapter
283.156	Northpower Limited and Northpower Fibre Limited	General	Amend	AMEND the Natural Features and Landscapes chapter to provide consistency between provisions in the Natural Features and Landscapes, and Infrastructure chapters.	<ul style="list-style-type: none"> To ensure consistency between the direction provided for infrastructure in sensitive environments in the infrastructure chapter and the Outstanding Natural Features and Landscapes. 	Accept in part	Topic 1: General Submissions on the NFL Chapter

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
FS100.79	Transpower New Zealand Ltd	General	Neutral	Reject the relief sought in part.	<ul style="list-style-type: none"> The submission seeks to ensure infrastructure, such as the National Grid and local electricity network are appropriately provided for in sensitive areas and reverse sensitivity effects of these assets are avoided. Transpower's original submission seeks standalone National Grid policies in the Infrastructure Chapter with explicit recognition that these policies prevail over the provisions of the overlay chapters. Transpower has some concerns with the submitter's approach to seek explicit recognition of infrastructure in each overlay chapter and considers this will result in Infrastructure provisions being spread throughout the plan rather than being contained within Infrastructure Chapter to the extent practicable – the latter being strongly preferred to avoid confusion for plan users and/or the National Grid being captured by provisions which should not apply to it. 	Accept in part	Topic 1: General Submissions on the NFL Chapter
283.157	Northpower Limited and Northpower Fibre Limited	NFL-P5	Amend	AMEND NFL-P5 as follows: Enable the <u>establishment</u> , operation, maintenance, <u>repair</u> and upgrading of regionally significant infrastructure <u>and</u>	<ul style="list-style-type: none"> No provision has been made for new, or the repair of existing regionally significant infrastructure. 	Reject	Topic 5: Policies

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
				<p><u>infrastructure</u> in Outstanding Natural Features or Outstanding Natural Landscapes where:</p> <p>1. There is an operational need or functional need to be in that particular location; and</p> <p>...</p> <p>AND</p> <p>Any further necessary consequential amendments required.</p>	<ul style="list-style-type: none"> To recognise for all infrastructure to be consistent with the infrastructure enabling provisions in other chapters of the Proposed District Plan. 		
FS41.37	Channel Terminal Services Ltd	NFL-P5	Support	Accept the relief sought.	<ul style="list-style-type: none"> Supports the amendments proposed on the basis it will provide clarity and ensure consistency with infrastructure-enabling provisions within other PDP chapters. Considers all consequential rules should give effect to this policy to enable new and the ongoing operation, maintenance, repair, and upgrading of existing infrastructure, including the RAP (i.e., Regionally Significant Infrastructure). 	Reject	Topic 5: Policies
FS100.80	Transpower New Zealand Ltd	NFL-P5	Neutral	Reject the relief sought in part.	<ul style="list-style-type: none"> The submission seeks to ensure infrastructure, such as the National Grid and local electricity network are appropriately provided for in sensitive areas and reverse sensitivity effects of these assets are avoided. Transpower's original submission seeks standalone National Grid 	Neutral - no specific relief requested	Topic 5: Policies

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
					<p>policies in the Infrastructure Chapter with explicit recognition that these policies prevail over the provisions of the overlay chapters.</p> <ul style="list-style-type: none"> • Transpower has some concerns with the submitter's approach to seek explicit recognition of infrastructure in each overlay chapter and considers this will result in Infrastructure provisions being spread throughout the plan rather than being contained within Infrastructure Chapter to the extent practicable – the latter being strongly preferred to avoid confusion for plan users and/or the National Grid being captured by provisions which should not apply to it. 		
283.158	Northpower Limited and Northpower Fibre Limited	General	Amend	<p>ADD a new objective to the Natural Features and Landscapes chapter to recognise and provide for the operational and functional need for Regionally Significant Infrastructure to be located in these environments where adverse effects are appropriately managed.</p> <p>AND</p> <p>ADD a new objective to the Natural Features and Landscapes chapter that recognises and provides for the operational and functional need for all electricity infrastructure to be located in these</p>	<ul style="list-style-type: none"> • To result in better alignment within HFL-P5, the Regional Policy Statement, the New Zealand Coastal Policy Statement and the Infrastructure chapter. 	Reject	Topic 4: Objectives

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
				environments where adverse effects are appropriately managed. AND Any further necessary consequential amendments required.			
FS41.38	Channel Terminal Services Ltd	General	Support in part	Accept the relief sought in part.	<ul style="list-style-type: none"> Supports the intention to recognise and provide for the operational and functional needs of Regionally Significant Infrastructure. Acknowledges the inherent tension between providing for Regionally Significant Infrastructure and managing adverse effects but considers objectives should remain focused on high-level outcomes sought for natural features and landscapes, and balancing infrastructure is better addressed through policies and rules. 	Accept in part	Topic 4: Objectives
FS100.81	Transpower New Zealand Ltd	General	Neutral	Reject the relief sought in part.	<ul style="list-style-type: none"> The submission seeks to ensure infrastructure, such as the National Grid and local electricity network are appropriately provided for in sensitive areas and reverse sensitivity effects of these assets are avoided. Transpower's original submission seeks standalone National Grid policies in the Infrastructure Chapter with explicit recognition that these 	Neutral - no specific relief requested	Topic 4: Objectives

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
					<p>policies prevail over the provisions of the overlay chapters.</p> <ul style="list-style-type: none"> Transpower has some concerns with the submitter's approach to seek explicit recognition of infrastructure in each overlay chapter and considers this will result in Infrastructure provisions being spread throughout the plan rather than being contained within Infrastructure Chapter to the extent practicable – the latter being strongly preferred to avoid confusion for plan users and/or the National Grid being captured by provisions which should not apply to it. 		
283.159	Northpower Limited and Northpower Fibre Limited	NFL-R2	Amend	<p>AMEND NFL-R2.6 to also apply to Regionally Significant Infrastructure within Outstanding Natural Landscapes and Outstanding Natural Features outside the coastal environment. AND Any further necessary consequential amendments required.</p>	<ul style="list-style-type: none"> To provide clarification that the permitted activity status also applies to regionally significant infrastructure within Outstanding Natural Landscapes and Outstanding Natural Features outside the coastal environment. 	Reject	Topic 6: Rules
283.160	Northpower Limited and Northpower Fibre Limited	NFL-R3	Amend	<p>AMEND NFL-R3.1. as follows: ... b. Clearance for the operation, <u>upgrading</u>, repair or maintenance of the following activities where they have been lawfully established: i. Fences;</p>	<ul style="list-style-type: none"> To provide for the upgrading of infrastructure as a permitted activity. To apply the permitted activity status to indigenous vegetation clearance for the operation, repair, upgrading or maintenance of existing infrastructure within both 	Accept in part	Topic 6: Rules

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
				<p>ii. Infrastructure, including effluent disposal systems;</p> <p>iii. Buildings and swimming pools;</p> <p>iv. Driveways, parking areas and access;</p> <p>v. Walking tracks;</p> <p>vi. Cycling tracks;</p> <p>vii. Farming and forestry tracks; and</p> <p>viii. Farm drains.</p> <p><u>c. The indigenous vegetation clearance is associated with regionally significant infrastructure.</u></p> <p>AND</p> <p>AMEND NFL-R3.4. as follows</p> <p>...</p> <p>a. The indigenous vegetation clearance is associated with regionally significant infrastructure; <u>or</u></p> <p><u>b. The indigenous vegetation clearance is for the operation, maintenance, repair and upgrading of existing infrastructure."</u></p> <p>AND</p> <p>AMEND the left-hand column of NFL-R3 as follows:</p> <p>"ONL <u>and</u> ONF outside the coastal environment"</p> <p>"ONL <u>and</u> ONF within the coastal environment"</p> <p>AND</p> <p>Any further necessary consequential amendments required.</p>	<p>Outstanding Natural Features and Outstanding Natural Landscapes in the coastal environment as there is no rule for this at present.</p> <ul style="list-style-type: none"> To provide clarification that the permitted activity status also applies to regionally significant infrastructure outside of the coastal environment. 		

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
283.161	Northpower Limited and Northpower Fibre Limited	NFL-R4	Amend	<p>AMEND NFL-R4.1. as follows: ... b. The earthworks is for the <u>operation, maintenance, repair or upgrading of lawfully established roads, fences, utility connections, infrastructure, driveways, parking areas, effluent disposal systems, swimming pools, walking or cycling tracks, or farm and forestry tracks; or</u> c. <u>The earthworks is associated with regionally significant infrastructure.</u> AND AMEND NFL-R4.4. as follows: 4. Activity status: Discretionary Permitted Where: a. The earthworks is associated with regionally significant infrastructure; <u>or</u> b. <u>the earthworks is for the operation, maintenance, repair or upgrading of existing infrastructure.</u> AND Any further necessary consequential amendments required.</p>	<ul style="list-style-type: none"> • "Utility Connections" is not defined in the Proposed District Plan. • To provide clarity and to remain consistent with infrastructure enabling provisions within other chapters of the Proposed District Plan. • To be in alignment with the provisions in the Natural Features and Landscapes chapter which enables indigenous vegetation clearance associated with regionally significant infrastructure within Outstanding Natural Landscapes in the coastal environment as a permitted activity. • To provide clarification that this permitted activity status also applies to regionally significant infrastructure outside of the Coastal Environment. • To ensure this permitted activity rule applies to earthworks associated with the operation, maintenance, upgrading and repair of existing infrastructure within Outstanding Natural Features and Outstanding Natural Landscapes in the coastal environment to align with the rules within the Ecosystems and Indigenous Biodiversity chapter. 	Accept in part	Topic 6: Rules

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
283.162	Northpower Limited and Northpower Fibre Limited	NFL-R5	Amend	<p>AMEND NFL-R5 as follows: <u>“Operation, maintenance, repair and upgrading of existing infrastructure and network utilities, parks and community infrastructure</u> 1. Activity status: Permitted Where: a. The activity complies with the following standards: i. NFL-S1 Building and Structure Height; ii. NFL-S2 Gross Floor Area; iii. NFL-S3 Exterior Colour and Reflectivity; and iv. NFL-S6 Minor Upgrading. 2. NFL-R1 to NFL-R2 do not apply to the activities provided for in this rule.” AND Any further necessary consequential amendments required.</p>	<ul style="list-style-type: none"> To apply to ‘infrastructure’ as this is a term defined within the Proposed District Plan unlike “network utilities”. To amend the title to reference 'operation' and 'repair'. To provide an exemption for operation, maintenance, repair and upgrading of infrastructure from permitted standards. 	Accept in part	Topic 6: Rules
283.163	Northpower Limited and Northpower Fibre Limited	General	Amend	<p>ADD a new rule to the Natural Features and Landscapes chapter as follows (or to a similar effect): <u>“Infrastructure within a site containing an Outstanding Natural Landscape or Outstanding Natural Feature</u> <u>Activity Status: Restricted Discretionary</u> This rule shall not apply to: 1. <u>Infrastructure that is located underground;</u></p>	<ul style="list-style-type: none"> To provide for new electricity and telecommunications infrastructure that is not regionally significant infrastructure as a restricted discretionary activity. 	Accept in part	Topic 6: Rules

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
				<p><u>2. Operation, maintenance, repair or upgrading of any existing above ground infrastructure;</u> <u>3. Connections to buildings or structures for network utilities;</u> <u>4. New Small-scale Electricity and Telecommunications Assets; or</u> <u>5. New above ground infrastructure that is wholly located within the road reserve.</u> <u>Matters of discretion are restricted to:</u> <u>a. The matters in NFL-P6; and</u> <u>b. The positive effects of the activity."</u> AND Any further necessary consequential amendments required.</p>			
FS45.101	Director General of Conservation	General	Oppose in part	Disallow the submission in part.	<ul style="list-style-type: none"> A restricted discretionary activity status is too permissive for new infrastructure within an ONL and ONF. The rule should trigger a discretionary activity status and undergo assessment against objective and policies. 	Accept in part	Topic 6: Rules
284.19	New Zealand Defence Force	NFL-R2	Amend	<p>AMEND NFL-R2 to provide for temporary buildings and structures associated with temporary military training activities as a permitted activity, as follows: Where: a. The building or structure is: <u>A temporary building or structure for temporary military training activities.</u></p>	<ul style="list-style-type: none"> This rule would require temporary buildings and structures associated with temporary military training activities to obtain a resource consent. Therefore, the submitter seeks that temporary military training activities buildings and structures be permitted in the 	Accept	Topic 6: Rules

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
				<p>AND Any necessary further alternative or consequential relief as necessary to give effect to the submission.</p> <p>OR AMEND the Natural Features and Landscapes chapter to specifically exclude the application of the Natural Features and Landscapes Chapter to temporary military training activities.</p> <p>OR Wording to similar effect</p> <p>AND Any necessary further alternative or consequential relief as necessary to give effect to the submission.</p>	<p>Natural Features and Landscapes chapter or by excluding the application of the Natural Features and Landscapes chapter to temporary military training activities.</p>		
289.15	Tappenden Holdings Limited	NFL-O1	Support	<p>RETAIN NFL-O1.</p> <p>AND Any consequential amendments or alternative relief to address the matters raised in the submission.</p>	<ul style="list-style-type: none"> No reasons provided. 	Accept	Topic 4: Objectives
289.16	Tappenden Holdings Limited	NFL-P1	Amend	<p>AMEND NFL-P1 to ensure a cross reference to the accurate inclusion and description of the characteristics, qualities and values of Outstanding Natural Features and Outstanding Natural Landscapes is cross referenced in Schedule 4 and Schedule 5.</p> <p>AND Any consequential amendments or alternative relief to address the matters raised in the submission.</p>	<ul style="list-style-type: none"> The policies should however be amended to ensure accurate inclusion in Schedule 4 or Schedule 5 of the descriptions used in the evaluation sheets which informed the Regional Policy Statement mapping, including a full description of the characteristics, qualities and values of the outstanding natural landscapes in each case, as is sought 	Accept in part	Topic 2: ONL and ONF Mapping

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
					elsewhere in this submission. This information is not included in Schedule 4 and Schedule 5 as notified.		
289.17	Tappenden Holdings Limited	NFL-P3	Amend	AMEND NFL-P3 to ensure a cross reference to the accurate inclusion and description of the characteristics, qualities and values of Outstanding Natural Features and Outstanding Natural Landscapes is cross referenced in Schedule 4 and Schedule 5. AND Any consequential amendments or alternative relief to address the matters raised in the submission.	<ul style="list-style-type: none"> The policies should however be amended to ensure accurate inclusion in Schedule 4 or Schedule 5 of the descriptions used in the evaluation sheets which informed the Regional Policy Statement mapping, including a full description of the characteristics, qualities and values of the outstanding natural landscapes in each case, as is sought elsewhere in this submission. This information is not included in Schedule 4 and Schedule 5 as notified. 	Accept in part	Topic 2: ONL and ONF Mapping
289.18	Tappenden Holdings Limited	NFL-P4	Amend	AMEND NFL-P4 to ensure a cross reference to the accurate inclusion and description of the characteristics, qualities and values of Outstanding Natural Features and Outstanding Natural Landscapes is cross referenced in Schedule 4 and Schedule 5. AND Any consequential amendments or alternative relief to address the matters raised in the submission.	<ul style="list-style-type: none"> The policies should however be amended to ensure accurate inclusion in Schedule 4 or Schedule 5 of the descriptions used in the evaluation sheets which informed the Regional Policy Statement mapping, including a full description of the characteristics, qualities and values of the outstanding natural landscapes in each case, as is sought elsewhere in this submission. This information is not included in 	Accept in part	Topic 2: ONL and ONF Mapping

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
					Schedule 4 and Schedule 5 as notified.		
289.19	Tappenden Holdings Limited	NFL-P2	Amend	<p>AMEND NFL-P2, as follows: Existing <u>subdivision</u>, use and development Recognise that lawfully established <u>subdivision</u>, land use and development are located within Outstanding Natural Features and Outstanding Natural Landscapes and allow them to continue without undue restriction. AND Any consequential amendments or alternative relief to address the matters raised in the submission.</p>	<ul style="list-style-type: none"> The policy should also recognise that lawfully established subdivision, with sites as yet unbuilt, are also located within Outstanding Natural Features and Outstanding Natural Landscapes, including the submitter's site at Bream Tail. 	Accept	Topic 5: Policies
289.20	Tappenden Holdings Limited	NFL-P6	Amend	<p>AMEND NFL-P6, as follows: a. Apply the policy to assessing resource consent applications for <u>subdivision</u>, land use and development; and... b. Have regard to whether land use and development is on a previously approved building platform or necessary to provide access to a previously approved building. AND Any consequential amendments or alternative relief to address the matters raised in the submission.</p>	<ul style="list-style-type: none"> Specific recognition should be given to the existence of consented building platforms and access to those platforms when considering resource consent applications under NFL- P6. This aligns with the policy NFL-P2 recognition of existing use and development, which would otherwise not come into play when considering these restricted discretionary activity matters. 	Accept	Topic 5: Policies
289.21	Tappenden Holdings Limited	NFL-R1	Amend	<p>AMEND NFL-R1 to delete reference to and requirement to comply with NFL-S2 Gross Floor Area. AND</p>	<ul style="list-style-type: none"> External additions and alterations to existing buildings or structures should not be limited as to gross floor area to achieve permitted 	Reject	Topic 6: Rules

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
				Any consequential amendments or alternative relief to address the matters raised in the submission.	activity status. The reference to gross floor area might for example better replaced with a reference to the standard NFL-S6 Minor upgrading.		
289.22	Tappenden Holdings Limited	NFL-R2	Amend	<p>AMEND NFL-R2 so that the permitted activity status applies to new buildings and structures in the Outstanding Natural Landscapes and Outstanding Natural Features, irrespective of whether they are inside or outside the Coastal Environment, as follows:</p> <p>NFL-R2 New buildings and structures ONL and ONF outside the coastal environment</p> <p>AND</p> <p>AMEND NFL-R2.1. to delete reference to, and requirement to comply with NFL-S2 Gross Floor Area.</p> <p>AND</p> <p>AMEND NFL-R2.1.a.ii. as follows:</p> <p>ii. On a building platform identified in an existing approved subdivision consent and/or land use consent lodged with Council prior to 30 April 2025.</p> <p>AND</p> <p>Any consequential amendments or alternative relief to address the matters raised in the submission.</p>	<ul style="list-style-type: none"> Refer to submission for detailed reasoning. Reasons summarised as: A number of approved defined exclusive use areas and nominated buildable areas on lots at Bream Tail are within the coastal environment and within an Outstanding Natural Landscape. The existence of these lots was taken into account and recognised in the Northland Regional Council's evaluation of the applicable Outstanding Natural Landscape. The default to non-complying activity would require a wholesale reassessment of the appropriateness to build on these already approved exclusive use areas and nominated buildable areas. It imposes considerable unnecessary cost and risk to current and future owners of these lots, both at Bream Tail and in other similar situations in the district. For these reasons, the rule is sought be amended to apply the same permitted activity provisions whether 	Accept in part	Topic 6: Rules

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
					<p>the building or structure is inside or outside the coastal environment.</p> <ul style="list-style-type: none"> The reference to building platforms identified in an existing subdivision consent “approved prior to 1 April 2025” is unnecessary. The rule should also provide permitted activity status to building platforms approved after that date (where appropriate controls through consent notices will have invariably been placed and landscape assessment taken place to confirm their appropriateness. 		
289.23	Tappenden Holdings Limited	NFL-R3	Amend	<p>AMEND NFL-R3 so that the permitted activity status applies to indigenous vegetation clearance in the Outstanding Natural Landscapes, irrespective of whether they are inside or outside of the coastal environment, and to also provide for the Outstanding Natural Features, as follows: NFL-R3 Indigenous vegetation clearance ONL and ONE outside the coastal environment AND ADD permitted activities to NFL-R3 for indigenous vegetation clearance for the following purposes (without a requirement for these to comply with the area limitation standards under NFL-S5 and in addition to</p>	<ul style="list-style-type: none"> Refer to submission for detailed reasoning. Reasons summarised as: Rule NFL-R3 only applies permitted activity status to indigenous vegetation clearance in Outstanding Natural Landscapes outside the coastal environment, and not for Outstanding Natural Landscapes within the coastal environment. In addition, no provision is made for Indigenous vegetation clearance in the Outstanding Natural Features, leaving the activity status for that uncertain. The only provision for permitted activity Indigenous vegetation clearance in Outstanding Natural Landscapes within the coastal 	Accept in part	Topic 6: Rules

Appendix A - Officers Recommended Decisions on Submissions - Natural Features and Landscapes

Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
				<p>the repair and maintenance allowances in the rule as proposed):</p> <p><u>a. To address an immediate risk to the public safety or damage to property;</u></p> <p><u>b. The formation of walking tracks less than 1.5m wide;</u></p> <p><u>c. The construction of a new fence where the purpose of the new fence is to exclude stock and/or pests from the area of indigenous vegetation, provided that the clearance does not exceed 3.5m in width either side of the fence line;</u></p> <p><u>d. To remove pest species in accordance with any approved pest management plan or biosecurity operational plan;</u></p> <p><u>e. To create or maintain a 20m setback from an area of indigenous vegetation to a residential unit (excluding accessory buildings);</u></p> <p><u>f. The removal or clearance of indigenous vegetation from land that was previously cleared and where the indigenous vegetation to be cleared is less than 10 years old; and</u></p> <p><u>g. Creation and maintenance of firebreaks to manage fire risk.</u></p> <p>AND</p> <p>Any consequential amendments or alternative relief to address the matters raised in the submission.</p>	<p>environment is made at NFL-R3.6 for regionally significant infrastructure.</p> <ul style="list-style-type: none"> • The maximum area allowances in standard NFL-S5 and the limited range of permitted activities for indigenous vegetation clearance (as sought to be amended by this submission) provide sufficient protection. • Rule NFL-R3 should be amended to make additional allowances for indigenous vegetation clearance which by its nature will have minor effects on the Outstanding Natural Landscapes (whether inside or outside the coastal environment), is required to enable positive effects, or is required for the health and safety of people. 		

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
289.24	Tappenden Holdings Limited	NFL-R4	Amend	AMEND NFL-R4 so that the permitted activity status applies to earthworks in the Outstanding Natural Landscapes and Outstanding Natural Features, irrespective of whether they are inside or outside of the coastal environment, as follows: ONL and ONF outside the coastal environment. AND Any consequential amendments or alternative relief to address the matters raised in the submission.	<ul style="list-style-type: none"> A restricted activity status (as is the effect of the Proposed District Plan rule as sought to be amended by this submission) is appropriate for earthworks on approved building platforms and the access driveways to them inside and outside the Outstanding Natural Landscapes and Outstanding Natural Features, noting that the appropriateness of construction on approved building platforms has already been determined at subdivision stage. 	Accept in part	Topic 6: Rules
289.25	Tappenden Holdings Limited	NFL-R7	Support	RETAIN NFL-R7. AND Any consequential amendments or alternative relief to address the matters raised in the submission.	<ul style="list-style-type: none"> The rule is supported, noting the submitter's other relief sought for indigenous vegetation clearance as a permitted activity in particular circumstances. 	Accept in part	Topic 6: Rules
289.26	Tappenden Holdings Limited	NFL-S1	Amend	AMEND NFL-S1 to exempt the following from maximum height: <u>a. Chimney structures not exceeding 1.2m in width and 1m in height on any elevation.</u> <u>b. Architectural features (e.g. finials, spires) that do not exceed 1m in height.</u> <u>c. Solar and water heating components provided these do not exceed the height by more than 0.5m on any elevation.</u> <u>d. Satellite dishes and aerials that do not exceed 1m in height and/or diameter on any elevation.</u> AND	<ul style="list-style-type: none"> Additional allowances should be made for roof top projections within specified parameters. Requiring resource consents for the placement of such features where they exceed the height is inefficient and adds costs which do not outweigh the benefits. 	Accept in part	Topic 7: Standards

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
				Any consequential amendments or alternative relief to address the matters raised in the submission.			
289.27	Tappenden Holdings Limited	NFL-S2	Oppose	DELETE NFL-S2. AND Any consequential amendments or alternative relief to address the matters raised in the submission.	<ul style="list-style-type: none"> The standard unnecessarily limits gross floor area and is considered too low to accommodate many residential dwellings, including the average size of a dwelling in New Zealand. Submitter considers standard is unnecessary in terms of managing effects, having regard to the balance of other rules and standards which apply to Natural Features and Landscapes. 	Reject	Topic 7: Standards
289.28	Tappenden Holdings Limited	NFL-S3	Amend	AMEND NFL-S3 to allow for natural materials, as follows: 1. The building and structure exteriors must: a. Not utilise mirror glazing; and b. Be <u>constructed of natural materials or if the exterior surface is coloured or painted with</u> then be a colour with a reflectance value no greater than 35% (provided that 2% of each exterior elevation is exempt) and with a roof colour with a reflectance value no greater than 30%. AND Any consequential amendments or alternative relief to address the matters raised in the submission.	<ul style="list-style-type: none"> The standard should allow for the use of natural materials as a permitted activity, with such materials being visually suitable in Outstanding Natural Landscapes and Outstanding Natural Features areas, including in the coastal environment. 	Reject	Topic 7: Standards

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
289.54	Tappenden Holdings Limited	General	Amend	<p>AMEND SCHED-5 as follows:</p> <p>a. Replace the link to the 2010 Landscape Technical Report with the evaluation sheets which informed the maps adopted from the Northland Regional Policy Statement 2016 (RPS); and</p> <p>b. The descriptions are amended to follow that used in the evaluation sheets which informed the RPS mapping, including a full description of the characteristics, qualities and values of the outstanding natural landscapes in each case.</p> <p>AND</p> <p>Any consequential amendments or alternative relief to address the matters raised in the submission.</p>	<ul style="list-style-type: none"> • SCHED5 – Outstanding Natural Landscapes has the following link: “Access to full report on Outstanding Natural Landscapes”. This links to a 2010 Landscape Technical Report which is the incorrect basis for the evaluation and determination of outstanding natural landscapes in the district. • The use of the correct descriptions in Schedule 5 of outstanding natural landscapes is important because of the requirements of the related policies in the Proposed District Plan. 	Accept	Topic 2: ONL and ONF mapping
289.58	Tappenden Holdings Limited	General	Amend	<p>AMEND the mapped extent of the Outstanding Natural Landscape overlay on the following properties at Bream Tail so that it accurately follows characteristics and features according to the Landscape Assessment Criteria of the Regional Policy Statement:</p> <ol style="list-style-type: none"> 1. 15 Tuaraki Road, Mangawhai (LOT 6 DP 400385); and 2. 17 Tuaraki Road, Mangawhai (LOT 5 DP 400385) <p>AND</p> <p>Any consequential amendments or alternative relief to address the matters raised in the submission.</p>	<ul style="list-style-type: none"> • The mapped extent of the Outstanding Natural Landscape at Bream Tail Farm follows a simplified straight-line form and an approximation of key features set out in the Landscape Assessment Criteria of the Regional Policy Statement. • Method 4.5.4(2) of the Regional Policy Statement allows for the mapped areas to be changed at any time (using the Schedule 1 process). 	Reject	Topic 2: ONL and ONF mapping

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
289.67	Tappenden Holdings Limited	NFL-O2	Support	RETAIN NFL-O2. AND Any consequential amendments or alternative relief to address the matters raised in the submission.	<ul style="list-style-type: none"> No reasons provided. 	Accept	Topic 4: Objectives
289.68	Tappenden Holdings Limited	NFL-R2	Amend	<p>AMEND NFL-R2.2. to retain the exclusion to defined exclusive use areas at Bream Tail, amended to ensure the permitted activity rules do not apply to Bream Tail and without reference to the consent notice, previous consents or Operative District Plan. This can be achieved by the following amendments, or similar:</p> <p>2. This rule does not apply to:</p> <p>a. The defined Exclusive Use Areas shown on the Survey Plan for lots 1-29, 32,34,40,41 and 45 DP 348513 consented by RM050086 (Bream Tail) provided that the other conditions of the Consent Notices (dated 2 February 2004) on these titles are complied with, which shall rely on Rule 12.10.3c.2 in Chapter 12 of the Kaipara Operative District Plan.</p> <p>2. Activity Status: Permitted</p> <p>a. Where the building or structure is on a defined exclusive use area as shown on the survey plan for Lots 1- 4, 6-8, 10, 12-17, 22-29, 34 and 40-45 DP348513, Lot 1 DP493396, Lots 5 and 9 DP435202, Lots 101 and 102 DP528288, Lots 1 and 2 DP408561, Lots 3 and 4 DP404524, Lots 5 and 6</p>	<ul style="list-style-type: none"> The drafting of NFL-R2.2. requires improvements to achieve its intended outcome to specifically recognise the particular circumstances of the Bream Tail subdivision, including the detailed requirements of the consent notices that exist on the titles as set out in the submission. 	Accept in part	Topic 6: Rules

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
				<p><u>DP400385, and Lots 7 and 8 DP404525 (Bream Tail), or a nominated buildable area or a building platform otherwise approved on those properties.</u></p> <p>AND</p> <p>Any consequential amendments or alternative relief to address the matters raised in the submission.</p>			
292.67	Transpower New Zealand Limited	NFL-P5	Amend	<p>AMEND NFL-P5 as follows: Enable the <u>development, operation, maintenance and upgrading of regionally significant infrastructure, other than the National Grid</u>, in Outstanding Natural Features or Outstanding Natural Landscapes where:</p> <ol style="list-style-type: none"> 1. There is an operational need or functional need to be in that particular location; and 2. Adverse effects on the characteristics, qualities and values of Outstanding Natural Features and Outstanding Natural Landscapes are voided, remedied or mitigated in accordance with NFL-P3 and NFL-P4. <p><u>Note: For the avoidance of doubt, adverse effects from the National Grid are managed in accordance with Policies INF-P10 in the Infrastructure chapter.</u></p> <p>OR</p> <p>AMEND NFL-P5 (and make any consequential amendments to NFL-P2, P3,</p>	<ul style="list-style-type: none"> • To provide clarity regarding the application of these policies. • As currently drafted, there is no reconciliation with the National Grid specific policy INF-P10 or any other policies in the Infrastructure chapter. 	Reject	Topic 5: Policies

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
				and P4) to appropriately recognise the National Grid and give effect to the National Policy Statement on Electricity Transmission.			
FS93.89	Royal Forest and Bird Protection Society of NZ	NFL-P5	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> Amendments sought will not provide for s6(b) RMA, nor the NZCPS. 	Accept	Topic 5: Policies
292.68	Transpower New Zealand Limited	NFL-R2	Amend	<p>PROVIDE clarification of the rule framework and activity cascade within NFL-R2 to appropriately provide for indigenous vegetation clearance and earthworks associated with the operation, maintenance and upgrading of regionally significant infrastructure as a permitted activity and ensure that the most restrictive activity status for those activities within Outstanding Natural Landscapes and Outstanding Natural Features in the coastal environment is discretionary.</p> <p>AND</p> <p>Alternative or consequential relief as may be necessary to fully achieve the relief sought in the submission.</p>	<ul style="list-style-type: none"> As drafted the rules impose (under clause 5) a non-complying activity status for regionally significant infrastructure. This activity status is unclear as there are no standards which trigger a non-complying activity status, and it is not clear why regionally significant infrastructure warrants this activity status. There is no reconciliation with the National Grid specific policy INF-P10, or the National Policy Statement on Electricity Transmission. Specific to NFL-R3, indigenous vegetation clearance is a permitted activity under 1.b.ii. where it is associated for infrastructure. There are no standards and therefore the permitted activity status is supported. However, clause 4. then provides for regionally significant infrastructure as a permitted activity with no standards, but clause 5. then provides a non-complying activity 	Accept in part	Topic 6: Rules

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
					status where the non-existent standards in clause 4, are not met. This causes confusion for the plan user.		
FS42.59	Chorus, Spark, Fortysouth, One NZ and Connexa	NFL-R2	Support	Allow the original submission.	<ul style="list-style-type: none"> Supports a clear and practical rules framework for Regionally Significant Infrastructure that may need to locate in such areas due to functional or operational need. 	Accept in part	Topic 6: Rules
FS82.89	Northpower Limited	NFL-R2	Support	Accept the relief sought by the submitter.	<ul style="list-style-type: none"> Clarification needs to be provided on the rule framework for regionally significant infrastructure. Particularly given the non-complying activity status triggered where compliance is not achieved. 	Accept in part	Topic 6: Rules
FS93.90	Royal Forest and Bird Protection Society of NZ	NFL-R2	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> Amendments sought will not provide for s6(b) RMA, nor the NZCPS. 	Accept in part	Topic 6: Rules
292.83	Transpower New Zealand Limited	NFL-R3	Amend	PROVIDE clarification of the rule framework and activity cascade within NFL-R3 to appropriately provide for indigenous vegetation clearance and earthworks associated with the operation, maintenance and upgrading of regionally significant infrastructure as a permitted activity and ensure that the most restrictive activity status for those activities within Outstanding Natural Landscapes and Outstanding Natural Features in the coastal environment is discretionary.	<ul style="list-style-type: none"> As drafted the rules impose (under clause 5) a non-complying activity status for regionally significant infrastructure. This activity status is unclear as there are no standards which trigger a non-complying activity status, and it is not clear why regionally significant infrastructure warrants this activity status. There is no reconciliation with the National Grid specific policy INF-P10, 	Accept in part	Topic 6: Rules

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
				AND Alternative or consequential relief as may be necessary to fully achieve the relief sought in the submission.	<p>or the National Policy Statement on Electricity Transmission.</p> <ul style="list-style-type: none"> Specific to NFL-R3, indigenous vegetation clearance is a permitted activity under 1.b.ii. where it is associated for infrastructure. There are no standards and therefore the permitted activity status is supported. However, clause 4. then provides for regionally significant infrastructure as a permitted activity with no standards, but clause 5. then provides a non-complying activity status where the non-existent standards in clause 4, are not met. This causes confusion for the plan user. 		
FS41.43	Channel Terminal Services Ltd	NFL-R3	Support	Accept the relief sought.	<ul style="list-style-type: none"> Agrees the rule framework for Regionally Significant Infrastructure needs to be clarified. In particular, because the current framework could trigger an onerous non-complying activity status where compliance is not achieved, even for activities necessary to maintain or upgrade existing Regionally Significant Infrastructure. Such an onerous outcome would be disproportionate and inconsistent with the functional and operational needs of such infrastructure. 	Accept in part	Topic 6: Rules

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
					<ul style="list-style-type: none"> Clarification of the rule structure and activity cascade is necessary in order to provide certainty and achieve a balanced consenting pathway. 		
FS42.61	Chorus, Spark, Fortysouth, One NZ and Connexa	NFL-R3	Support	Allow the original submission.	<ul style="list-style-type: none"> Supports a clear and practical rules framework for Regionally Significant Infrastructure that may need to locate in such areas due to functional or operational need. 	Accept in part	Topic 6: Rules
FS82.90	Northpower Limited	NFL-R3	Support	Accept the relief sought by the submitter.	<ul style="list-style-type: none"> Clarification needs to be provided on the rule framework for regionally significant infrastructure. Particularly given the non-complying activity status triggered where compliance is not achieved. 	Accept in part	Topic 6: Rules
292.84	Transpower New Zealand Limited	NFL-R4	Amend	<p>PROVIDE clarification of the rule framework and activity cascade within NFL-R4 to appropriately provide for indigenous vegetation clearance and earthworks associated with the operation, maintenance and upgrading of regionally significant infrastructure as a permitted activity and ensure that the most restrictive activity status for those activities within Outstanding Natural Landscapes and Outstanding Natural Features in the coastal environment is discretionary.</p> <p>AND</p>	<ul style="list-style-type: none"> As drafted the rules impose (under clause 5) a non-complying activity status for regionally significant infrastructure. This activity status is unclear as there are no standards which trigger a non-complying activity status, and it is not clear why regionally significant infrastructure warrants this activity status. There is no reconciliation with the National Grid specific policy INF-P10, or the National Policy Statement on Electricity Transmission. Specific to NFL-R3, indigenous vegetation clearance is a permitted 	Accept in part	Topic 6: Rules

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
				Alternative or consequential relief as may be necessary to fully achieve the relief sought in the submission.	activity under 1.b.ii. where it is associated for infrastructure. There are no standards and therefore the permitted activity status is supported. However, clause 4. then provides for regionally significant infrastructure as a permitted activity with no standards, but clause 5. then provides a non-complying activity status where the non-existent standards in clause 4, are not met. This causes confusion for the plan user.		
FS41.44	Channel Terminal Services Ltd	NFL-R4	Support	Accept the relief sought.	<ul style="list-style-type: none"> • Agrees the rule framework for Regionally Significant Infrastructure needs to be clarified. • In particular, because the current framework could trigger an onerous non-complying activity status where compliance is not achieved, even for activities necessary to maintain or upgrade existing Regionally Significant Infrastructure. • Such an onerous outcome would be disproportionate and inconsistent with the functional and operational needs of such infrastructure. • Clarification of the rule structure and activity cascade is necessary in order to provide certainty and achieve a balanced consenting pathway. 	Accept in part	Topic 6: Rules

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
FS42.62	Chorus, Spark, Fortysouth, One NZ and Connexa	NFL-R4	Support in part	Allow the submission in part.	<ul style="list-style-type: none"> Supports a clear and practical rules framework for Regionally Significant Infrastructure that may need to locate in such areas due to functional or operational need. 	Accept in part	Topic 6: Rules
FS82.91	Northpower Limited	NFL-R4	Support	Accept the relief sought by the submitter.	<ul style="list-style-type: none"> Clarification needs to be provided on the rule framework for regionally significant infrastructure. Particularly given the non-complying activity status triggered where compliance is not achieved. 	Accept in part	Topic 6: Rules
300.17	Bream Tail Residents Association Incorporated	NFL-O1	Support	RETAIN NFL-O1. AND Any consequential amendments or alternative relief to address the matters raised in the submission.	<ul style="list-style-type: none"> No reasons provided. 	Accept	Topic 4: Objectives
300.18	Bream Tail Residents Association Incorporated	NFL-P1	Amend	AMEND NFL-P1 to ensure a cross reference to the accurate inclusion and description of the characteristics, qualities and values of Outstanding Natural Features and Outstanding Natural Landscapes is cross referenced in Schedule 4 and Schedule 5. AND Any consequential amendments or alternative relief to address the matters raised in the submission.	<ul style="list-style-type: none"> The policies should however be amended to ensure accurate inclusion in Schedule 4 or Schedule 5 of the descriptions used in the evaluation sheets which informed the Regional Policy Statement mapping, including a full description of the characteristics, qualities and values of the outstanding natural landscapes in each case, as is sought elsewhere in this submission. This information is not included in Schedule 4 and Schedule 5 as notified. 	Accept in part	Topic 2: ONF and ONL Mapping

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
300.19	Bream Tail Residents Association Incorporated	NFL-P3	Amend	AMEND NFL-P3 to ensure a cross reference to the accurate inclusion and description of the characteristics, qualities and values of Outstanding Natural Features and Outstanding Natural Landscapes is cross referenced in Schedule 4 and Schedule 5. AND Any consequential amendments or alternative relief to address the matters raised in the submission.	<ul style="list-style-type: none"> The policies should however be amended to ensure accurate inclusion in Schedule 4 or Schedule 5 of the descriptions used in the evaluation sheets which informed the Regional Policy Statement mapping, including a full description of the characteristics, qualities and values of the outstanding natural landscapes in each case, as is sought elsewhere in this submission. This information is not included in Schedule 4 and Schedule 5 as notified. 	Accept in part	Topic 2: ONF and ONL Mapping
300.20	Bream Tail Residents Association Incorporated	NFL-P4	Amend	AMEND NFL-P4 to ensure a cross reference to the accurate inclusion and description of the characteristics, qualities and values of Outstanding Natural Features and Outstanding Natural Landscapes is cross referenced in Schedule 4 and Schedule 5. AND Any consequential amendments or alternative relief to address the matters raised in the submission.	<ul style="list-style-type: none"> The policies should however be amended to ensure accurate inclusion in Schedule 4 or Schedule 5 of the descriptions used in the evaluation sheets which informed the RPS mapping, including a full description of the characteristics, qualities and values of the outstanding natural landscapes in each case, as is sought elsewhere in this submission. This information is not included in Schedule 4 and Schedule 5 as notified. 	Accept in part	Topic 2: ONF and ONL Mapping
300.21	Bream Tail Residents Association Incorporated	NFL-P2	Amend	AMEND NFL-P2 as follows: Existing <u>subdivision</u> , use and development Recognise that lawfully established <u>subdivision</u> , land use and development are	<ul style="list-style-type: none"> The policy should also recognise that lawfully established subdivision, with sites as yet unbuilt, are also located within Outstanding Natural Features 	Accept	Topic

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
				located within Outstanding Natural Features and Outstanding Natural Landscapes and allow them to continue without undue restriction. AND Any consequential amendments or alternative relief to address the matters raised in the submission.	and Outstanding Natural Landscapes, including the submitter's site at Bream Tail.		
300.22	Bream Tail Residents Association Incorporated	NFL-P6	Amend	AMEND NFL-P6, as follows: a. Apply the policy to assessing resource consent applications for <u>subdivision</u> , land use and development; and b. Have regard to whether land use and development is on a previously approved building platform or necessary to provide access to a previously approved building platform. AND Any consequential amendments or alternative relief to address the matters raised in the submission.	<ul style="list-style-type: none"> Specific recognition should be given to the existence of consented building platforms and access to those platforms when considering resource consent applications under NFL-P6. This aligns with the NFL-P2 recognition of existing use and development, which would otherwise not come into play when considering these restricted discretionary activity matters. 	Accept in part	Topic 5: Policies
300.23	Bream Tail Residents Association Incorporated	NFL-R1	Amend	AMEND NFL-R1 to delete reference to, and requirement to comply with, NFL-S2 Gross Floor Area. AND Any consequential amendments or alternative relief to address the matters raised in the submission.	<ul style="list-style-type: none"> External additions and alterations to existing buildings or structures should not be limited as to gross floor area to achieve permitted activity status. The reference to gross floor area might for example better replaced with a reference to 	Reject	Topic 6: Rules

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					the standard NFL-S6 Minor upgrading.		
300.24	Bream Tail Residents Association Incorporated	NFL-R2	Amend	<p>AMEND NFL-R2 so that the permitted activity status applies to new buildings and structures in the Outstanding Natural Landscapes and Outstanding Natural Features, irrespective of whether they are inside or outside the Coastal Environment, as follows:</p> <p>NFL-R2 New buildings and structures ONL and ONF outside the coastal environment</p> <p>AND</p> <p>AMEND NFL-R2.1 to delete reference to and requirement to comply with NFL-S2 Gross Floor Area.</p> <p>AND</p> <p>AMEND NFL-R2.1.a.ii. as follows:</p> <p>ii. On a building platform identified in an existing approved subdivision consent and/or land use consent lodged with Council prior to 30 April 2025.</p> <p>AND</p> <p>Any consequential amendments or alternative relief to address the matters raised in the submission.</p>	<ul style="list-style-type: none"> Refer to submission for detailed reasoning. Reasons summarised as: A number of approved defined exclusive use areas and nominated buildable areas on lots at Bream Tail are within the coastal environment and within an ONL. The existence of these lots was taken into account and recognised in the Northland Regional Council's evaluation of the applicable ONL. The default to non-complying activity would require a wholesale reassessment of the appropriateness to build on these already approved exclusive use areas and nominated buildable areas. It imposes considerable unnecessary cost and risk to current and future owners of these lots, both at Bream Tail and in other similar situations in the district. For these reasons, the rule is sought be amended to apply the same permitted activity provisions whether the building or structure is inside or outside the coastal environment. The reference to building platforms identified in an existing subdivision consent "approved prior to 1 April 	Accept in part	Topic 6: Rules

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
					<p>2025” is unnecessary. The rule should also provide permitted activity status to building platforms approved after that date (where appropriate controls through consent notices will have invariably been placed and landscape assessment taken place to confirm their appropriateness.</p> <ul style="list-style-type: none"> The drafting of NFL-R2.2 requires improvements to achieve its intended outcome to specifically recognise the particular circumstances of the Bream Tail subdivision, including the detailed requirements of the consent notices that exist on the Titles as set out in the submission. 		
300.25	Bream Tail Residents Association Incorporated	NFL-R3	Amend	<p>AMEND NFL-R3 so that the permitted activity status applies to indigenous vegetation clearance in the Outstanding Natural Landscape, irrespective of whether they are inside or outside of the coastal environment, and to also provide for the Outstanding Natural Features, as follows: AMEND NFL-R3 Indigenous and vegetation clearance ONL and ONF outside the coastal environment. AND ADD a permitted activity to NFL-R3 indigenous vegetation clearance for the following purposes (without a requirement</p>	<ul style="list-style-type: none"> Refer to submission for detailed reasoning. Reasons summarised as: Rule NFL-R3 only applies permitted activity status to indigenous vegetation clearance in ONL outside the coastal environment, and not for ONL within the coastal environment. In addition, no provision is made for Indigenous vegetation clearance in the ONF, leaving the activity status for that uncertain. The only provision for permitted activity Indigenous vegetation clearance in ONL within the coastal environment is made at 	Accept in part	Topic 6: Rules

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
				<p>for these to comply with the area limitation standards under NFL-S5 and in addition to the repair and maintenance allowances in the rule as proposed):</p> <ol style="list-style-type: none"> a. To address an immediate risk to the public safety or damage to property; b. The formation of walking tracks less than 1.5m wide; c. The construction of a new fence where the purpose of the new fence is to exclude stock and/or pests from the area of indigenous vegetation, provided that the clearance does not exceed 3.5m in width either side of the fence line; d. To remove pest species in accordance with any approved pest management plan or biosecurity operational plan; e. To create or maintain a 20m setback from an area of indigenous vegetation to a residential unit (excluding accessory buildings); f. The removal or clearance of indigenous vegetation from land that was previously cleared and where the indigenous vegetation to be cleared is less than 10 years old; and g. Creation and maintenance of firebreaks to manage fire risk. 	<p>NFL-R3.6 for regionally significant infrastructure.</p> <ul style="list-style-type: none"> • The maximum area allowances in standard NFL-S5 and the limited range of permitted activities for indigenous vegetation clearance (as sought to be amended by this submission) provide sufficient protection. • Rule NFL-R3 should be amended to make additional allowances for indigenous vegetation clearance which by its nature will have minor effects on the ONL (whether inside or outside the coastal environment), is required to enable positive effects, or is required for the health and safety of people. 		

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				AND Any consequential amendments or alternative relief to address the matters raised in the submission.			
300.26	Bream Tail Residents Association Incorporated	NFL-R4	Amend	AMEND NFL-R4 so that the permitted activity status applies to earthworks in the Outstanding Natural Landscapes and Outstanding Natural Features, irrespective of whether they are inside or outside of the coastal environment, as follows: ONL and ONF outside the coastal environment. AND Any consequential amendments or alternative relief to address the matters raised in the submission.	<ul style="list-style-type: none"> A restricted activity status (as is the effect of the Proposed District Plan rule as sought to be amended by this submission) is appropriate for earthworks on approved building platforms and the access driveways to them inside and outside the Outstanding Natural Landscapes and Outstanding Natural Features, noting that the appropriateness of construction on approved building platforms has already been determined at subdivision stage. 	Accept in part	Topic 6: Rules
300.27	Bream Tail Residents Association Incorporated	NFL-R7	Support	RETAIN NFL-R7. AND Any consequential amendments or alternative relief to address the matters raised in the submission.	<ul style="list-style-type: none"> The rule is supported, noting the submitter's other relief sought for indigenous vegetation clearance as a permitted activity in particular circumstances. 	Accept in part	Topic 6: Rules
300.28	Bream Tail Residents Association Incorporated	NFL-S1	Amend	AMEND NFL-S1 to exempt the following from maximum height: <ol style="list-style-type: none"> <u>Chimney structures not exceeding 1.2m in width and 1m in height on any elevation.</u> <u>Architectural features (e.g. finials, spires) that do not exceed 1m in height.</u> 	<ul style="list-style-type: none"> Additional allowances should be made for roof top projections within specified parameters. Requiring resource consents for the placement of such features where they exceed the height is inefficient and adds costs which do not outweigh the benefits. 	Accept in part	Topic 6: Rules

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				<p>c. <u>Solar and water heating components provided these do not exceed the height by more than 0.5m on any elevation.</u></p> <p>d. <u>Satellite dishes and aerials that do not exceed 1m in height and/or diameter on any elevation.</u></p> <p>AND Any consequential amendments or alternative relief to address the matters raised in the submission.</p>			
300.29	Bream Tail Residents Association Incorporated	NFL-S2	Oppose	<p>DELETE NFL-S2. AND Any consequential amendments or alternative relief to address the matters raised in the submission.</p>	<ul style="list-style-type: none"> The standard unnecessarily limits gross floor area and is considered too low to accommodate many residential dwellings, including the average size of a dwelling in New Zealand. The submitter considers standard is unnecessary in terms of managing effects, having regard to the balance of other rules and standards which apply to Natural Features and Landscapes. 	Reject	Topic 7: Standards
300.30	Bream Tail Residents Association Incorporated	NFL-S3	Amend	<p>AMEND NFL-S3 to allow for natural materials, as follows:</p> <ol style="list-style-type: none"> The building and structure exteriors must: <ul style="list-style-type: none"> Not utilise mirror glazing; and Be <u>constructed of natural materials or if the exterior surface is coloured or painted</u> 	<ul style="list-style-type: none"> The standard should allow for the use of natural materials as a permitted activity, with such materials being visually suitable in Outstanding Natural Landscapes and Outstanding Natural Features areas, including in the coastal environment. 	Reject	Topic 7: Standards

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				<p>with then be a colour with a reflectance value no greater than 35% (provided that 2% of each exterior elevation is exempt) and with a roof colour with a reflectance value no greater than 30%.</p> <p>AND Any consequential amendments or alternative relief to address the matters raised in the submission.</p>			
300.71	Bream Tail Residents Association Incorporated	General	Amend	<p>AMEND SCHED-5, as follows:</p> <ul style="list-style-type: none"> Replace the link to the 2010 Landscape Technical Report with the evaluation sheets which informed the maps adopted from the Northland Regional Policy Statement 2016; and The descriptions are amended to follow that used in the evaluation sheets which informed the Regional Policy Statement mapping, including a full description of the characteristics, qualities and values of the outstanding natural landscapes in each case. <p>AND Any consequential amendments or alternative relief to address the matters raised in the submission.</p>	<ul style="list-style-type: none"> SCHED5 – Outstanding Natural Landscapes has the following link: “Access to full report on Outstanding Natural Landscapes”. This links to a 2010 Landscape Technical Report which is the incorrect basis for the evaluation and determination of outstanding natural landscapes in the district. The use of the correct descriptions in Schedule 5 of outstanding natural landscapes is important because of the requirements of the related policies in the Proposed District Plan. 	Accept	Topic 2: ONL and ONF mapping
300.75	Bream Tail Residents	General	Amend	<p>AMEND the mapped extent of the Outstanding Natural Landscape overlay on the properties at Bream Tail as shown on</p>	<ul style="list-style-type: none"> The mapped extent of the Outstanding Natural Landscape at Bream Tail Farm follows a simplified 	Reject	Topic 2: ONL and ONF mapping

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	Association Incorporated			Attachment 1 of the submission so that it accurately follows characteristics and features according to the Landscape Assessment Criteria of the Regional Policy Statement. AND Any consequential amendments or alternative relief to address the matters raised in the submission.	<p>straight-line form and an approximation of key features set out in the Landscape Assessment Criteria of the Regional Policy Statement.</p> <ul style="list-style-type: none"> Method 4.5.4(2) of the Regional Policy Statement allows for the mapped areas to be changed at any time (using the Schedule 1 process). 		
FS44.49	Daytona Trust	General	Support	Allow the original submission.	<ul style="list-style-type: none"> Supports the request to amend the mapped extent of the ONL overlay on the properties at Bream Tail (as shown on Attachment 1 to the submission) for the reasons set out in the original submission. 	Reject	Topic 2: ONL and ONF mapping
FS97.49	Tappenden Holdings Limited	General	Support	Allow the original submission.	<ul style="list-style-type: none"> Supports the request to amend the mapped extent of the ONL overlay on the properties at Bream Tail (as shown on Attachment 1 to the submission) for the reasons set out in the original submission. 	Reject	Topic 2: ONL and ONF mapping
300.84	Bream Tail Residents Association Incorporated	NFL-O2	Support	RETAIN NFL-O2. AND Any consequential amendments or alternative relief to address the matters raised in the submission.	<ul style="list-style-type: none"> No reasons provided. 	Accept	Topic 4: Objectives
300.85	Bream Tail Residents Association Incorporated	NFL-R2	Amend	AMEND NFL-R2.2 to retain the exclusion to defined exclusive use areas at Bream Tail, amended to ensure the permitted activity rules does apply to Bream Tail and without	<ul style="list-style-type: none"> The drafting of NFL-R2.2. requires improvements to achieve its intended outcome to specifically recognise the particular 	Reject	Topic 6: Rules

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				<p>reference to the consent notice, previous consents or Operative District Plan. This can be achieved by the following amendments, or similar:</p> <p>2. This rule does not apply to:</p> <p>a. The defined Exclusive Use Areas shown on the Survey Plan for lots 1-29, 32,34,40,41 and 45 DP 348513 consented by RM050086 (Bream Tail) provided that the other conditions of the Consent Notices (dated 2 February 2004) on these titles are complied with, which shall rely on Rule 12.10.3c.2 in Chapter 12 of the Kaipara Operative District Plan.</p> <p>2. Activity Status: Permitted</p> <p>a. <u>Where the building or structure is on a defined exclusive use area as shown on the survey plan for Lots 1- 4, 6-8, 10, 12-17, 22-29, 34 and 40-45 DP348513, Lot 1 DP493396, Lots 5 and 9 DP435202, Lots 101 and 102 DP528288, Lots 1 and 2 DP408561, Lots 3 and 4 DP404524, Lots 5 and 6 DP400385, and Lots 7 and 8 DP404525 (Bream Tail), or a nominated buildable area or a building platform otherwise approved on those properties.</u></p> <p>AND</p> <p>Any consequential amendments or alternative relief to address the matters raised in the submission.</p>	<p>circumstances of the Bream Tail subdivision, including the detailed requirements of the consent notices that exist on the titles as set out in the submission.</p>		

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304.88	Director General of Conservation	NFL-O1	Amend	AMEND NFL-O1 as follows: The characteristics, qualities and values of Outstanding Natural Features and Outstanding Natural Landscapes are <u>identified</u> and protected from inappropriate subdivision, use and development. AND Any further or alternative relief to like effect to that sought.	<ul style="list-style-type: none"> Though NFL-O1 largely follows the wording of Northland Regional Policy Statement Objective 3.14, it does not include the process for identifying outstanding natural features and outstanding natural landscapes. 	Accept	Topic 4: Objectives
FS93.198	Royal Forest and Bird Protection Society of NZ	NFL-O1	Support	Allow the original submission.	<ul style="list-style-type: none"> Seeks to improve outcomes for indigenous biodiversity. 	Accept	Topic 4: Objectives
304.89	Director General of Conservation	NFL-P3	Amend	AMEND NFL-P3 as follows: Within the coastal environment, avoid adverse effects from <u>of subdivision</u> , land use and development on the characteristics, qualities and values of Outstanding Natural Features and Outstanding Natural Landscapes as set out in Schedule 4 and Schedule 5. AND Any further or alternative relief to like effect to that sought.	<ul style="list-style-type: none"> NFL-P3 should include the avoidance of the adverse effects of subdivision. 	Accept	Topic 5: Policies
FS93.199	Royal Forest and Bird Protection Society of NZ	NFL-P3	Support	Allow the original submission.	<ul style="list-style-type: none"> Seeks to improve outcomes for indigenous biodiversity. 	Accept	Topic 5: Policies
304.90	Director General of Conservation	NFL-P4	Support	RETAIN NFL-P4 as notified. AND Any further or alternative relief to like effect to that sought.	<ul style="list-style-type: none"> The Policy gives effect to higher-level documents. 	Accept in part	Topic 5: Policies

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FS93.200	Royal Forest and Bird Protection Society of NZ	NFL-P4	Support	Allow the original submission.	<ul style="list-style-type: none"> Seeks to improve outcomes for indigenous biodiversity. 	Accept in part	Topic 5: Policies
304.91	Director General of Conservation	NFL-P6	Amend	<p>AMEND NFL-P6 to require an ecological assessment in accordance with Appendix 5 of the Northland Regional Policy Statement. AND Any further or alternative relief to like effect to that sought.</p>	<ul style="list-style-type: none"> The submitter supports NFL-P6 but requests it is amended to include a requirement for ecological assessment of vegetation in accordance with Appendix 5 of the Northland Regional Policy Statement. 	Reject	Topic 5: Policies
FS93.201	Royal Forest and Bird Protection Society of NZ	NFL-P6	Support	Allow the original submission.	<ul style="list-style-type: none"> Seeks to improve outcomes for indigenous biodiversity. 	Reject	Topic 5: Policies
304.92	Director General of Conservation	NFL-R3	Oppose	<p>AMEND NFL-R3 so a discretionary activity status is triggered if the area threshold is exceeded. AND ADD a requirement for an ecological assessment against the criteria in Appendix 5 of the Northland Regional Policy Statement where compliance with thresholds cannot be achieved. AND Any further or alternative relief to like effect to that sought.</p>	<ul style="list-style-type: none"> The threshold is too high and does not provide and recognise for s6(c) of the RMA. The submitter considers that, if the threshold is exceeded, a discretionary activity status should apply, and an ecological assessment should be required to confirm the value of the vegetation in accordance with the Northland Regional Policy Statement. 	Reject	Topic 6: Rules
FS58.16	J & C Hawley	NFL-R3	Support	Allow the original submission.	<ul style="list-style-type: none"> Permitting 150m² indigenous vegetation clearance in any 12 month period within an ONL does not recognise RMA s6(c). As such, 	Reject	Topic 6: Rules

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					the notified permitted activity status proposed is inadequate.		
FS74.15	Marunui Conservation Ltd	NFL-R3	Support	Allow the original submission.	<ul style="list-style-type: none"> Permitting 150m² indigenous vegetation clearance in any 12 month period within an ONL does not recognise RMA s6(c). As such, the notified permitted activity status proposed is inadequate. 	Reject	Topic 6: Rules
FS82.88	Northpower Limited	NFL-R3	Oppose	Reject the relief sought.	<ul style="list-style-type: none"> Non-compliance with the indigenous vegetation clearance thresholds should not result in a discretionary activity status. The notified restricted discretionary consent trigger and matters of discretion is sufficient to address effects of exceedance. 	Accept	Topic 6: Rules
FS93.202	Royal Forest and Bird Protection Society of NZ	NFL-R3	Support	Allow the original submission.	<ul style="list-style-type: none"> Seeks to improve outcomes for indigenous biodiversity. 	Reject	Topic 6: Rules
304.93	Director General of Conservation	NFL-S4	Oppose	<p>AMEND NFL-S4 to provide earthworks thresholds for areas within Outstanding Natural Landscapes and Outstanding Natural Features.</p> <p>AND</p> <p>Any further or alternative relief to like effect to that sought.</p>	<ul style="list-style-type: none"> As proposed, no maximum permitted threshold is provided for areas within Outstanding Natural Landscapes and Outstanding Natural Features. The submitter considers that limits within Outstanding Natural Landscape and Outstanding Natural Feature areas will enable the avoidance of adverse effects as required by Policy 15 of the New Zealand Coastal Policy Statement. 	Accept in part	Topic 7: Standards

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FS29.78	Atlas Quarries Limited	NFL-S4	Oppose in part	Reject the relief sought in part.	<ul style="list-style-type: none"> The PDP must give effect to the provisions as they relate to mineral extraction activities within the RPS and Parts 2 and 3 RMA. 	Accept in part	Topic 7: Standards
FS93.203	Royal Forest and Bird Protection Society of NZ	NFL-S4	Support	Allow the original submission.	<ul style="list-style-type: none"> Seeks to improve outcomes for indigenous biodiversity. 	Accept in part	Topic 7: Standards
304.94	Director General of Conservation	NFL-S5	Amend	<p>AMEND NFL-S5 to permit clearance of up to 50m² of indigenous vegetation to a maximum depth of 1m. AND Any further or alternative relief to like effect to that sought.</p>	<ul style="list-style-type: none"> NFL-S5 permits too high of a threshold for clearance without knowing the value of the vegetation. The submitter requests that, to provide and recognise for s6(c) of the RMA, the permitted threshold is reduced, and a requirement for an ecological assessment is triggered by clearance exceeding permitted thresholds. 	Accept in part	Topic 7: Standards
FS82.95	Northpower Limited	NFL-S4	Oppose	Reject the relief sought.	<ul style="list-style-type: none"> Permitted indigenous vegetation clearance thresholds do not need to be reduced. The notified limits are sufficient and further reduction will result in costly delays. 	Accept in part	Topic 7: Standards
FS93.204	Royal Forest and Bird Protection Society of NZ	NFL-S4	Support	Allow the original submission.	<ul style="list-style-type: none"> Seeks to improve outcomes for indigenous biodiversity. 	Accept in part	Topic 7: Standards
304.122	Director General of Conservation	General	Amend	<p>AMEND the description of the Waipoua forest in SCHED5 - Outstanding Natural Landscapes to include the Waipoua River as</p>	<ul style="list-style-type: none"> The submitter requests that the Waipoua Forest description is 	Accept in part	Topic 2: ONL and ONF Mapping

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				part of the significance of the landscape and site. AND Any further or alternative relief to like effect to that sought.	amended to include the Waipoua River.		
FS93.230	Royal Forest and Bird Protection Society of NZ	General	Support	Allow the original submission.	<ul style="list-style-type: none"> Seeks to improve outcomes for indigenous biodiversity. 	Accept in part	Topic 2: ONL and ONF Mapping
309.66	Clarus	NFL-P2	Support	RETAIN NFL-P2. AND Any necessary consequential changes to the Proposed District Plan that are required to give effect to the submission.	<ul style="list-style-type: none"> Recognises the need for existing lawful activities to continue. 	Accept in part	Topic 5: Policies
309.67	Clarus	NFL-P5	Support	RETAIN NFL-P5. AND Any necessary consequential changes to the Proposed District Plan that are required to give effect to the submission.	<ul style="list-style-type: none"> Recognises the need for existing regionally significant infrastructure to be operated and upgraded. 	Reject	Topic 5: Policies
309.68	Clarus	NFL-R1	Support	RETAIN NFL-R1. AND Any necessary consequential changes to the Proposed District Plan that are required to give effect to the submission.	<ul style="list-style-type: none"> Recognises the need for existing lawful activities to continue and be operated and upgraded. 	Accept in part	Topic 6: Rules
309.69	Clarus	NFL-R2	Support	RETAIN NFL-R2. AND Any necessary consequential changes to the Proposed District Plan that are required to give effect to the submission.	<ul style="list-style-type: none"> Recognises the need for existing lawful activities to continue and be operated and upgraded. 	Accept in part	Topic 6: Rules

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FS71.7	Mangawhai Heads Holdings Ltd	NFL-R2	Support	Allow the submission in part.	<ul style="list-style-type: none"> As amendments to NFL-R2.5 are sought, NFL-R2 should not be retained in its entirety. However, the reasoning provided by the submitter is supported. 	Accept in part	Topic 6: Rules
309.70	Clarus	NFL-R3	Support	RETAIN NFL-R3. AND Any necessary consequential changes to the Proposed District Plan that are required to give effect to the submission.	<ul style="list-style-type: none"> Recognises the need for existing lawful activities to continue and be operated and upgraded. 	Accept in part	Topic 6: Rules
309.71	Clarus	NFL-R4	Amend	AMEND NFL-R4.1.b, as follows: The earthworks are for the maintenance of lawfully established roads, fences, utility connections, <u>existing infrastructure...</u> OR ADD a new clause NFL-R4.1.c, as follows: <u>1c. The earthworks are associated with existing infrastructure.</u> AND Any necessary consequential changes to the Proposed District Plan that are required to give effect to the submission.	<ul style="list-style-type: none"> It should be clarified that part 1 (permitted) of this rule includes pipelines, including transmission pipelines, which may be included in utility connections, but the term is not defined in the Plan (refer to submission on NFL-S4). 	Accept in part	Topic 6: Rules
FS41.79	Channel Terminal Services Ltd	NFL-R4	Support	Accept the relief sought.	<ul style="list-style-type: none"> Supports the proposed amendments as they provide an appropriate pathway for maintenance to existing infrastructure. 	Accept in part	Topic 6: Rules
309.72	Clarus	NFL-R5	Support	RETAIN NFL-R5. AND AMEND NFL-R5 to exclude existing infrastructure maintenance/upgrade.	<ul style="list-style-type: none"> Recognises the need for existing lawful activities to continue and be operated and upgraded. 	Accept in part	Topic 6: Rules

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				AND AMEND NFL-S4 to make consequential changes if required. AND Any necessary consequential changes to the Proposed District Plan that are required to give effect to the submission.			
FS41.80	Channel Terminal Services Ltd	NFL-R5	Support	Accept the relief sought.	<ul style="list-style-type: none"> Supports the submission to amend this rule in order to provide an appropriate pathway for maintenance and upgrading of existing infrastructure, recognising such works are critical for ongoing operation. 	Accept in part	Topic 6: Rules
315.29	Horizon Surveying & Land Development	General	Amend	AMEND the name of the Natural Features and Landscapes Chapter to " <u>Outstanding Natural Features and Landscapes</u> " so that it is consistent throughout the PDP, and consistent with the 'Standards' heading of the Natural Features and Landscapes Chapter.	<ul style="list-style-type: none"> Consistency. 	Reject	Topic 1: General Submissions on the NFL Chapter
315.30	Horizon Surveying & Land Development	NFL-O1	Support	RETAIN NFL-O1.	<ul style="list-style-type: none"> No reasons provided. 	Accept in part	Topic 4: Objectives
315.31	Horizon Surveying & Land Development	NFL-P1	Support	RETAIN NFL-P1 as notified.	<ul style="list-style-type: none"> No reasons provided. 	Accept in part	Topic 5: Policies

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315.32	Horizon Surveying & Land Development	NFL-P4	Amend	RETAIN NFL-P4. AND AMEND NFL-P4 to include having regard to lighting restrictions under clause NFL-P4.2.c.iv.	<ul style="list-style-type: none"> No reasons provided. 	Accept in part	Topic 5: Policies
315.33	Horizon Surveying & Land Development	NFL-P6	Amend	RETAIN NFL-P6. AND AMEND NFL-P6.2 to include positive effects on the restoration or enhancement of the Outstanding Natural Feature or Outstanding Natural Landscape which could be achieved through subdivision or development.	<ul style="list-style-type: none"> NFL-P6 doesn't discuss positive effects on the Outstanding Natural Landscapes and Outstanding Natural Features from development in much detail. 	Accept in part	Topic 5: Policies
315.34	Horizon Surveying & Land Development	NFL-R1	Support	RETAIN NFL-R1.	<ul style="list-style-type: none"> No reasons provided. 	Accept in part	Topic 6: Rules
315.35	Horizon Surveying & Land Development	NFL-S1	Support	RETAIN NFL-S1.	<ul style="list-style-type: none"> No reasons provided. 	Accept in part	Topic 7: Standards
315.36	Horizon Surveying & Land Development	NFL-S3	Amend	AMEND NFL-S3 to limit colours and tones to a neutral palette (e.g., browns, greys, deep blues, deep greens). AND AMEND NFL-S3 to include specifications for lighting restrictions such as utilising downlights or light covers.	<ul style="list-style-type: none"> A reflectance value of 30-35% will provide a variety of colour options which are not suitable and could be visually prominent in the landscape. Lighting restrictions could also be included in NFL-S3. 	Accept in part	Topic 7: Standards
315.114	Horizon Surveying & Land Development	NFL-O2	Support	RETAIN NFL-O2.	<ul style="list-style-type: none"> No reasons provided. 	Accept	Topic 4: Objectives

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315.115	Horizon Surveying & Land Development	NFL-P2	Support	RETAIN NFL-P2 as notified.	<ul style="list-style-type: none"> No reasons provided. 	Accept in part	Topic 5: Policies
315.116	Horizon Surveying & Land Development	NFL-P3	Support	RETAIN NFL-P3 as notified.	<ul style="list-style-type: none"> No reasons provided. 	Accept in part	Topic 5: Policies
315.117	Horizon Surveying & Land Development	NFL-P5	Support	RETAIN NFL-P5 as notified.	<ul style="list-style-type: none"> No reasons provided. 	Reject	Topic 5: Policies
315.118	Horizon Surveying & Land Development	NFL-R2	Support	RETAIN NFL-R2.	<ul style="list-style-type: none"> No reasons provided. 	Accept in part	Topic 6: Rules
FS71.8	Mangawhai Heads Holdings Ltd	NFL-R2	Support	Allow the submission in part.	<ul style="list-style-type: none"> As amendments to NFL-R2.5 are sought, NFL-R2 should not be retained in its entirety but retaining the broader provisions of NFL-R2 is supported. 	Accept in part	Topic 6: Rules
315.119	Horizon Surveying & Land Development	NFL-R3	Support	RETAIN NFL-R3.	<ul style="list-style-type: none"> No reasons provided. 	Accept in part	Topic 6: Rules
315.120	Horizon Surveying & Land Development	NFL-R4	Support	RETAIN NFL-R4.	<ul style="list-style-type: none"> No reasons provided. 	Accept in part	Topic 6: Rules
315.121	Horizon Surveying & Land Development	NFL-R5	Support	RETAIN NFL-R5.	<ul style="list-style-type: none"> No reasons provided. 	Accept in part	Topic 6: Rules

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315.122	Horizon Surveying & Land Development	NFL-R6	Support	RETAIN NFL-R6.	<ul style="list-style-type: none"> No reasons provided. 	Accept	Topic 6: Rules
315.123	Horizon Surveying & Land Development	NFL-R7	Support	RETAIN NFL-R7.	<ul style="list-style-type: none"> No reasons provided. 	Accept in part	Topic 6: Rules
315.124	Horizon Surveying & Land Development	NFL-R8	Support	RETAIN NFL-R8.	<ul style="list-style-type: none"> No reasons provided. 	Accept	Topic 6: Rules
315.125	Horizon Surveying & Land Development	NFL-S2	Support	RETAIN NFL-S2.	<ul style="list-style-type: none"> No reasons provided. 	Accept in part	Topic 7: Standards
315.126	Horizon Surveying & Land Development	NFL-S4	Support	RETAIN NFL-S4.	<ul style="list-style-type: none"> No reasons provided. 	Accept in part	Topic 7: Standards
315.127	Horizon Surveying & Land Development	NFL-S5	Support	RETAIN NFL-S5.	<ul style="list-style-type: none"> No reasons provided. 	Accept in part	Topic 7: Standards
315.128	Horizon Surveying & Land Development	NFL-S6	Support	RETAIN NFL-S6.	<ul style="list-style-type: none"> No reasons provided. 	Reject	Topic 7: Standards
316.1	J Henchman	NFL-R2	Oppose	DELETE NFL-R2.5 in particular the exemptions for a particular property. AND Any consequential amendments.	<ul style="list-style-type: none"> Subdivision in an Outstanding Natural Landscape should conform to the same rules as every other property. The purpose of Outstanding Natural Landscape is that it is protected. Clause 5 sets a precedent that other properties may follow. 	Accept	Topic 6: Rules

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
FS71.3	Mangawhai Heads Holdings Ltd	NFL-R2	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> Opposes the deletion of NFL-R2.5 for the reason it would not be in line with the Environment Court Decision determined in <i>Calveley v Kaipara District Council</i> [2015] NZEnvC 69 . No resource management reason to delete the provision given that the land will be developed within the PDP's lifetime. 	Reject	Topic 6: Rules
323.56	KiwiRail Holdings Limited	NFL-P2	Support	RETAIN NFL-P2 as proposed. AND any consequential changes to link and/or accommodate the requested change in the stated, or alternate location.	<ul style="list-style-type: none"> The submitter supports NFL-P2 and requests it is retained as notified. 	Accept in part	Topic 5: Policies
323.57	KiwiRail Holdings Limited	NFL-P5	Amend	RETAIN NFL-P5 as proposed. AND AMEND the definition of 'Regionally Significant Infrastructure' to include rail infrastructure as requested. AND any consequential changes to link and/or accommodate the requested change in the stated, or alternate location.	<ul style="list-style-type: none"> The submitter supports NFL-P5 but requests that the definition for Regionally Significant Infrastructure is amended to include rail infrastructure. 	Reject	Topic 5: Policies
323.58	KiwiRail Holdings Limited	NFL-R1	Support	RETAIN NFL-R1 as proposed. AND any consequential changes to link and/or accommodate the requested change in the stated, or alternate location.	<ul style="list-style-type: none"> The submitter supports NFL-R1 and requests it is retained as notified. 	Accept in part	Topic 6: Rules
323.59	KiwiRail Holdings Limited	NFL-R2	Amend	RETAIN NFL-R2 as proposed. AND	<ul style="list-style-type: none"> Supports NFL-R2 but, as regionally significant infrastructure is referred 	Accept in part	Topic 6: Rules

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				AMEND the definition of 'Regionally Significant Infrastructure' to include rail infrastructure as requested. AND any consequential changes to link and/or accommodate the requested change in the stated, or alternate location.	to in this provision, the submitter refers to its request for the definition of Regionally Significant Infrastructure to be amended to include rail infrastructure.		
FS71.9	Mangawhai Heads Holdings Ltd	NFL-R2	Support	Allow the submission in part.	<ul style="list-style-type: none"> Amendments are sought to NFL-R2 and, therefore, should not be retained in its entirety. However, retaining the broader provisions of NFL-R2 is supported. Neutral position on the request to amend the definition for Regionally Significant Infrastructure to include rail. 	Accept in part	Topic 6: Rules
323.60	KiwiRail Holdings Limited	NFL-R3	Amend	RETAIN NFL-R3 as proposed. AND AMEND the definition of 'Regionally Significant Infrastructure' to include rail infrastructure as requested. AND any consequential changes to link and/or accommodate the requested change in the stated, or alternate location.	<ul style="list-style-type: none"> Supports NFL-R3 but, as regionally significant infrastructure is referred to in this provision, the submitter refers to its request for the definition of Regionally Significant Infrastructure to be amended to include rail infrastructure. 	Accept in part	Topic 6: Rules
323.61	KiwiRail Holdings Limited	NFL-R4	Amend	AMEND NFL-R4.1.b. as follows: b. The earthworks is for the maintenance of lawfully established roads, <u>railways</u> , fences, utility connections, driveways, parking areas, effluent disposal systems,	<ul style="list-style-type: none"> The submitter seeks that earthworks for rail maintenance within Outstanding Natural Landscapes and Outstanding Natural Features outside of the Coastal Environment are 	Accept in part	Topic 6: Rules

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				swimming pools, walking or cycling tracks, or farm and forestry tracks. AND AMEND the definition of 'Regionally Significant Infrastructure' to include rail infrastructure as requested. AND any consequential changes to link and/or accommodate the requested change in the stated, or alternate location.	treated the same as earthworks for roads, as operational requirements are similar. The discretionary activity status for earthworks within an Outstanding Natural Landscape/Outstanding Natural Feature and the Coastal Environment is accepted. • As regionally significant infrastructure is referred to in this provision, the submitter refers again to its request for the definition to be amended to include rail infrastructure.		
323.62	KiwiRail Holdings Limited	NFL-R5	Support	RETAIN NFL-R5 as proposed. AND any consequential changes to link and/or accommodate the requested change in the stated, or alternate location.	• The submitter supports NFL-R5 and requests it is retained as notified.	Accept in part	Topic 6: Rules
328.1	N Evans	NFL-R2	Oppose	DELETE NFL-R2(5) and the restricted discretionary activity status pathway it provides.	• Opposes the restricted discretionary activity status as it only applies to 13 sites as per RM090103 (relating to Lot 2 DP 316176). The submitter questions why provision has been made for a single site to be exempt from general ONL rules and considers that any form of subdivision within an ONL should be subject to the same rules to protect the natural landscape.	Accept	Topic 6: Rules

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
FS71.4	Mangawhai Heads Holdings Ltd	NFL-R2	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> Opposes the deletion of NFL-R2.5 and the restricted discretionary pathway provided on the basis that the Environment Court Decision in <i>Calveley v Kaipara District Council</i> [2015] NZEnvC 69 specifically directed the Council to “amend Variation 1 to the Plan by the inclusion of a restricted discretionary activity rule” prepared in accordance with the Court’s direction. No resource management reason to delete the provision given that the land will be developed within the PDP’s lifetime. 	Reject	Topic 6: Rules
332.27	Northland Regional Council	NFL-R3	Amend	AMEND NFL-R3.4. to provide for maintenance of lawfully established structures, roads and tracks and removal of hazardous trees as a permitted activity.	<ul style="list-style-type: none"> As drafted, NFL-R3 appears to apply a non-complying activity status to all indigenous vegetation clearance unless it is associated with regionally significant infrastructure. The submitter considers this is onerous and recommends the Rule is amended to provide for the maintenance of lawfully established activities (e.g., the removal of hazardous trees, maintenance of roads, tracks or buildings). The submitter also requests the same maintenance provisions are applied to Earthworks chapter rule CE-R4 and Natural Features and 	Accept in part	Topic 6: Rules

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
					Landscapes chapter rule NFL-R4.4. - refer to subsequent submission points.		
FS42.68	Chorus, Spark, Fortysouth, One NZ and Connexa	NFL-R3	Support in part	Allow the submission in part.	<ul style="list-style-type: none"> • Supports a more enabling framework for existing activities and removal of hazardous trees. • Amendments affecting Regionally Significant Infrastructure are of particular interest. 	Accept in part	Topic 6: Rules
332.28	Northland Regional Council	NFL-R4	Amend	AMEND NFL-R4.4. to provide for maintenance of lawfully established structures, roads and tracks and removal of hazardous trees as a permitted activity.	<ul style="list-style-type: none"> • As drafted, NFL-R4 appears to apply a non-complying activity status to all earthworks unless they are associated with regionally significant infrastructure. The submitter considers this is onerous and recommends the Rule is amended to provide for the maintenance of lawfully established activities (e.g., the removal of hazardous trees, maintenance of roads, tracks or buildings). • The submitter also requests the same maintenance provisions are applied to Coastal Environment rules CE-R3 and CE-R4, and Natural Features and Landscapes rule NFL-R3 - refer to preceding submission points. 	Accept in part	Topic 6: Rules

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
FS42.69	Chorus, Spark, Fortysouth, One NZ and Connexa	NFL-R4	Support in part	Allow the submission in part.	<ul style="list-style-type: none"> Supports a more enabling framework for existing activities and removal of hazardous trees. Amendments affecting Regionally Significant Infrastructure are of particular interest. 	Accept in part	Topic 6: Rules
333.3	NZ Fairy Tern Trust	General	Amend	ADD a policy to consider the need for the overview and protection Outstanding Natural Features, Landscapes, and Reserves to ensure any adverse effects to avian fauna are minimised and considered at the time of any proposed changes to existing protected areas.	<ul style="list-style-type: none"> The submitter has requested the above relief in order to protect the Fairy Tern and other avian fauna where possible through mapping and protection of ONF's and ONL's and areas zoned as Natural Open Spaces, especially in the flight path area from Mangawhai spit across to Kaipara Harbour. 	Reject	Topic 1: General Submissions on the NFL Chapter
FS45.125	Director General of Conservation	General	Support	Allow the submission in part.	<ul style="list-style-type: none"> Supports the intent to give effect to the NPS-IB. However, the requirement for SNAs to be mapped has been delayed until 2027. In any case, the s6(c) RMA equivalent of an SNA can be provided as an overlay. 	Reject	Topic 1: General Submissions on the NFL Chapter
FS93.259	Royal Forest and Bird Protection Society of NZ	General	Support	Allow the original submission.	<ul style="list-style-type: none"> Seeks to improve outcomes for indigenous biodiversity. 	Reject	Topic 1: General Submissions on the NFL Chapter
345.1	S Smail	NFL-R2	Oppose	DELETE NFL-R2.5.	<ul style="list-style-type: none"> Any form of subdivision in an Outstanding Natural Landscape should conform to the same rules. The point of having rules and regulations for an Outstanding 	Accept	Topic 6: Rules

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
					<p>Natural Landscape is that it should be protected.</p> <ul style="list-style-type: none"> Existing subdivision have adversely affected the Kiwi population. With regard to Note 1, the Restricted Discretionary activity opportunity expressly applies only to the 13 identified building locations shown on RM090103 for Lot 2 DP316176. With regard to Note 2, this applies on a non-notified basis. 		
FS71.5	Mangawhai Heads Holdings Ltd	NFL-R2	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> Opposes the deletion of NFL-R2.5 for the reason it would not be in line with the Environment Court Decision determined in <i>Calveley v Kaipara District Council</i> [2015] NZEnvC 69 . No resource management reason to delete the provision given that the land will be developed within the PDP's lifetime. 	Reject	Topic 6: Rules
351.2	N Harre	General	Oppose	AMEND the provisions so that no quarrying and mining is allowed in any Outstanding Natural Landscape (inferred).	<ul style="list-style-type: none"> Protecting the District's Natural Features is incredibly important. 	Reject	Topic 1: General Submissions on the NFL Chapter
FS29.130	Atlas Quarries Limited	General	Oppose	Reject the relief sought.	<ul style="list-style-type: none"> The PDP must give effect to the provisions as they relate to mineral extraction activities within the RPS and Parts 2 and 3 RMA. 	Accept	Topic 1: General Submissions on the NFL Chapter
352.3	M Tschirky	General	Amend	AMEND the provisions to protect Outstanding Natural Landscapes and Outstanding Natural Features from future	<ul style="list-style-type: none"> Absolutely unfair and incomprehensible that, for example, on DP316176 further development 	Reject	Topic 1: General Submissions on the NFL Chapter

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
				subdivision, clearing, quarrying or mining proposals through a non-complying activity status.	<ul style="list-style-type: none"> could occur plus on a non- notified basis. All of these activities need to stay non-compliant with no exceptions. 		
FS29.131	Atlas Quarries Limited	General	Oppose in part	Reject the relief sought in part.	<ul style="list-style-type: none"> The PDP must give effect to the provisions as they relate to mineral extraction activities within the RPS and Parts 2 and 3 RMA. 	Accept in part	Topic 1: General Submissions on the NFL Chapter
FS71.10	Mangawhai Heads Holdings Ltd	General	Oppose	Disallow the original submission.	<ul style="list-style-type: none"> Considers the notified proposed activity status is suitable for rule NFL-R2.5. 	Accept	Topic 1: General Submissions on the NFL Chapter
352.5	M Tschirky	NFL-S4	Oppose	AMEND the Proposed District Plan to retain the current quantities of the Operative District Plan for Earthworks, quarrying and felling trees.	<ul style="list-style-type: none"> Seems excessive. Keep figures of current plan. Quarrying and mining in ONL and ONF need noncomplying status. 	Reject	Topic 7: Standards
FS29.132	Atlas Quarries Limited	NFL-S4	Oppose in part	Reject the relief sought in part.	<ul style="list-style-type: none"> The PDP must give effect to the provisions as they relate to mineral extraction activities within the RPS and Parts 2 and 3 RMA. Add a chapter specifically for Mineral Extraction to the PDP. 	Accept in part	Topic 7: Standards
352.6	M Tschirky	NFL-R5	Oppose	AMEND NFL-S4 to match the level of earthworks permitted in the Operative District Plan for Outstanding Natural Landscapes and Outstanding Natural Features. AND AMEND the provisions to make quarrying and mining in an Outstanding Natural	<ul style="list-style-type: none"> Seems excessive. keep figures of current plan. Quarrying and mining in ONL and ONF need noncomplying status. 	Reject	Topic 7: Standards

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
				Landscape or Outstanding Natural Feature a non-complying activity.			
FS29.133	Atlas Quarries Limited	NFL-R5	Oppose in part	Reject the relief sought in part.	<ul style="list-style-type: none"> The PDP must give effect to the provisions as they relate to mineral extraction activities within the RPS and Parts 2 and 3 RMA. Add a chapter specifically for Mineral Extraction to the PDP. 	Accept in part	Topic 7: Standards
352.11	M Tschirky	General	Oppose	No specific decision requested; however, the submission considers that Bald Rock and Pukekaroro need to have full protection as well as any other landmarks in the District.	<ul style="list-style-type: none"> No future subdivision, clearing, quarrying or mining proposals in Outstanding Natural Landscapes and Outstanding Natural Features. 	Reject	Topic 1: General submissions on the NFL Chapter
352.12	M Tschirky	NFL-S5	Oppose	AMEND NFL-S5 to match the level of felling trees permitted in the Operative District Plan for Outstanding Natural Landscapes and Outstanding Natural Features.	<ul style="list-style-type: none"> Seems excessive. Keep figures of current plan. 	Reject	Topic 7: Standards