

## Appendix A – Officer’s Recommendation Decisions on Submissions Part I-Introduction and General Provisions

Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
122.6	Amanda (Mandy) Harris	Tangata Whenua - Mana Whenua	Amend	<p><b>ADD</b> a policy to the Tangata Whenua / Mana Whenua chapter that Kaipara District Council shall not approve significant decisions relating to land use, infrastructure investment, or climate adaption within areas identified as vulnerable to climate change effects unless it has first obtained formal input from: A qualified climate resilience specialist or professional planner with demonstrated experience in climate risk assessment; and A representative of mana whenua with ancestral ties to the affected land or waterway.</p> <p>AND</p> <p><b>ADD</b> a new rule to the Tangata Whenua / Mana Whenua chapter that the provision shall apply to all decisions involving: Infrastructure projects exceeding \$500,000 in value; Subdivisions of 10 or more lots; and Any rezoning or plan change in areas identified as flood-prone, ecologically sensitive or culturally sensitive.</p>	No reasons provided.	Deferred to Strategic Direction	Topic 4 Tangata Whenua / Mana Whenua
141.5	Te Roroa Whatu Ora Trust & Te Roroa Manawhenua Trust	Tangata Whenua - Mana Whenua	Amend	<p><b>AMEND</b> the objectives and policies in the Tangata whenua chapter to state that Te Roroa is the primary decision-making authority on matters relating to land, water, and taonga within its rohe.</p> <p>AND</p> <p><b>AMEND</b> the objectives and policies in the Tangata whenua chapter to require early, genuine, and documented engagement.</p>	<ul style="list-style-type: none"> <li>• Tangata Whenua objectives do not reflect the governance role that Te Roroa PSGE have, nor do provisions mandate Te Roroa-led assessment and monitoring processes.</li> </ul>	Deferred to Strategic Direction	Topic 4 Tangata Whenua / Mana Whenua

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149.1	Royal Forest and Bird Protection Society of New Zealand Incorporated	Purpose	Amend	<p><b>AMEND</b> the Purpose chapter to include the following:</p> <ul style="list-style-type: none"> <li>A description of the Kaipara District's natural values, including biodiversity, landscape, freshwater and coastal environments; and</li> <li>Clear expression of the Proposed District Plan role in enabling appropriate use and development, protecting and maintaining natural environment values through managing subdivision, use and development.</li> </ul> <p>AND Any consequential amendments and alternative relief to address the concerns raised.</p>	<ul style="list-style-type: none"> <li>The submitter opposes the Purpose chapter of the Proposed District Plan in part. It is acknowledged that the Kaipara District is growing and, as such, Council seeks to produce a simple and enabling Proposed District Plan. The proposed introductory sections emphasise enabling growth and development, as well as the use of natural and physical resources. Though these are important elements for wellbeing within Kaipara, it is requested that these sections are amended to reflect the District's natural values, including its landscapes indigenous biodiversity, freshwater and coastal ecosystems, and other taonga. All of these elements shape Kaipara's identity.</li> <li>A district plan should promote the sustainable management of natural and physical resources which involves enabling land use and development while safeguarding the life-supporting capacity of natural resources and managing environmental effects by avoidance, mitigation or remedy. The submitter considers that the Proposed District Plan's introductory sections should align with the purpose of the Resource</li> </ul>	Reject	Topic 1: Introduction section of the Plan

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					Management Act and national direction instruments, including the National Policy Statement for Freshwater Management, New Zealand Coastal Policy Statement and National Policy Statement for Indigenous Biodiversity. The recognition of natural values and requiring early protection will enable a more balanced and integrated approach.		
FS45.25	Director General of Conservation	Purpose	Support	<ul style="list-style-type: none"> <li>Support the request for amendments to be made to the purpose chapter of the plan, which ensures the purpose of the plan aligns with the purpose of the RMA, and subsequent higher order planning documents.</li> </ul>	<ul style="list-style-type: none"> <li>Allow submission</li> </ul>	Reject	Topic 1: Introduction section of the Plan
FS100.13	Transpower	Purpose	Oppose	<ul style="list-style-type: none"> <li>The submitter seeks an extensive range of unspecified amendments to the Purpose chapter of the Proposed District Plan. Transpower is therefore unable to determine the effect of the proposed changes, if any.</li> <li>Transpower opposes the submission point in so far as the relief is inconsistent with the relief sought in the Transpower submission.</li> </ul>	<ul style="list-style-type: none"> <li>Reject the submission point in so far as the relief is inconsistent with the relief sought in the Transpower submission.</li> </ul>	Accept	Topic 1: Introduction section of the Plan

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149.3	Royal Forest and Bird Protection Society of New Zealand Incorporated	National Direction Instruments	Amend	<b>AMEND</b> national direction table so it is in the format required by the National Planning Standards. AND Any consequential amendments and alternative relief to address the concerns raised.	<ul style="list-style-type: none"> <li>The policy statement tables are not in the form required by the National Planning Standards. Resultingly, the extent to which the Proposed District Plan has given effect to relevant national direction is not clear.</li> </ul>	Accept	Topic 3 National Direction Instruments
149.134	Royal Forest and Bird Protection Society of New Zealand Incorporated	Foreword	Amend	<b>AMEND</b> the Foreword chapter to include the following: <ul style="list-style-type: none"> <li>A description of the Kaipara District's natural values, including biodiversity, landscape, freshwater and coastal environments; and</li> <li>Clear expression of the Proposed District Plan role in enabling appropriate use and development, protecting and maintaining natural environment values through managing subdivision, use and development.</li> </ul> AND Any consequential amendments and alternative relief to address the concerns raised.	<ul style="list-style-type: none"> <li>The submitter opposes the Foreword chapter of the Proposed District Plan in part. It is acknowledged that the Kaipara District is growing and, as such, Council seeks to produce a simple and enabling Proposed District Plan. The proposed introductory sections emphasise enabling growth and development, as well as the use of natural and physical resources. Though these are important elements for wellbeing within Kaipara, it is requested that these sections are amended to reflect the District's natural values, including its landscapes indigenous biodiversity, freshwater and coastal ecosystems, and other taonga. All of these elements shape Kaipara's identity.</li> <li>A district plan should promote the sustainable management of natural and physical resources which involves enabling land use</li> </ul>	Reject	Topic 1: Introduction section of the Plan

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					and development while safeguarding the life-supporting capacity of natural resources and managing environmental effects by avoidance, mitigation or remedy. The submitter considers that the Proposed District Plan's introductory sections should align with the purpose of the Resource Management Act and national direction instruments, including the National Policy Statement for Freshwater Management, New Zealand Coastal Policy Statement and National Policy Statement for Indigenous Biodiversity. The recognition of natural values and requiring early protection will enable a more balanced and integrated approach.		
FS100.34	Transpower	General	Oppose	<ul style="list-style-type: none"> <li>Reject the submission in so far as the relief is inconsistent with the relief sought in the Transpower submission.</li> </ul>	<ul style="list-style-type: none"> <li>Transpower opposes the submission points in so far as the relief is inconsistent with the relief sought in the Transpower submission.</li> </ul>	Accept	Topic 1: Introduction section of the Plan
149.135	Royal Forest and Bird Protection Society of New Zealand Incorporated	Description of the district	Amend	<p><b>AMEND</b> the Description of the District chapter to include the following:</p> <ul style="list-style-type: none"> <li>A description of the Kaipara District's natural values, including biodiversity, landscape, freshwater and coastal environments; and</li> </ul>	<ul style="list-style-type: none"> <li>The submitter opposes the Description of the District chapter of the Proposed District Plan in part. It is acknowledged that the Kaipara District is growing and, as such, Council seeks to produce a simple and enabling Proposed</li> </ul>	Accept in Part	Topic 1: Introduction section of the Plan

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				<ul style="list-style-type: none"> <li>Clear expression of the Proposed District Plan role in enabling appropriate use and development, protecting and maintaining natural environment values through managing subdivision, use and development.</li> </ul> <p>AND</p> <p>Any consequential amendments and alternative relief to address the concerns raised.</p>	<p>District Plan. The proposed introductory sections emphasise enabling growth and development, as well as the use of natural and physical resources. Though these are important elements for wellbeing within Kaipara, it is requested that these sections are amended to reflect the District's natural values, including its landscapes indigenous biodiversity, freshwater and coastal ecosystems, and other taonga. All of these elements shape Kaipara's identity.</p> <ul style="list-style-type: none"> <li>A district plan should promote the sustainable management of natural and physical resources which involves enabling land use and development while safeguarding the life-supporting capacity of natural resources and managing environmental effects by avoidance, mitigation or remedy. The submitter considers that the Proposed District Plan's introductory sections should align with the purpose of the Resource Management Act and national direction instruments, including the National Policy Statement for Freshwater Management, New Zealand Coastal Policy Statement and National Policy Statement for</li> </ul>		

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
					Indigenous Biodiversity. The recognition of natural values and requiring early protection will enable a more balanced and integrated approach.		
FS100.35	Transpower	Description of the district	Oppose	<ul style="list-style-type: none"> <li>Transpower opposes the submission points in so far as the relief is inconsistent with the relief sought in the Transpower submission.</li> </ul>	<ul style="list-style-type: none"> <li>Reject the submission in so far as the relief is inconsistent with the relief sought in the Transpower submission.</li> </ul>	Reject	Topic 1: Introduction section of the Plan
231.8	S Cullen	Relationship between spatial layers	Amend	<p><b>AMEND</b> the Relationship Between Spatial Layers chapter to provide clarity for the user. The submission notes there are no references to Precincts or proposed Mangawhai/Hakaru Managed Growth Area in the spatial layers listed.</p> <p>AND</p> <p>Any necessary consequential amendments.</p>	<ul style="list-style-type: none"> <li>To provide clarity for plan users.</li> </ul>	Accept in Part	Topic 2: How the Plan Works
231.9	S Cullen	Spatial layers-Zones	Amend	<p><b>AMEND</b> the Relationship Between Spatial Layers chapter to make it clear that for split zoned sites provisions apply only to the extent of the mapped area.</p> <p>AND</p> <p>Any other necessary consequential amendments.</p>	<ul style="list-style-type: none"> <li>To provide clarity for the plan users.</li> </ul>	Accept	Topic 2: How the Plan Works

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245.1	C & R Williamson	Spatial layers-Zones		<b>AMEND</b> the Spatial Layers section as necessary to provide clarity for the plan user and be clear that provisions apply only to the extent of the mapped area and provide direction for split zoned sites. AND Any further necessary consequential amendments required.	<ul style="list-style-type: none"> <li>The submitter notes that the provisions do not provide any direction for split zoned sites.</li> </ul>	Accept	Topic 2: How the Plan Works
253.4	McRobbie Dowling Limited	Spatial layers-Zones	Amend	<b>AMEND</b> the How the Plan Works - Relationship Between Spatial Layers section to provide direction for split-zoned sites to provide clarity for the plan user and be clear that provisions apply only to the extent of the mapped area. AND Any necessary consequential amendments.	<ul style="list-style-type: none"> <li>Provisions do not provide direction for split zoned sites.</li> </ul>	Accept	Topic 2: How the Plan Works
256.7	P Ryan	Relationship between spatial layers	Amend	<b>AMEND</b> the Relationship Between Spatial Layers section to include reference to Precincts and the proposed Mangawhai/Hakaru Managed Growth Area and any other amendments as necessary to provide clarity to the plan user. AND Any necessary consequential amendments.	<ul style="list-style-type: none"> <li>Clarity for the plan user.</li> </ul>	Accept in part	Topic 2: How the Plan Works

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256.8	P Ryan	Spatial layers-Zones	Amend	<b>AMEND</b> the Relationship Between Spatial Layers to provide clarity that provisions apply only to the extent of the mapped area. AND Any necessary consequential amendments.	<ul style="list-style-type: none"> <li>Provide clarity for the plan user.</li> </ul>	Accept	Topic 2: How the Plan Works
260.2	The Rise Limited	Relationship between spatial layers	Amend	<b>AMEND</b> the chapter on How the Plan Works – Relationship Between Spatial Layers to provide clarity for plan users, such as including reference to Precincts and the Mangawhai/Hakaru Managed Growth Area. AND Any further necessary consequential amendments required to achieve the relief sought.	<ul style="list-style-type: none"> <li>The submitter notes that the listed spatial layers do include reference to Precincts or the proposed Mangawhai/Hakaru Managed Growth Area.</li> </ul>	Accept in part	Topic 2: How the Plan Works
260.3	The Rise Limited	Spatial layers-Zones	Amend	<b>AMEND</b> the chapter on How the Plan Works – Relationship Between Spatial Layer to provide clarity for plan users and be clear that provisions only apply to the extent of the mapped area. AND Any further necessary consequential amendments required to achieve the relief sought.	<ul style="list-style-type: none"> <li>As notified, the provisions do not provide direction for split zoned sites.</li> </ul>	Accept	Topic 2: How the Plan Works

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263.1	Daytona Trust	Additional matters of control and matters of discretion	Oppose	<p><b>DELETE</b> from the General Approach chapter the "Additional matters of control and matters of discretion" section.</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"> <li>The matters summarise Section 108 Resource Management Act matters, but do not replicate the specific details of Section 108. This creates the risk of conditions imposed under the Proposed District Plan being out of step with the requirements of the Resource Management Act.</li> <li>The matters are unnecessary in relation to the specific matters otherwise set out in the Proposed District Plan.</li> </ul>	Accept	Topic 2: How the Plan Works
FS35.51	Bream Tail Residents Association	Additional matters of control and matters of discretion	Support	<ul style="list-style-type: none"> <li>The matters summarise Section 108 Resource Management Act matters, but do not replicate the specific details of Section 108. This creates the risk of conditions imposed under the Proposed District Plan being out of step with the requirements of the Resource Management Act</li> </ul>	<ul style="list-style-type: none"> <li>Allow in full</li> </ul>	Accept	Topic 2: How the Plan Works
263.2	Daytona Trust	Determining the relationship between rules for different spatial layers	Amend	<p><b>AMEND</b> the text from "Determining the relationship between rules for different spatial layers", as follows:</p> <p>Rules for one spatial layer may be stricter than rules in another spatial layer. <del>The strictest rule will apply in these cases.</del> <u>The overall activity status of a proposal will be determined on the basis of all rules which apply to the proposal.</u> ...</p>	<ul style="list-style-type: none"> <li>Reference to "stricter" may be open to interpretation depending on the circumstances of the proposal. It should be replaced with a reference to the activity status of a proposal being determined on the basis of all rules which apply to the proposal to avoid an evaluation of the strictest rule.</li> </ul>	Accept in part	Topic 2: How the Plan Works

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				AND  Any consequential amendments or alternative relief to address the matters raised in the submission.			
FS35.52	Bream Tail Residents Assoc	Determining the relationship between rules for different spatial layers	Support	<ul style="list-style-type: none"> <li>Reference to "stricter" may be open to interpretation depending on the circumstances of the proposal. It should be replaced with a reference to the activity status of a proposal being determined on the</li> <li>basis of all rules which apply to the proposal to avoid an evaluation of the strictest rule.</li> </ul>	<ul style="list-style-type: none"> <li>Allow in full</li> </ul>	Accept	Topic 2: How the Plan Works
263.3	Daytona Trust	Tangata Whenua - Mana Whenua	Oppose	<p><b>AMEND</b> the Tangata Whenua/Mana Whenua chapter as follows: Statutory acknowledgements within the Kaipara District <del>can be located</del> <u>are</u> on the planning maps and may be listed as a site or area of significance to Māori ..."</p> <p>AND</p> <p><b>AMEND</b> the planning maps and spatial layers to ensure these accurately map statutory acknowledgement areas.</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"> <li>Given the statutory obligations in respect to these areas, the clause should be clear that they are on the planning maps. The notified wording implies that some may and some may not be.</li> </ul>	Accept	Topic 4 Tangata Whenua / Mana Whenua

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277.1	Mangawhai Hills Limited	Relationship between spatial layers	Amend	<b>AMEND</b> the Spatial Layers section to include Development Areas and provide clarity for the plan user. AND Any consequential amendments and alternative relief to address the concerns raised.	<ul style="list-style-type: none"> <li>The submitter notes that the spatial layers listed does not include reference to Development Areas.</li> </ul>	Accept in part	Topic 2: How the Plan Works
277.2	Mangawhai Hills Limited	Spatial layers-Zones	Amend	<b>AMEND</b> the Spatial Layers section to provide direction for split zoned sites, clarity for the plan users and be clear that provisions apply only to the extent of the mapped area. AND Any consequential amendments and alternative relief to address the concerns raised.	<ul style="list-style-type: none"> <li>The provisions do not provide any direction for split zoned sites.</li> </ul>	Accept	Topic 2: How the Plan Works
281.1	Moonlight Heights Limited	Relationship between spatial layers	Amend	<b>AMEND</b> the Spatial Layers section to include reference to Precincts as well as the Mangawhai/Hakaru Managed Growth Area and provide clarity for the plan user. AND Any further necessary consequential amendments required.	<ul style="list-style-type: none"> <li>The submitter has requested the above amendment as the spatial layers listed do not include reference to Precincts, or to the Mangawhai-Hakaru Managed Growth Area, and clarity is sought.</li> </ul>	Accept in part	Topic 2: How the Plan Works
281.2	Moonlight Heights Limited	Spatial layers-Zones	Amend	<b>AMEND</b> the Spatial Layers section to provide directions for split zoned sites, clarity for the plan user, and be clear that the provisions only apply to the extent of the mapped area.	<ul style="list-style-type: none"> <li>The submitter has requested the above relief as the proposed provisions do not provide any direction for split zoned sites.</li> </ul>	Accept	Topic 2: How the Plan Works

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				AND Any further necessary consequential amendments required.			
282.13	Murphy Property Development Limited	Relationship between spatial layers	Amend	<b>AMEND</b> the Relationship between spatial layers section as necessary to provide clarity for the plan user, e.g. including reference to precincts and the Mangawhai/Hakaru Managed Growth Area. AND Any necessary consequential amendments.	<ul style="list-style-type: none"> <li>The spatial layers listed do not include reference to Precincts nor does it reference the proposed Mangawhai/Hakaru Managed Growth Area.</li> </ul>	Accept in part	Topic 2: How the Plan Works
282.14	Murphy Property Development Limited	Spatial layers-Zones	Amend	<b>AMEND</b> the Relationship Between Spatial Layers section to be clear that provisions apply only to the extent of the mapped area. AND Any necessary consequential amendments.	<ul style="list-style-type: none"> <li>The provisions do not provide any direction for split zoned sites.</li> </ul>	Accept	Topic 2: How the Plan Works
284.4	New Zealand Defence Force	Cross Boundary Matters	Support	<b>RETAIN</b> provisions that recognise effects occur across boundaries, including in the Cross-boundary matters section. <b>OR</b> Wording to similar effect AND	<ul style="list-style-type: none"> <li>NZDF operates the Kaipara Air Weapons Range, designated in the AUP(OP). While this is not located within the Kaipara District, the operation of this facility may be impacted by development within Kaipara due to its proximity to Pouto Point.</li> </ul>	Accept	Topic 2: How the Plan Works

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				Any necessary further alternative or consequential relief as necessary to give effect to the submission.			
289.1	Tappenden Holdings Limited	Additional matters of control and matters of discretion	Oppose	<p><b>DELETE</b> the "Additional matters of control and matters of discretion" section, including matters 1 to 12.</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"> <li>The matters summarise Section 108 Resource Management Act matters, but do not replicate the specific details of Section 108. This creates the risk of conditions imposed under the District Plan being out of step with the requirements of the Resource Management Act.</li> <li>The matters are unnecessary in relation to the specific matters otherwise set out in the Proposed District Plan.</li> </ul>	Accept	Topic 2: How the Plan Works
289.2	Tappenden Holdings Limited	Determining the relationship between rules for different spatial layers	Amend	<p><b>AMEND</b> "Determining the relationship between rules for different spatial layers" section, as follows:</p> <p>Rules for one spatial layer may be stricter than rules in another spatial layer. <del>The strictest rule will apply in these cases.</del> <u>The overall activity status of a proposal will be determined on the basis of all rules which apply to the proposal.</u> For example, in the General rural zone, the permitted building height is 10m. However, if a site in the General rural zone is also in the High Natural Character Area, there is a more</p>	<ul style="list-style-type: none"> <li>Reference to "stricter" may be open to interpretation depending on the circumstances of the proposal.</li> </ul>	Accept in part	Topic 2: How the Plan Works

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				<p>stringent rule in the High Natural Character Area that means the maximum permitted height is reduced to 5.5m. See General Approach chapter for step-by-step process for identifying activity status.</p> <p>AND</p> <p>Any consequential amendments or alternative relief to address the matters raised in the submission.</p>			
289.3	Tappenden Holdings Limited	Tangata Whenua - Mana Whenua	Amend	<p><b>AMEND</b> all Statutory Acknowledgements and Overlays references in the Tangata Whenua/Mana Whenua chapter as follows:</p> <p>"Statutory acknowledgements within the Kaipara District <del>can be located</del> <u>are</u> on the planning maps and may be listed as a site or area of significance to Māori as identified in SCHED 3 - Sites and Areas of Significance to Māori:".</p> <p>AND</p> <p><b>AMEND</b> the planning maps and spatial layers to ensure these accurately map statutory acknowledgement areas.</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"> <li>Given the statutory obligations in respect to these areas, the clause should be clear that they are on the planning maps. The notified wording implies that some may and some may not be.</li> </ul>	Accept	Topic 4 Tangata Whenua / Mana Whenua

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292.3	Transpower New Zealand Limited	Relationship Between Spatial Layers – new text	Amend	<p><b>AMEND</b> the Relationship Between Spatial Layers section of the plan to add the following subsection after Overlays and before Specific Controls:</p> <p><u>Infrastructure corridors Structures, activities, earthworks and subdivision near the National Grid or the Gas or Petroleum Pipeline Corridor are addressed in the Infrastructure chapter.</u></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"> <li>To provide clarification within this section to ensure plan users know where to locate the relevant provisions relating to the National Grid.</li> </ul>	Accept	Topic 2: How the Plan Works
293.9	Vermont Street Partners Limited	Relationship Between Spatial Layers	Amend	<p><b>AMEND</b> the list of spatial layers as necessary to provide clarity for the plan user, including reference to the proposed Mangawhai/Hakaru Managed Growth Area.</p> <p>AND</p> <p>Any further necessary consequential amendments.</p>	<ul style="list-style-type: none"> <li>Clarity for the plan user.</li> </ul>	Accept in part	Topic 2: How the Plan Works
300.1	Bream Tail Residents Association Incorporated	Additional matters of control and matters of discretion	Oppose	<p><b>DELETE</b> the "Additional matters of control and matters of discretion" section including matters 1 to 12.</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"> <li>The matters summarise Section 108 Resource Management Act matters, but do not replicate the specific details of Section 108. This creates the risk of conditions imposed under the Proposed District Plan being out of step with</li> </ul>	Accept	Topic 2: How the Plan Works

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					<p>the requirements of the Resource Management Act.</p> <ul style="list-style-type: none"> <li>The matters are unnecessary in relation to the specific matters otherwise set out in the Proposed District Plan.</li> </ul>		
300.2	Bream Tail Residents Association Incorporated	Determining the relationship between rules for different spatial layers	Amend	<p><b>AMEND</b> "Determining the relationship between rules for different spatial layers" section as follows:            Rules for one spatial layer may be stricter than rules in another spatial layer. <del>The strictest rule will apply in these cases.</del> <u>The overall activity status of a proposal will be determined on the basis of all rules which apply to the proposal.</u> For example, in the General rural zone, the permitted building height is 10m. However, if a site in the General rural zone is also in the High Natural Character Area, there is a more stringent rule in the High Natural Character Area that means the maximum permitted height is reduced to 5.5m. See General Approach chapter for step-by-step process for identifying activity status.            AND</p>	<ul style="list-style-type: none"> <li>Reference to "stricter" may be open to interpretation depending on the circumstances of the proposal.</li> </ul>	Accept in part	Topic 2: How the Plan Works

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				Any consequential amendments or alternative relief to address the matters raised in the submission.			
300.3	Bream Tail Residents Association Incorporated	General Approach – New text	Oppose	<p><b>ADD</b> new section to "General Approach", as follows:  <u>Zoning of Roads, Railways and Rivers</u>            All public roads, including state highways, railways and rivers are zoned, although they are not coloured on the planning maps to avoid confusion The zoning of the road, rail corridor and rivers will be the same zone as that of the adjoining land (as shown on the District Plan maps). Where the zoning of the land that adjoins one side of the road, railway or river is different to that of the land that adjoins the other side, then the zoning of the adjoining land shall apply up to the centreline of the road, railway or river.</p> <p>AND</p> <p>Consequential amendment to Part 2 – District-wide matters/Energy, Infrastructure, and Transport/Transport to align with the relief sought in relation to Part 1-General Approach.</p> <p>AND</p>	<ul style="list-style-type: none"> <li>The Proposed District Plan should set out how to apply the correct policy and rule settings to roads, railways and rivers within the district, including formed and paper roads.</li> <li>An unformed 'paper road' traverses submitter's site at Bream Tail and submitter considers that logically, the use of this land should be determined by the adjoining zone, with that principle applicable to other cases also.</li> </ul>	Accept	Topic 2: How the Plan Works

## Appendix A – Officer’s Recommendation Decisions on Submissions Part I-Introduction and General Provisions

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.			
FS42.63	Chorus, Spark, Fortysouth, OneNZ & Connexa	General	Support	<ul style="list-style-type: none"> <li>A clear statement on how to apply district plan provisions to works in roads is supported.</li> </ul>	<ul style="list-style-type: none"> <li>Allow submission</li> </ul>	Accept	Topic 2: How the Plan Works
300.4	Bream Tail Residents Association Incorporated	Tangata Whenua - Mana Whenua	Amend	<p><b>AMEND</b> the Statutory Acknowledgements and Overlays references in the Tangata Whenua/Mana Whenua chapter as follows: Statutory acknowledgements within the Kaipara District <del>can be located</del> are on the planning maps and may be listed as a site or area of significance to Māori as identified in SCHED 3 - Sites and Areas of Significance to Māori:..”.</p> <p>AND</p> <p><b>AMEND</b> the planning maps and spatial layers to ensure these accurately map statutory acknowledgement areas.</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"> <li>Given the statutory obligations in respect to these areas, the clause should be clear that they are on the planning maps. The notified wording implies that some may and some may not be.</li> </ul>	Accept	Topic 4 Tangata Whenua / Mana Whenua

## Appendix A – Officer’s Recommendation Decisions on Submissions Part I-Introduction and General Provisions

Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
301.22	Channel Terminal Services Limited	Cross Boundary Matters	Amend	<p><b>RETAIN</b> inclusion of cross boundary matters in the Proposed District Plan.</p> <p>AND</p> <p><b>AMEND</b> the Proposed District Plan to provide for a collaborative and consistent approach to the management of infrastructure that crosses territorial boundaries (such as the Ruakaka to Auckland Pipeline), as follows:</p> <ul style="list-style-type: none"> <li>Recognise and provide for infrastructure that crosses territorial authority boundaries as requiring a coordinated and consistent approach; and</li> <li>Align with regional and national policy frameworks, including the AUP EMA provisions.</li> </ul> <p>AND</p> <p>Any ancillary, or alternative and consequential relief as necessary or appropriate.</p>	<ul style="list-style-type: none"> <li>The submitter wants to ensure consistency in relation to management of the Ruakaka to Auckland Pipeline which traverses Whangarei, Kaipara and Auckland districts.</li> </ul>	Accept in Part	Topic 2: How the Plan Works
304.1	Director General of Conservation	Statutory Context		<p><b>AMEND</b> the Proposed District Plan to record that ‘Significant Indigenous Vegetation and Habitats of Kaipara District, Northland – Volume 1’ is considered in development of the proposed Kaipara district plan.</p> <p>AND</p> <p><b>ADD</b> objectives, policies and rules which recognise and promote the protection of</p>	<ul style="list-style-type: none"> <li>The document titled ‘Significant Indigenous Vegetation and Habitats of Kaipara District, Northland – Volume 1’ (refer Attachment 2 to the submission document) is not on the ‘Considered documents’ list. However, the document and its attachments have clearly been considered while preparing the Proposed District Plan (Wildlands</li> </ul>	Reject	Topic 2: How the Plan Works

## Appendix A – Officer’s Recommendation Decisions on Submissions Part I-Introduction and General Provisions

Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
				<p>significant indigenous vegetation and significant habitats of indigenous fauna based on the document 'Significant Indigenous Vegetation and Habitats of Kaipara District, Northland - Volume 1'. AND</p> <p>Any further or alternative relief to like effect to that sought.</p>	<p>Consultants Ltd were contracted by Council to prepare the report).</p> <ul style="list-style-type: none"> <li>• District councils are required under s6(c) RMA to identify and provide for the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna (Significant Natural Areas). As such, Council sought to identify and map those areas the report identified. The submitter understands that Council chose not to implement such mapping following the implementation of the Resource Management Act (Freshwater and Other Matters) Amendment Bill, and changes to the National Policy Statement for Indigenous Biodiversity which removed the requirement for Significant Natural Areas to be mapped.</li> <li>• As no Significant Natural Areas are mapped, the submitter considers the report is useful for the identification of sensitive areas within Kaipara and requests it is still referenced within the District Plan. Any reasons for its exclusion should have been addressed in the s32 reporting. For effectiveness and efficiency, it is requested that 'Significant Indigenous Vegetation and</li> </ul>		

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
					Habitats of Kaipara District, Northland – Volume 1’ is available to support ecology assessments as required throughout the Proposed District Plan.		
FS93.113	Royal Forest and Bird Protection Society of New Zealand Incorporated	Statutory Context	Support	<ul style="list-style-type: none"> <li>The submission seeks to improve provisions and improve outcomes for indigenous biodiversity.</li> </ul>	<ul style="list-style-type: none"> <li>Allow</li> </ul>	Reject	Topic 2: How the Plan Works
FS47.105	Federated Farmers of NZ	Statutory Context	Oppose	<ul style="list-style-type: none"> <li>It is unclear exactly what the relief sought will look like. This has made it impossible to assess any likely impacts from the relief sought being granted.</li> <li>In addition, the document referred to is part of the section 32 report information that supports the Proposed Plan.</li> </ul>	<ul style="list-style-type: none"> <li>Decline</li> </ul>	Accept	Topic 2: How the Plan Works
331.1	Northland Holdings 2016 Limited	Relationship Between Spatial Layers	Amend	<p><b>AMEND</b> the Spatial Layers section as necessary to provide clarity for the plan user, in particular the section should refer to Precincts and the Mangawhai/Hakaru Growth Area.</p> <p>AND</p> <p>Any further necessary consequential amendments required to achieve the relief sought.</p>	<ul style="list-style-type: none"> <li>The submitter notes that the spatial layers listed do not include any reference to Precincts or the proposed Mangawhai/Hakaru Managed Growth Area.</li> </ul>	Accept in part	Topic 2: How the Plan Works

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Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
332.19	Northland Regional Council	Additional matters of control and matters of discretion	Amend	<p><b>ADD</b> a new point to the 'Additional matters of control and matters of discretion' as follows:</p> <p><u>Effects on ecological integrity, ecosystem health and indigenous biodiversity including threatened and at-risk species and their habitats, and any need for an assessment under Appendix 5 of the RPS.</u></p>	<ul style="list-style-type: none"> <li>The submitter considers 'Additional matters of control and matters of discretion' point 5 is unclear regarding effects on ecosystem integrity and indigenous biodiversity. It is requested that a biodiversity-specific matter of control and discretion, consistent with the Proposed Northland Regional Plan, is added to this list.</li> </ul>	Reject	Topic 2: How the Plan Works