

SUBMISSION

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Form 5

Submission on publicly notified proposal for policy statement or plan Clause 6 of First Schedule, Resource Management Act 1991

To: Kaipara District Council
Private Bag 1001
Dargaville

Via email: districtplanreview@kaipara.govt.nz

Submission on: **Proposed Kaipara District Plan**

Date: 30 June 2025

Submission by: Federated Farmers of New Zealand (Inc) – Northland Province
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1. Federated Farmers of New Zealand – Northland Province (**Federated Farmers**) could not gain an advantage in trade competition for this submission.
2. Please refer to the attached table for the specific provisions of the Proposed Kaipara District Plan (**PDP**) that Federated Farmers submission points refer to. The table also contains the details of Federated Farmers' submissions and whether we support, support in part or oppose the specific provisions on which we have submitted and the reasons for doing so.
3. The decisions sought by Federated Farmers are outlined in the table attached to this submission.
4. We wish to be heard in support of this submission.

5. If others make a similar submission, Federated Farmers will consider presenting a joint case with them at a hearing.
6. Federated Farmers seek any consequential changes necessary to the PDP to give effect to the relief sought in each of the individual submission points it has made.

1.0 INTRODUCTION

- 1.1 Federated Farmers welcomes the opportunity to submit on Kaipara District Council's (**Council**) PDP.
- 1.2 Federated Farmers acknowledges any submissions that have been made by individual members.
- 1.3 Federated Farmers are a primary sector organisation with a long and proud history of representing the needs and interests of New Zealand farmers involved in a range of rural businesses. We have 158 active members across the Kaipara district.
- 1.4 Farming has a strong presence in the Northland region and contributes significantly to the local districts in the region. Federated Farmers represent a variety of dairy, dry stock and horticulture land users and seek to uphold and enhance the value of farming to the region.
- 1.5 Federated Farmers aim to add value to its members' farming businesses. Our key strategic outcomes include the need for New Zealand to provide an economic and social environment within which our members may operate their business in a fair and flexible commercial environment; our members' families and their staff have access to services essential to the needs of the rural community; and our members adopt responsible management and environmental practices.
- 1.6 Federated Farmers is actively involved in district plan reviews across New Zealand. Primary production activities from our members make a significant contribution to the economic, social, and cultural well-being of New Zealand.
- 1.8 A lot of regulations have come at a significant cost on financial and mental health within the primary sector. Many of the costs are unnecessary and place additional pressure on the primary industry for questionable environmental gain. Councils need to ensure that its decision making to give effect to regulations strikes the right balance between resource use and resource protection.

2.0 GENERAL COMMENTS

- 2.1 Primary production, particularly in areas like dairy farming, is crucial to the Kaipara District's economy and local well-being.¹ The primary production sector provides food, employment, and income to the district as well as supporting rural and coastal settlements.
- 2.2 The district's fertile land, climate and unique location make it a valuable area for food production. Kaipara's economy is founded on its primary industries, particularly dairy. These primary industries

¹ (2024) Kaipara District Council Economic Strategy August 2024.

are supported by a strong manufacturing sector which includes the processing of milk and meat and production of agricultural equipment and supplies.

- 2.3 Kaipara's primary sector, which includes meat and dairy and other agricultural products, is a major source of food for the district and region. Farming and related industries contribute to the overall income of the district, supporting local businesses and the economy. It is crucial that the PDP provides for these activities to continue and does not place any unwarranted restrictions on primary production activities.
- 2.4 Federated Farmers members need district plans that:
- (a) balance environmental, cultural, social, and economic values;
 - (b) ensure rules are equitable, cost-effective, pragmatic and effects based;
 - (c) are written in plain English, are consistent and follow a clear, user-friendly format;
 - (d) acknowledge and reward the positive impacts farming has on conservation, and
 - (e) recognise the importance of collaborating with communities to achieve desired environmental outcomes.
- 2.5 Our members who work and live rurally play a critical role for the community contributing in economic, environmental, social, and cultural aspects of the district. Farmers are constantly interacting with, and rely on, both natural and built resources. Farmers and primary producers are very aware of the importance of managing these resources effectively, responsibly, and sustainably to provide for the viability of both their businesses and the resources for future generations.
- 2.6 The importance of the economic use of rural land needs to be recognised throughout the District Plan. A sizable proportion of the district earns a living off the land, which provides not only for those families, but also contributes to district and regional wealth.
- 2.7 A district plan should not be unnecessarily restrictive and in addition to regulation it should also provide for non-regulatory methods such as education and partnerships. Non-regulatory methods are effective in engaging resource users to collaborate with Councils towards achieving mutual goals and are a more efficient way of achieving 'buy-in' from resource users.
- 2.9 Resource users are more likely to engage and work proactively in partnership with Council when they have a sense of ownership of and responsibility in the work being done and outcomes being sought. It is important that resource users feel they have played an active role in the decision-making process.
- 2.11 The need for some regulation is accepted but the Council needs to ensure that it is the most appropriate method before introducing a rule, or a requirement for landowners to adhere to. There is an expectation that Councils, when undertaking a plan review, will adopt a no-frills approach and only target what is necessary to manage and resolve any issues occurring in the district and to meet their responsibilities under the Resource Management Act 1991 (**RMA**).

- 2.12 Federated Farmers appreciate that there is uncertainty for the Council in its future resource management and planning frameworks due to the on-going, current resource management reforms.
- 2.13 It is important that Councils use every means available to them to keep the costs imposed on farmers as low as possible. Farmers and growers are price takers and cannot pass on rising costs to consumers. Rising farming costs (including Council costs) and high rural inflation are the key driver behind farmers needing to continually raise farm productivity to remain viable. This usually results in intensification and, in turn, may place additional pressure on the district's resources.
- 2.14 In respect of our submissions, our suggested amendments are shown with ~~strikeout~~ for deletions and underline for additional wording. In each of the individual submission points made, the decision sought includes any consequential amendments that may be required to all other related elements in the proposed plan.

3.0 GENERAL COMMENTS ON PROPOSED DISTRICT PLAN

- 3.1 Federated Farmers would like to congratulate the Council on its development of a PDP that is easy to use and that overall is simple to follow and uncomplicated in how it has been set out and the provisions it contains.
- 3.2 The provision of the fact sheets that accompany the PDP is welcomed and has been appreciated by Federated Farmers.
- 3.3 A list of abbreviations used in our submission is provided below for the Council's convenience.

Abbreviation	Term in full
CE	Coastal Environment
ECO	Ecosystems and Indigenous Biodiversity
EW	Earthworks
GRUZ	General Rural Zone
NATC	Natural Character
NES-FW	Resource Management (National Environmental Standard for Freshwater) Regulations 2020
NFL	Natural Features and Landscapes
NPS	National Planning Standards, November 2019
NPS-HPL	National Policy Statement for Highly Productive Land 2022
NPS-IB	National Policy Statement for Indigenous Biodiversity 2023
NZCPS	New Zealand Coastal Policy Statement 2010
ONCA	Outstanding natural character area
ONF	Outstanding natural features
ONL	Outstanding natural landscapes
PDP	Proposed District Plan
PRP	Proposed Regional Plan for Northland, February 2024

Abbreviation	Term in full
RPS	Regional Policy Statement
SASM	Sites and areas of significance to Māori
s32 report	The relevant evaluation report prepared by the Council as required under s32 of the RMA

PROPOSED KAIPARA DISTRICT PLAN

Submission point	Proposed District Plan provision	Support / support in part / oppose	Federated Farmers submission	Relief sought
General comments that apply across the PDP				
1	Provision for farm and other assets	Support in part	<p>Farms have various 'infrastructure', 'assets' or 'features' that need to be provided for in the PDP. This includes:</p> <ul style="list-style-type: none"> • water supply systems for domestic purposes, stock water or irrigation • drainage systems • farm tracks • fences • dams or ponds • yards and hardstand areas • animal effluent management systems • pits for silage, offal, or other waste • farm buildings • firebreaks. <p>The first three items above are defined as 'infrastructure' in s2 of the RMA, being:</p> <ul style="list-style-type: none"> • a water supply distribution system, including a system for irrigation (clause (e) of the definition) • a drainage or sewerage system (clause (f)); and • structures for transport on land by cycleways, rail, roads, walkways, or any other means (clause (g)). <p>This infrastructure is not provided for in the INF Chapter, which seek to provide only for infrastructure with a public or group purpose that serves more than one property. While this approach is not opposed it must be noted that the RMA definition of infrastructure cannot be amended as part of the PDP process, and it captures some farming infrastructure.</p> <p>The use of a definition for infrastructure needs to be consistent. The exclusion of farm infrastructure from the INF Chapter has resulted in farm infrastructure being dealt with in other chapters such as earthworks and ecosystems and indigenous biodiversity which has</p>	<p>Federated Farmers seek the Council provide for the installation and maintenance of farm infrastructure and assets in a consistent manner by:</p> <p>(a) recognising and providing for the following farm activities across the PDP:</p> <ul style="list-style-type: none"> • water supply systems for domestic purposes, stock water or irrigation • drainage systems • farm tracks • fences • dams or ponds • yards and hardstand areas • animal effluent management systems • pits for silage, offal, or other waste • farm buildings • firebreaks. <p>(b) ensuring drafting consistency between the following provisions:</p> <ol style="list-style-type: none"> NLF-R3 NFL-R4 NATC-R3 NATC-R4 ECO-R1 SASM-R3 CE-R3 CE-R4 EW-S1 EW-S3. <p>(c) any other consequential amendments required to give effect to the relief sought above.</p>

Submission point	Proposed District Plan provision	Support / support in part / oppose	Federated Farmers submission	Relief sought
			<p>created inconsistencies in how infrastructure has been provided for throughout the PDP.</p> <p>Council also needs to take care when referencing 'infrastructure' in other PDP chapters. There are variations between provisions ranging from making express reference to 'infrastructure', naming specific types of infrastructure, or reference to 'structures' (of which it is presumed infrastructure can be a sub-set, as demonstrated by ECO-P3(3)). At times, there are enabling provisions for altering structures, where for infrastructure only maintenance is provided for (e.g. SASM-R1 vs SASM-R3).</p> <p>Other farm assets requiring installation or maintenance that are not 'infrastructure' as defined by the RMA, are fences, animal effluent management systems, dams or ponds, yards and other hardstand areas, pits for silage, offal or other waste, firebreaks, and buildings. These are not always consistently provided for in the PDP particularly in relation to earthworks and indigenous vegetation clearance rules.</p>	
2	Location earthworks provisions of	Support in part	<p>The PDP defines earthworks as meaning "<i>the alteration or disturbance of land...</i>", and expressly excludes "<i>gardening, cultivation, and disturbance of land for the installation of fence posts</i>". Land disturbance is defined in the PDP as "<i>the alteration or disturbance of land...that does not permanently alter the profile, contour or heigh of the land</i>", while cultivation is defined as "<i>the alteration or disturbance of land ... for the purpose of sowing, growing or harvesting of pasture or crops</i>".</p> <p>Upon review of the PDP, it appears that earthworks provisions are primarily contained in the EW chapter but are also spread throughout the PDP. In addition to earthworks, the PDP also contains provisions for land disturbance (SASM-R3, ECO-R1, ECO-R2 and EW-R2) in other chapters and cultivation (SASM-R3). Only one of these land disturbance rules is located in the EW chapter.</p>	<p>Federated Farmers seek:</p> <p>(a) that all earthworks, land disturbance and cultivation provisions located throughout the PDP be relocated into the Earthworks chapter. This includes but is not limited to the following provisions:</p> <ul style="list-style-type: none"> • SASM-R3 and SASM-R4 • NATC-P2, NATC-R3 and NATC-S2 • ECO-R1 and ECO-R2 • NFL-R4, NFL-R7, NFL-R8, and NFL-S4 • CE-R4 and CE-S4; <p>(b) the inclusion of cross-reference within the EW chapter, to earthworks provisions located in the INF and TRAN chapters; and</p> <p>(c) any other consequential amendments required to give effect to the relief sought above.</p>

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			The NPS gives mandatory direction for the layout of District Plans. Section 7, clause 29 states that provisions for managing earthworks must be located in the EW chapter. The definitions for earthworks and land disturbance in the PDP imply that land disturbance is a subset of earthworks, but not earthworks as such, then Federated Farmers believes that the provisions related to land disturbance should be located in the EW chapter.	
Part 1 – Introduction and general provisions - Interpretation				
DEF1 Grouped ('nested') definitions				
3	Commercial activities group	Support in part	Federated Farmers request amendment of the nested definition of the 'commercial activities' group to include visitor accommodation, home business and rural produce stalls / roadside stalls. These activities are provided for in the GRUZ chapter, but all appear to be 'commercial activities', which otherwise is a non-complying activity in the GRUZ.	Federated Farmers seek the following: (a) the amendment of the 'Commercial activities' group (in DEF1) to include visitor accommodation, home business and rural produce stalls / roadside stalls; and (b) any consequential amendments required to give effect to the relief sought above.
4	Rural activities group	Support in part	Federated Farmers support inclusion of this nested definition as it helps to illustrate the relationship between the terms: <ul style="list-style-type: none"> • Primary production • Land-based primary production • Commercial forestry, afforestation, exotic continuous-cover forestry and plantation forestry • Intensive indoor primary production • Mining activity • Quarrying activities and farm quarrying. We consider the nested definition should also include the defined term 'agricultural, pastoral and horticultural activities' which are rural activities and predominately occur on rural zoned land. At present this definition is located in DEF2 Definitions which does not make sense.	Federated Farmers seek the following: (a) the amendment of the nested definition for 'rural activities group' to include the defined term 'agricultural, pastoral and horticultural activities' as contained in DEF2 Definitions of the PDP; and (b) any consequential amendments required to give effect to the relief sought above.

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5	Earthworks and land disturbance group (new)	Support	<p>The PDP contains definitions for earthworks, land disturbance and cultivation. The definition of earthworks means “<i>the alteration or disturbance of land...</i>”. This will include mining and quarrying of which farm quarries are a subset of quarrying. The definition expressly excludes “<i>gardening, cultivation, and disturbance of land for the installation of fence posts</i>”.</p> <p>The definition for land disturbance refers to the alteration or disturbance of land that does not permanently alter the profile, contour or height of the land. Cultivation is defined as “<i>the alteration or disturbance of land ... for the purpose of sowing, growing or harvesting of pasture or crops</i>”.</p> <p>The PDP contains many provisions for earthworks and limited provisions for land disturbance (INF-R49, SASM-R3, ECO-R1, ECO-R2, EW-R2) and cultivation (SASM-R3). Only one of these rules is located in the EW chapter.</p> <p>The NPS gives mandatory direction for the layout of District Plans. Section 7 clause 29 states that provisions for managing earthworks must be located in the EW chapter. If land disturbance is considered by the Council to be a subset of earthworks, but not earthworks, then it would make sense if these provisions were located in the EW chapter (excluding INF-R49).</p> <p>In addition, as the definitions are potentially confusing and circular, Federated Farmers submit it would be helpful to provide a nesting table that explains the relationship between each of these terms. It is acknowledged that the Council is required to use the definitions provided by the NPS.</p>	<p>Federated Farmers seek:</p> <ul style="list-style-type: none"> (a) the inclusion of a new nested definition that shows the relationship between the definitions for earthworks, land disturbance, cultivation and installation of fence posts; (b) that all earthworks, land disturbance and cultivation provisions located throughout the PDP be relocated into the Earthworks chapter. (c) any other consequential amendments required to give effect to the relief sought.
6	Structures (new)	Support	<p>‘Infrastructure’ and ‘structure’ are both terms defined by the RMA. Federated Farmers holds the view that most types of infrastructure would also be considered to be structures as defined under the RMA.</p> <p>The PDP provides for ‘infrastructure’ and structures in an inconsistent manner. There are differences in how the</p>	<p>Federated Farmers seek:</p> <ul style="list-style-type: none"> (a) the inclusion of a new nested definition that shows the relationship between infrastructure and structures;

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			<p>terms are used in provisions ranging from making express reference to 'infrastructure', naming specific types of infrastructure, or reference to 'structures' (of which it is presumed that infrastructure is a sub-set, as demonstrated by ECO-P3(3)).</p> <p>As well, there are enabling provisions for altering structures, where for infrastructure the provision only allows maintenance (e.g. SASM-R1 vs SASM-R3).</p> <p>Sometimes the PDP refers to 'farm infrastructure' but in the same provision also identifies farm tracks and farm drains, which by definition are 'infrastructure' (e.g. NFL-R3). A nested definition showing the relationship between infrastructure and structures may be useful.</p>	<p>(b) consistency in the provision for 'infrastructure', 'structure' and specific infrastructure (e.g. farm drains or tracks) throughout the PDP in the relevant provisions, rules and standards; and</p> <p>(c) any other consequential amendments required to give effect to the relief sought above.</p>
DEF2 Definitions				
7	Agricultural, pastoral and horticultural activities	Support in part	<p>Federated Farmers supports the inclusion of a definition for agricultural, pastoral and horticultural activities. However, it is noted that this term is not actually used in the PDP. The term used is either 'agricultural, pastoral or horticultural activities', or as part of a list (e.g. agricultural or pastoral activities), or as part of a wider list (e.g. agricultural, pastoral, horticultural or forestry activities). Where these terms are used in the PDP / e-plan, there is no link to the definition provided.</p> <p>A potential solution could be to provide a link to the definition 'agricultural, pastoral and horticultural activities' where any of the terms are used in the PDP.</p>	<p>Federated Farmers seek that:</p> <p>(a) where the terms 'agricultural, pastoral and horticultural activities', 'agricultural, pastoral or horticultural activities' 'agricultural or pastoral activities' and 'agricultural, pastoral, horticultural or forestry activities' are used in the PDP, either individually or collectively, that links to those definitions are provided in the PDP / e-plan;</p> <p>(b) any consequential amendments required to give effect to the above relief.</p>
8	Cultivation	Support	Federated Farmers support inclusion of these definitions as they are consistent with the NPS.	Federated Farmers seek retention of the definitions of cultivation, drain and earthworks as notified in the PDP.
9	Drain			
10	Earthworks			
11	Farm quarrying	Support in part	Federated Farmers supports the inclusion of a definition for farm quarrying in the PDP. However, it is not	<p>Federated Farmers seek:</p> <p>(a) the amendment of the definition of farm quarrying as follows:</p>

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			<p>practical to require that a farm quarry can only be used within the same site.</p> <p>The term 'site' is defined in the NPS as meaning as a single record of title. Many farms have a number of titles, and it is not practical that a farm quarry use is limited to only the title on which it exists, rather than the full property or operation. Most farm quarries would serve rural production activities across the farm.</p> <p>Some larger farm owners will have multiple farms in an area, which use the takings from a quarry on one farm, on other farms in their ownership.</p>	<p><i>means the quarrying of aggregates which are:</i></p> <p><i>a. taken for uses ancillary to land-based primary production, including for farm and forestry tracks, races, access ways and hardstand areas, and;</i></p> <p><i>b. only used within the same site, where the extraction was undertaken; and,</i></p> <p><i>c. not sold, exported or removed from the site of origin.</i></p> <p>or with wording that gives similar effect to the relief sought above.</p>
12	Farming	Support in part	<p>Federated Farmers support inclusion of a definition for farming in the PDP. However, the exclusion of shelterbelts and woodlots from the definition of farming is opposed as these activities can be integral to a farming operation.</p> <p>There does not appear to be any specific controls on shelter belts or woodlots within the PDP so it is unclear what benefit the proposed exclusion from the definition of farming would have.</p> <p>In addition, the proposed exclusion of woodlots is inconsistent with the proposed definition of 'agricultural, pastoral and horticultural activities', which includes woodlots of up to 5 ha.</p> <p>It is also noted that there is no definition in the PDP for the term 'factory farming'. To achieve consistency across the PDP the defined term 'intensive indoor primary production' should be used in place of the undefined term 'factory farming'. As well, the PDP as notified does not contain a definition for the term 'forestry'. There is a definition for commercial forestry in the PDP. Using this term would also be consistent with the 'rural activities group' definitions in DEF1.</p>	<p>Federated Farmers seek:</p> <p>(a) amendment of the definition of farming as follows:</p> <p><i>Means the use of land and buildings for a land based activity having as its primary purpose the production of any food and fibre, livestock or vegetative matter and includes horse breeding and horse training establishments but excludes intensive indoor primary production factory farming, shelter belts, woodlots and commercial forestry.</i></p> <p>or with wording that gives similar effect to the relief sought above.</p> <p>(b) The replacement of the term 'factory farming' with 'intensive indoor primary production' throughout the PDP; and</p> <p>(c) The replacement of the term 'forestry' with 'commercial forestry' throughout the PDP; and</p> <p>(d) any other consequential amendments required to effect to the relief outlined above.</p>
13	Fertiliser	Support	Federated Farmers support inclusion of this definition as it is consistent with the NPS.	Federated Farmers seek retention of the definition of fertiliser as notified in the PDP.

Submission point	Proposed District Plan provision	Support / support in part / oppose	Federated Farmers submission	Relief sought
14	Hazardous facility	Support in part	<p>Federated Farmers support the definition of hazardous facility in the PDP along with the exclusions for fuel in mobile plant, vehicles, boats and small engine, and the incidental use and storage of hazardous substances in domestic scale quantities.</p> <p>It is felt that the incidental storage and use of agrichemicals, fertilisers and fuel for land based primary production activities should also be provided for in the list of exclusions.</p> <p>It is also unclear what 'Activity Status Table' the rule is referring to.</p>	<p>Federated Farmers seek the following:</p> <p>(a) amendment of the definition of hazardous facility as follows:</p> <p><i>Means activities involving hazardous substances and premises at which these substances are used, stored or disposed of. Storage includes vehicles for their transport located at a facility for more than short periods of time and excludes:</i></p> <p><i>a. fuel stored in mobile plants,</i> <i>b. motor vehicles, boats and small engines;</i> <i>c. the incidental use and storage of hazardous substances in domestic scale quantities;</i> <i>d. <u>incidental storage and use of agrichemicals, fertilisers and fuel for land based primary production activities; and</u></i></p> <p><i>activities involving sub-classes not included in the Activity Status Table <u>[add cross-reference to where table is located in PDP]</u>.</i></p> <p>(b) Any other consequential amendments required to give effect to the relief sought above.</p>
15	Highly productive land	Support	Federated Farmers support inclusion of this definition as it consistent with the definition in the NPS-HPL.	Federated Farmers seek retention of the definition of highly productive land as notified in the PDP.
16	Indigenous biodiversity	Support in part	Federated Farmers support inclusion of this definition as it is consistent with the NPS-IB. However, the definition should acknowledge its source, which is useful should the NPS-IB definition change.	<p>Federated Farmers seek:</p> <p>(a) addition of the following sentence before the definition of indigenous biodiversity:</p> <p><i><u>Has the same meaning as Section 1.6 of the NPS-IB as set out below:</u></i></p> <p>(b) Any other consequential amendments required to give effect to the relief sought.</p>
17	Indigenous vegetation	Support in part	Federated Farmers support inclusion of this definition as it is consistent with the NPS-IB. However, it is considered that the definition should acknowledge its	Federated Farmers seek addition of the following sentence before the definition of indigenous vegetation:

Submission point	Proposed District Plan provision	Support / support in part / oppose	Federated Farmers submission	Relief sought
			source, which is useful should the NPS-IB definition change.	<u>Has the same meaning as Section 1.6 of the NPS-IB as set out below:</u> Along with any other consequential amendments required to give effect to the relief sought above.
18	Intensive indoor primary production	Support	Federated Farmers support inclusion of this definition as it is consistent with the NPS.	Federated Farmers seek retention of the definition of intensive indoor primary production as notified in the PDP.
19	Land-based primary production	Support in part	Federated Farmers support inclusion of this definition as it is consistent with the NPS-HPL. However, we consider the definition should acknowledge its source, which is useful should the NPS-HPL definition change.	Federated Farmers seek addition of the following sentence before the definition of land-based primary production: <u>Has the same meaning as Section 1.3 of the NPS-HPL as set out below:</u> Along with any other consequential amendments required to give effect to the relief sought above.
20	Landfill	Oppose	<p>Federated Farmers support a definition of the term 'landfill' but are concerned that the definition contained in the notified PDP is inconsistent with the definition in the Proposed Regional Plan for Northland (PRPN).</p> <p>The proposed PDP definition is 'an area used for, or previously used for, the disposal of solid waste. It excludes cleanfill areas. The PRPN definition is a Class 1-4 landfill as defined in the <i>Waste Management Institute of New Zealand, 2018. Technical guidelines for the disposal to land of residual waste and other material</i> (the Guidelines). It is noted that there was a 2023 revision to the Guidelines.</p> <p>The PRPN definition expressly excludes farm dumps and offal holes (section 2.2 of the Guidelines). The PDP definition appears to include these on-farm activities.</p> <p>The PDP also seek to impose restrictions on landfills within the SASMs overlay by classifying these as non-complying activities. It is unclear if any closed or operating landfills would be impacted by this SASM restriction.</p>	<p>Federated Farmers seek:</p> <p>(a) the definition of Landfill be deleted in its entirety and replaced as follows: <u>Means Class 1, 2, 3 and 4 landfills as defined in Waste Management Institute of New Zealand, 2023, Technical guidelines for disposal to land.</u></p> <p>(b) Any other consequential amendments required to give effect to the relief sought above.</p>

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21	Natural Hazard	Support	Federated Farmers note there is a spelling mistake in the heading to this definition that needs to be corrected.	Federated Farmers seek the correction of a spelling mistake in the heading to the definition of natural hazards.
22	Primary production	Support	Federated Farmers support inclusion of this definition as it is consistent with the NPS.	Federated Farmers seek retention of the definition of primary production as notified in the PDP.
23	Roadside stall	Support in part	<p>Federated Farmers support inclusion of this definition which has the same meaning as 'rural produce stall' and means <i>"a building or structure for the sale of arts and crafts, fruit, vegetables, plants or shrubs, all of which are grown or produced on sites, owned or occupied by the stall owner"</i>.</p> <p>The provision for such stalls is supported, particularly in the GRUZ. However, there are no provisions within the PDP that reference this term, or 'rural produce stall'. We also query the need for two terms with the same meaning.</p>	<p>Federated Farmers seek retention of the definition of roadside stall as notified in the PDP.</p> <p>Federated Farmers also seek the inclusion of provisions within the PDP that enable roadside stalls (for detail on those provisions requested, see our submission point on enabling businesses in the GRUZ).</p>
24	Rural industry	Support	Federated Farmers support inclusion of this definition as it is consistent with the NPS.	Federated Farmers seek retention of the definition of rural industry as notified in the PDP.
25	Rural produce stall	Support in part	<p>Federated Farmers support inclusion of this definition which has the same meaning as 'roadside stall' and means <i>"a building or structure for the sale of arts and crafts, fruit, vegetables, plants or shrubs, all of which are grown or produced on sites, owned or occupied by the stall owner"</i>.</p> <p>The provision for such stalls is supported. However, there are no provisions within the PDP that reference this term, or 'roadside stall'. We also query the need for two terms with the same meaning.</p>	Federated Farmers seek retention of the definition of roadside stall as notified in the PDP. Federated Farmers also seek inclusion of provisions within the PDP that enable rural produce stalls (for detail on those provisions requested, refer to submission point on enabling businesses in the GRUZ).
26	Vegetation clearance	Support	Federated Farmers support this definition of vegetation clearance, in relation to management of indigenous vegetation. It is clear and simple to understand.	Federated Farmers seek retention of the definition of vegetation clearance as notified in the PDP.
27	Wetland, lake and river margins	Oppose	Federated Farmers does not support the imposition of a 30m margin for wetland, lake and river margins. The logic for defining the riparian margin as 30m for	Federated Farmers seek:

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			<p>wetlands, larger lakes and rivers, and 6m for small rivers, is unclear and appears to be arbitrary. The s32 report simply states the definition as a fact, and does not provide any evidence or analysis, nor consider any alternative to this approach.</p> <p>The NES-FW provides a setback for certain activities from natural wetlands, being 10m. The Northland RPS does not provide any direction as to how a riparian margin might be delineated. The Proposed Regional Plan for Northland, dated February 2024, does not define 'riparian margin', but it defines the 'coastal riparian and foredune management area' as including 'any land within a horizontal distance of 10 metres landward from the coastal marine area'.</p>	<p>(a) the amendment of the definition of wetland, lake and river margins as follows:</p> <p><i>means the area of land within:</i></p> <ol style="list-style-type: none"> 1. 30 <u>10</u> metres of: <ol style="list-style-type: none"> a. a natural inland wetland; b. the bed of lake greater than 1ha, and is not: <ol style="list-style-type: none"> i. an artificial lake where the primary purpose is for managing stormwater; ii a municipal or farm wastewater treatment pond; or iii a constructed farm water supply pond or dam; and c. the bed of a river greater than 3m average width over any 10m length of river; and 2. 6 metres of a continually flowing river less than 3m average width over any 10m length of river. <p><i>For the purposes of this definition, the width is to be measured in relation to the bed of the waterbody.</i></p> <p>(b) Any other consequential amendments required to give effect to the above relief that has been sought.</p>
Part 2 - District Wide Matters				
Strategic Direction- Vision for Kaipara				
28	SD-VK-O2 Enabling and driving economic growth and development	Support	Federated Farmers support the inclusion of a strategic objective that enables and drives economic growth and development.	Federated Farmers seek retention of objective SD-VK-O2 as notified in the PDP or with wording with similar effect.
29	SD-VK-O3 Primary production and production of highly productive land	Support	Federated Farmers strongly supports the inclusion of a strategic objective that recognises the importance of primary production and the value of highly productive land.	Federated Farmers seek retention of objective SD-VK-O3 as notified in the PDP or with wording with similar intent and effect.

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30	SD-VK-O4 Rural lifestyle development	Support	Federated Farmers support inclusion of a strategic objective concentrating rural lifestyle development in appropriate locations without compromising primary production activities and highly productive land.	Federated Farmers seek retention of objective SD-VK-O4 as notified in the PDP or with wording with similar intent.
31	SD-VK-O6 Reverse sensitivity	Support	Federated Farmers support inclusion of a strategic objective that avoids reverse sensitivity effects between incompatible activities and zones.	Federated Farmers seek retention of objective SD-VK-O6 as notified in the PDP or with wording with similar intent.
Strategic Direction- Natural Environment				
32	SD-NE-O3 Outstanding natural features and landscapes	Support	Federated Farmers support inclusion of a strategic objective for outstanding natural features and outstanding natural landscapes.	Federated Farmers seek retention of objective SD-NE-O3 as notified in the PDP or with wording with similar intent.
33	SD-NE-OX (new)	Support	Federated Farmers supports the inclusion of an objective that deals with the managing the potential conflicts between enabling primary production in rural areas, and the protection of natural character, landscapes, features and ecosystems.	<p>Federated Farmers seek:</p> <p>(a) The inclusion of a new strategic objective for the natural environment within the PDP that addresses the balancing of the productive use of land with amenity values. Potential wording could be:</p> <p><u>Objective SD-XX-OX Balancing Productive Use and Amenity Values</u></p> <p><u>The use and development of land and resources are managed in a way that:</u></p> <ol style="list-style-type: none"> <u>1. supports the efficient and productive use of land and resources; and</u> <u>2. recognises and provides for the community's ability to enjoy the natural environment, including its open spaces, landscape character, and amenity values;</u> <p><u>so that a fair and enduring balance is achieved between environmental protection, economic opportunity, and social wellbeing, for the benefit of both current and future generations.</u></p> <p>Or wording with similar intent and effect.</p>

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Energy, Infrastructure and Transport				
REG - Renewable Energy Generation				
34	Entire chapter	Support	Federated Farmers supports the provisions for renewable electricity generation as set out in the REG Chapter of the notified PDP. The provisions provide for the operation, maintenance and upgrading of renewable energy facilities without any unnecessary barriers.	Federated Farmers seek the retention of the provisions in the REG Chapter as notified or with wording that achieves a similar intent and/or effect.
INF- Infrastructure				
35	INF Overview	Support in part	<p>Federated Farmers supports the clarity provided by inclusion of the following paragraph in the INF Overview:</p> <p><i>"The chapters and provisions in Part 2 - District-wide Matters apply to infrastructure. Rural land uses, such as farming activities, are generally not "infrastructure" when they are on-farm services and do not have a public or group infrastructure purpose. Infrastructure is defined in Part 1 - Introduction and general provisions, and on-farm infrastructure to assist with the day to day running of a farm is not included in the definition of "infrastructure".</i></p> <p>This statement is inaccurate. The Definitions section of the PDP adopts the RMA meaning of 'infrastructure' which includes a water supply distribution system, including a system for irrigation; a drainage or sewerage system; and structures for transport on land by cycleways, rail, roads, walkways, or any other means.</p> <p>The RMA definition does not require the infrastructure to be public or to serve more than one property. If the Council wishes to treat on-farm infrastructure differently, then this needs to be clearly enabled. Federated Farmers has suggested the inclusion of a note within the INF Overview to provide further clarification.</p> <p>The difficulty with the approach proposed by the Council is where farm infrastructure serves more than one</p>	<p>Federated Farmers seek amendment of the INF Overview as follows:</p> <p><i>The chapters and provisions in Part 2—District-wide Matters the INF Chapter only apply to infrastructure that has a public or group purpose. This includes all public infrastructure and infrastructure serving more than one property.</i></p> <p><i>Private infrastructure Rural land uses, such as farming activities farm water supplies including irrigation, drains and farm tracks, are generally not considered "infrastructure" for the purpose of provisions the INF chapter when they are on-farm services and do not have a public or group infrastructure purpose. Infrastructure is defined in Part 1—Introduction and general provisions, and on-farm infrastructure to assist with the day to day running of a farm is not included in the definition of "infrastructure".</i></p>

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			<p>property, for example a drainage or water supply system that serves two properties. This means the provisions of the INF chapter would apply and would create a potentially inequitable approach for small-scale infrastructure.</p> <p>Federated Farmers supports on-farm infrastructure being dealt clearly and consistently and have sought relief in relation to specific provisions throughout our submission.</p>	
Hazards and Risks				
NH – Natural Hazards				
36	Entire chapter	Support in part	<p>The Council has chosen to separate buildings and infrastructure out from structures in the rules in the NH chapter. The issue arising from this decision is that the definitions of infrastructure and structures contained in the RMA do not make the distinction that the Council has made in some provisions. There are inconsistencies throughout the NH chapter with how the term 'structure' has been used and the outcomes sought by the Council.</p>	Federated Farmers seek the amendment throughout the NH chapter and relevant parts of the PDP so that the use of the term 'structure' is consistent with the definition given under the RMA.
37	NH-R1 New structures (not including buildings or infrastructure) and additions and alterations to existing structures (not including buildings or infrastructure) in a river flood hazard	Oppose	<p>Federated Farmers is confused over what the Council is trying to achieve with this rule. The rule is meant to deal with new structures but specifically excludes buildings and infrastructure.</p> <p>The definition of structure in the RMA specifically refers to any building, equipment, device, or other facility, made by people and which is fixed to land; and includes any raft.</p> <p>There needs to be consistency in the provisions of the PDP with the terms used and how they are used. It is not accurate to exclude matters from a definition which has been legally defined in legislation such as the RMA.</p> <p>In respect of clause (b) of rule NH-R1, it is considered that the footprint of 30m² provided is too small. Council</p>	<p>Federated Farmer seek:</p> <ul style="list-style-type: none"> (a) the amendment of rule NH-R1 so that it applies to all structures as required by the definition of structures given in the RMA; (b) increase the footprint for a structure under clause (b) of the rule from 30m² to 250m² for structures that are non-inhabitable; and (c) any other consequential amendments that are required to give effect to the relief sought above.

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			should consider increasing the size of the footprint for non-inhabited structures.	
HH - Historical and Cultural Values				
Historic Heritage				
38	HH-P1 Historic heritage in district	Support	Federated Farmers supports this policy as it seeks the identification and listing in Schedule 1 of the PDP the historic heritage buildings, sites, structures, places and areas which contribute to the identity of the district and meet the heritage assessment criteria in the Northland Regional Policy Statement. The policy will create certainty for plan users who will be able to locate historic heritage items through the PDP.	Feerated Farmers seek the retention of policy HH-P1 as notified in the PDP or with wording with similar effect.
Sites and Areas of Significance to Māori				
39	General Comments		<p>The SASM chapter uses differing terminology throughout. Reference is made to “within scheduled sites”, “within scheduled sites and areas, and “within sites and areas of significance to Māori listed in SCHED3”. IN addition, the overview to the SASM chapter states that:</p> <p><i>“The provisions in this chapter apply only to the sites and areas listed in SCHED3 – Sites and areas of significance to Māori”.</i></p> <p>The terminology used throughout the chapter needs to be consistent and not change in respect of whether you are reading an overview, objective, policy or rule. Consistency enables provisions of a PDP to be understood easier and removes the potential for confusion to occur.</p>	Feerated Farmers seek the consistent use of the same phrase and terms throughout the SASMs chapter of the notified PDP.
40	SASM Overview	Support in part	The Overview provides a useful introduction to this chapter. Federated Farmers seek clarity that any new SASM/s identified will be added to the PDP through a plan change process under the relevant legislation.	<p>Federated Farmers seek amendment of the SASM Overview as follows:</p> <p><i>It is acknowledged that there may be further sites and areas that are significant to Māori beyond those identified in SCHED3 – Sites and areas of</i></p>

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				<p><i>significance to Māori. Such sites and areas need to be assessed and determined with the guidance and direction of Māori and added to the District Plan using the RMA Schedule 1 process. Any such sites and areas need to be determined and assessed by Māori. The provisions in this chapter apply only to the sites and areas listed in SCHED3 – Sites and areas of significance to Māori.</i></p> <p>Or with wording with similar intent and/or effect.</p>
41	SASM-P3 Activities enabled on scheduled sites	Support in part	<p>Federated Farmers supports in part policy SASM-P3 as it aims to provide for certain activities to occur within SASM. However, there are concerns that the policy as worded uses the term ‘protect’ which sets a very high bar to be met for one of the specified activities to be allowed to occur.</p> <p>Also of concern is the use of the terms ‘buildings’, ‘structures’, and ‘infrastructure’. Buildings and structures are subsets of infrastructure, and the use of multiple terms is confusing. It is also queried why the policy provides for the maintenance, repair, alternation, demolition or removal of existing buildings and structures but not for infrastructure which is limited to maintenance, operation and repair.</p> <p>There is currently no provision in policy SASM-P3 for new activities (e.g. buildings, structures or vegetation clearance). This seems to conflict with policy SASM-P4 which recognises activities with a functional or operational need and no practicable alternative location.</p>	<p>Federated Farmers seek the amendment of SASM-P3 as follows:</p> <p><i>Enable the following activities to occur on scheduled sites and areas of significance to Māori where the associated cultural, spiritual and historical values and relationships will be protected:</i></p> <ol style="list-style-type: none"> <i>1. Land disturbance;</i> <i>2. Animal grazing, pasture management and pest management;</i> <i>3. Cultivation and small-scale earthworks;</i> <i>4. Maintenance, repair, alteration, demolition, or removal of existing buildings and structures;</i> <i>5. Maintenance, operation, and repair of existing infrastructure;</i> <i>6. Cultural practices carried out in accordance with tikanga Māori;</i> <i>7. New activities with a functional need or operational need with no practicable alternative location.</i> <p>Or with wording with similar intent.</p>
42	SASM-P4 Managing effects on scheduled sites	Support in part	<p>Federated Farmers support policy SASM-P4 as it provides clear direction on how the effects management hierarchy will be applied. Clause 1 requires that activities within SASMs should be avoided unless there is a functional or operational need. As clause 2 of policy SASM-P3 provides for animal grazing, pasture management and pest management, amendments are</p>	<p>Federated Farmers seek amendment of SASM-P4 as follows:</p> <ol style="list-style-type: none"> <i>1. Avoiding locating activities within the scheduled sites unless there is a functional or operational need and no practicable alternative location, or</i>

Submission point	Proposed District Plan provision	Support / support in part / oppose	Federated Farmers submission	Relief sought
			sought to recognise activities with no more than minor effects.	<u>the effects of the activity are no more than minor;</u> Or with wording with similar intent.
43	SASM-P6 Activities within a scheduled site	Support in part	Federated Farmers are cautious of inclusion of policy SASM-P6 and have concerns about its practical impacts on farms. On-farm activities that meet the proposed PDP definition of 'landfill' (noting our submission requesting amendment to that definition) are offal pits (as permitted by the PRNP rule C.6.3.3) and on-farm domestic landfills (as permitted by PRNP rule C.6.7.2). The exclusion of farm quarries from the policy as provided for in clause 1 is supported.	Federated Farmers seek that the definition of landfill is amended to exclude offal pits and on-farm domestic landfills from policy SASM-P6(3). Consequential amendments to give effect to the relief outlined are also sought.
44	SASM-P7 Considerations of effects on scheduled sites or areas of significance to Māori	Support in part	Federated Farmers support in part policy SASM-P7 as it identifies the matters that will be considered when assessing effects on SASM. There are concerns in respect of clause 4 of the policy as it is felt that this requirement could be used to coerce landowners to give access to or across their land. This has the potential to impose costs, disrupt farming operations, create security or nuisance issues, and raise health and safety concerns.	Federated Farmers seek amendment of policy SASM-P7 as follows: <i>4. Opportunities for tangata whenua's relationship with the site to be maintained or strengthened on an ongoing basis, including any practical mechanisms for mana whenua to access and use the site <u>where the landowner offers to facilitate such access and use.</u></i> Or with wording with similar intent.
Natural and Environment Values				
ECO – Ecosystems and Indigenous Biodiversity				
45	ECO Overview	Support	Federated Farmers support the ECO Overview as it describes the resource management issue being addressed, and the relationship of indigenous biodiversity with other RMA matters. We support the recognition given that <i>“there is also active work from landowners to protect and restore indigenous biodiversity on private land which can provide a range of benefits and be complementary to other land uses”.</i>	Federated Farmers seek retention of the ECO Overview as notified in the PDP or with wording that has similar intent and effect.

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			The ECO Overview also states the PDP does not include mapped areas of significant indigenous vegetation and significant habitats of indigenous fauna at this time. Identifying and mapping these areas will occur in future through a plan change in accordance with national policy requirements. Federated Farmers supports the Council for this approach given the imminent changes to the NPS-IB that have been signalled by central government.	
46	ECO-O1 Protection of significant indigenous vegetation and significant habitats of indigenous fauna	Support	Federated Farmers supports objective ECO-O1 which requires the protection of significant areas and habitats of indigenous biodiversity.	Federated Farmers seek retention of objective ECO-O1 as notified in the PDP or with wording with similar intent.
47	ECO-O2 Maintenance of indigenous biodiversity	Support	Federated Farmers support objective ECO-O2 which seek to maintain indigenous biodiversity in a way that provides for the social, economic and cultural well-being of people and communities.	Federated Farmers seek retention of objective ECO-O2 as notified in the PDP or with wording with similar intent.
48	ECO-O3 Restoring indigenous biodiversity	Support	Federated Farmers support objective ECO-O3 promoting and enabling restoration of indigenous biodiversity.	Federated Farmers seek retention of objective ECO-O3 as notified in the PDP or with wording with similar intent.
49	ECO-O4 Stewardship of indigenous biodiversity	Support	Federated Farmers strongly support objective ECO-O4 recognising landowners' role as stewards of indigenous biodiversity.	Federated Farmers seek retention of objective ECO-O4 as notified in the PDP or with wording with similar intent.
50	ECO-P1 Indigenous biodiversity in the coastal environment	Support	Federated Farmers support policy ECO-P1 as it identifies how the effects hierarchy will be applied to indigenous biodiversity in the coastal environment.	Federated Farmers seek retention of policy ECO-P1 as notified in the PDP or with wording with similar intent.
51	ECO-P2 Indigenous biodiversity outside the coastal environment	Support	Federated Farmers support policy ECO-P2 as it identifies how the effects hierarchy will be applied to indigenous biodiversity outside of the coastal environment.	Federated Farmers seek retention of policy ECO-P2 as notified in the PDP or with wording with similar intent.

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52	ECO-P3 Protection and maintenance of indigenous biodiversity	Support	Federated Farmers support policy ECO-P3 as it provides direction on how subdivision, use and development will be enabled while protecting significant indigenous biodiversity. The recognition that existing primary production should not be unreasonably restricted is particularly supported along with the provision for ongoing operation, use and maintenance of existing structures; and recognition that land use and development support social, economic and cultural wellbeing.	Federated Farmers seek retention of policy ECO-P3 as notified in the PDP or with wording that achieves similar intent.
53	ECO-P4 Restoring and enhancing indigenous biodiversity	Support	Federated Farmers support policy ECO-P4 as it promotes and enables restoration and enhancement of indigenous biodiversity by recognising landowners as stewards and enabling necessary pest control and biosecurity work.	Federated Farmers seek retention of policy ECO-P4 as notified in the PDP or with wording that results in a similar intent being achieved.
54	ECO-P5 Non-regulatory mechanisms	Support	Federated Farmers strongly support policy ECO-P5 as it believes non-regulatory mechanisms are one of the most effective tools in engaging with landowners and others to protect, maintain and restore indigenous biodiversity.	Federated Farmers seek retention of policy ECO-P5 as notified in the PDP or with wording that results in a similar intent being achieved.
55	ECO - Rules Notes	Support in part	<p>Note 1 to the ECO Rules states that:</p> <p><i>There are additional rules for indigenous vegetation clearance in the Coastal Environment, Natural Character, and Natural Features and Landscapes chapters. These other rules for indigenous vegetation clearance are more stringent and apply in addition to the indigenous vegetation clearance rules in this chapter.</i></p> <p>Federated Farmers 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 ECO chapter.</p> <p>The NPS gives mandatory direction for the layout of District Plans. Section 7, clause 19 states that matters relating to the maintenance of biological diversity must</p>	Federated Farmers seek the deletion of Note 1 and the relocation of rules and associated policies for indigenous vegetation clearance that are located in the Coastal Environment, Natural Character, and Natural Features and Landscapes chapters, into the ECO chapter. This would include the following provisions - NATC-P2, NATC-R4, NATC-S3, NFL-R3, NFL-R7 and NFL-S5.

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			be located in the ECO chapter, although clause 20 also provides for provisions to protect natural character to be located in the NATC chapter. Section 7, clause 28 (a) allows the CE 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.	
56	ECO-R1 Indigenous vegetation clearance and any associated land disturbance for specified activities	Support	Federated Farmers supports rule ECO-R1 as it provides for lawful, necessary, or activities with minor effect to occur as a permitted activity. However, it is noted that the NPS gives mandatory direction for the layout of District Plans. Section 7, clause 29 states that provisions for managing earthworks must be located in the EW chapter. It is queried the rule would be better located in the EW chapter as the clearance of indigenous vegetation is a subset of earthworks.	Federated Farmers seek: (a) the retention of rule ECO-R1 as notified in the PDP or with wording with similar intent; and (b) that rule ECO-R1 is relocated into the Earthworks chapter.
NATC – Natural Character				
57	General Comments		<p>Federated Farmers has concerns over the 30m margin that has been provided for in the definition of wetland, lake and river margin.</p> <p>It is unclear where the 30m margin has come from as there does not appear to be definitions for the three terms in the Northland RPS. The definition for lake in the RMA is “a body of fresh water which is entirely or nearly surrounded by land” while the RMA defines a wetland as including “<i>permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions</i>”.</p> <p>There also does not appear to be any consideration of the 30m margin in the s32 reports that accompany the PDP.</p> <p>Federated Farmers seek a reduction in the 30m margin in the definition of ‘wetlands, lake and river margins’ from 30m to 10m to achieve consistency with the NES-FW and the Northland Regional Plan. It is considered</p>	Federated Farmers seek the reduction of the margin in the definition of ‘wetland, lake and river margins’ from 30m as notified in the PDP to 10m.

Submission point	Proposed District Plan provision	Support / support in part / oppose	Federated Farmers submission	Relief sought
			that the use of a 30m margin is onerous and will act as an unnecessary barrier against appropriate subdivision, use and development.	
58	NATC-P1 Preservation and protection of natural character	Support	Federated Farmers support policy NATC-P1 as it identifies how the effects hierarchy will be applied in wetland, lake and river margins.	Federated Farmers seek retention of policy NATC-P1 as notified in the PDP or with wording with similar intent.
59	NATC-P2 Indigenous vegetation clearance and earthworks	Support in part	<p>Federated Farmers support provision for indigenous vegetation clearance and earthworks. However, amendment is sought to policy NATC-P2 to provide for indigenous vegetation clearance and earthworks associated with new buildings and structures that have an operational or functional need to be located within the margin (as provided for in NATC-P3) including fencing, and sediment or erosion control works.</p> <p>It is also considered that the PDP may be easier to use if all provisions for indigenous vegetation clearance are in the ECO chapter, and all provisions for earthworks are in the EW Chapter. Section 7, clause 29 of the NPS states that provisions for managing earthworks must be located in the EW chapter. Section 7, clause 19 states matters relating to the maintenance of biological diversity must be located in the ECO chapter, although clause 20 also provides for provisions to protect natural character to be located in the NATC chapter.</p>	<p>Federated Farmers seek amendment of policy NATC-P2 as follows:</p> <p><i>Enable indigenous vegetation clearance and earthworks within wetland, lake and river margins where it is for:</i></p> <ol style="list-style-type: none"> <i>1. The <u>operation, repair or maintenance of lawfully established activities;</u></i> <i>2. Safe clearance for existing overhead powerlines;</i> <i>3. Health and safety of the public;</i> <i>4. Biosecurity reasons; and</i> <i>5. The sustainable non-commercial harvest for customary activities; and</i> <i>6. <u>New buildings or structures with an operational or functional need; and</u></i> <i>7. <u>Erosion or sediment control purposes.</u></i> <p>Federated Farmers also seek the relocation of policy NATC-P2 into the Earthworks and Ecosystems and Biodiversity chapters.</p>
60	NATC-P3 Buildings and structures	Support	Federated Farmers supports policy NATC-P3 and the provision for buildings and structures with a functional or operational need to be located in wetland, lake and river margins.	Federated Farmers seek the retention of policy NATC-P3 as notified in the PDP or with wording with similar effect.
61	NATC-P4 Restoration and enhancement	Support in part	Federated Farmers is generally supportive of policy NATC-P4 but consider the policy should identify the actions the Council intends to undertake to encourage	Federated Farmers seek the amendment of policy NATC-P4 so that it lists the actions the Council intends to undertake to encourage restoration and enhancement of natural character. Potential wording could be as follows:

Submission point	Proposed District Plan provision	Support / support in part / oppose	Federated Farmers submission	Relief sought
			restoration and enhancement of natural character (for example, like ECO-P4 or ECO-P5).	<p><i>Encourage the restoration and enhancement of wetland, lake and river margins where it will achieve improvement in natural character values- by:</i></p> <p><i>a. Providing funding or assisting in obtaining funding from other agencies and trusts.</i></p> <p><i>b. Working directly with landowners and community groups on wetland, lake and river margin protection, maintenance or restoration projects.</i></p> <p>Or wording with similar intent.</p>
62	NATC-P5 Assessment of resource consents	Support in part	Federated Farmers support policy NATC-P5 as it identifies the matters that will be considered when assessing effects on natural character. However, we suggest changes to include the consideration of the current level of natural character as a consideration as well as including the functional or operational need of any building and structure, and effects on existing public or customary access and recreational use.	<p>Federated Farmers seek amendment of policy NATC-P5 as follows:</p> <p><i>Have regard to the following matters when assessing the effects of resource consent applications for subdivision, land use and development on the natural character of wetland, lake and river margins: ...</i></p> <p><i>5. The current level of natural character and the ability of the environment to absorb change; ...</i></p> <p><i>7. The operational need or functional need of any building or structure including regionally significant infrastructure to be in the particular location; ...</i></p> <p><i>11. The degree of any existing public or customary access and recreational use and the opportunity to for enhancement public access and recreation; ...</i></p> <p>Or wording with similar intent.</p>
63	NATC-R1 Additions and alterations and maintenance of buildings and structures in wetland, lake and river margin	Support in part	<p>Federated Farmers support rule NATC-R1 as it provides for additions and alterations up to 30m² to buildings and structures as a permitted activity.</p> <p>However, NATC-R2 allows for new buildings and structures up to 300m². For consistency, it is recommended that the volume in the rule is increased</p>	<p>Federated Farmers seek the amendment of rule NATC-R1 as follows:</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <p><i>a. External additions and alterations are:</i></p> <p><i>i) no greater than 30m²; or</i></p>

Submission point	Proposed District Plan provision	Support / support in part / oppose	Federated Farmers submission	Relief sought
			<p>from 30m² to 300m². This would align the two rules and avoid potential debate about whether a structure is new or an addition/alteration.</p> <p>We also believe 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. It is not thought that the activity is sufficiently complex, or its effects uncertain, to justify the proposed discretionary rule status.</p>	<p><i>ii) do not increase the total footprint of the building or structure to more than 300m²; and</i></p> <p><i>b. The activity complies with CE-S1 Coastal environment - maximum building height.</i></p> <p>2. Activity status when compliance not achieved: <u>Restricted Discretionary</u></p> <p>3. Where:</p> <p><i>a. The matters in NATC-P5; and</i></p> <p><i>b. The positive effects of the activity.</i></p> <p>Or wording with similar effect.</p>
64	NATC-R2 New building or structures in wetland, lake and river margins	Support in part	<p>Federated Farmers supports rule NATC-R2 as it provides for new buildings and structures as a permitted activity with restricted discretionary status where compliance is not achieved.</p> <p>To improve clarity as to the relationship between clauses a. and b., we request addition of an 'and' at the end of clause a. to show that both clauses must be complied with.</p> <p>Consistent with NATC-P3 that enables structures with a functional or operational need to be located in the margin, we request amendments to provide for drainage outfalls, water intakes, and structures for sediment or erosion control.</p>	<p>Federated Farmers seek amendment of NATC-R2 as follows:</p> <p>1. Activity status: <i>Permitted</i></p> <p>Where:</p> <p><i>a. The building or structure is no greater than 300m²; and</i></p> <p><i>b. The building or structure is required for: ...</i></p> <p><i>v) <u>Water intake and associated pumphouses utilised for the drawing of water</u> provided they cover less than 25m² in area; and; or</i></p> <p><i>vi) <u>Drainage outfall; or</u></i></p> <p><i>vii) <u>Sediment or erosion control; and ...</u></i></p> <p>Or with similar wording.</p>
65	NATC-R3 Earthworks in wetland, lake and river margins	Support in part	<p>Federated Farmers supports in part rule NATC-R3 as it provides for earthworks as a permitted activity with restricted discretionary status where compliance is not achieved.</p> <p>There is provision for maintenance of existing identified assets, but amendments are necessary to ensure the rule aligns with the activities provided for in policy NATC-P2. There should also be some provision for minor earthworks as a permitted activity, associated</p>	<p>Federated Farmers seek:</p> <p>(a) the amendment of rule NATC-R3 as follows:</p> <p>1. Activity status: <i>Permitted</i></p> <p>Where:</p> <p><i>a. The earthworks complies with NATC-S2 - Earthworks; and</i></p> <p><i>b. The earthworks is for:</i></p> <p><i>(i) <u>the maintenance of lawfully established infrastructure roads, fences, utility</u></i></p>

Submission point	Proposed District Plan provision	Support / support in part / oppose	Federated Farmers submission	Relief sought
			<p>with new buildings and structures that are provided for by policy NATC-P3 and rule NATC-R2.</p> <p>It is also considered that the PDP would be easier to use if all provisions for earthworks are located in the EW Chapter. The NPS gives mandatory direction for the layout of District Plans with section 7, clause 29 stating that provisions for managing earthworks must be located in the EW chapter.</p>	<p><i>connections, driveways, parking or hardstand areas, effluent disposal systems, swimming pools, walking or cycling tracks, or farm and forestry tracks; or</i> <i>(ii) new buildings or structures permitted by NATC-R2; or</i> <i>(iii) biosecurity or natural hazard management purposes.</i></p> <p>Or with wording with similar intent.</p> <p>(b) the relocation of rule NATC-R3 into the Earthworks chapter.</p>
66	NATC-R4 Indigenous vegetation clearance in wetland, lake and river margins	Support in part	<p>Federated Farmers support in part rule NATC-R4 as it provides for indigenous vegetation clearance as a permitted activity with restricted discretionary status where compliance is not achieved.</p> <p>Clause a of this rule provides for indigenous vegetation clearance for any reason, so long as it meets the area limits in NATC-S3.</p> <p>There is also provision for maintenance of existing identified assets not subject to an area restriction. Amendments are necessary to ensure the rule aligns with the activities provided for in policy NATC-P2. There should be some provision for minor indigenous vegetation clearance as a permitted activity, associated with new buildings and structures that are provided for by policy NATC-P3 and rule NATC-R2.</p> <p>The NPS gives mandatory direction for the layout of District Plans. Section 7, clause 19 states matters relating to the maintenance of biological diversity must be located in the ECO chapter, although clause 20 also provides for provisions to protect natural character to be located in the NATC chapter. The rule appears to relate to the maintenance of biological diversity rather than its protection.</p>	<p>Federated Farmers seek:</p> <p>(a) the amendment of rule NATC-R4 as follows:</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. <i>The activity complies with NATC-S3 – Indigenous vegetation clearance; or</i></p> <p>b. <i>The indigenous vegetation clearance is for:</i> <i>(i) the maintenance of lawfully established infrastructure roads, fences, utility connections, driveways, parking or hardstand areas, effluent disposal systems, swimming pools, walking or cycling tracks, or farm and forestry tracks; or</i> <i>(ii) new buildings or structures permitted by NATC-R2; or</i> <i>(iii) biosecurity or natural hazard management purposes.</i></p> <p>Or with wording to similar effect.</p> <p>(b) the relocation of the policy into the Ecosystems and Biodiversity chapter.</p>

Submission point	Proposed District Plan provision	Support / support in part / oppose	Federated Farmers submission	Relief sought																		
67	NATC-S2 Earthworks	Oppose	<p>Federated Farmers does not support the proposed volume of earthworks provided for in this standard.</p> <p>The S32A report states that the proposed provisions will provide for an appropriate level of earthworks, indigenous vegetation clearance and development within the margins of wetlands, lakes and rivers. However, the proposed volume of 50m³ per 12 month period per site has not been analysed.</p> <p>The Northland PRP provides the following permitted activity earthworks thresholds:</p> <table><tr><th>Location</th><th>Earthworks thresholds</th></tr><tr><td>Within 10m of a natural wetland, the bed of a continually or intermittently flowing river or lake</td><td>200m² of exposed earth at any time, and 50m³ of moved or placed earth in any 12-month period.</td></tr><tr><td>Within 10m of an inanga spawning site</td><td>200 m² of exposed earth at any time, and 50m³ of moved or placed earth in any 12-month period.</td></tr><tr><td>Catchment of an Outstanding Lake</td><td>2,500m² of exposed earth at any time.</td></tr><tr><td>Erosion-prone Land</td><td>2,500m² of exposed earth at any time.</td></tr><tr><td>High-risk flood hazard area</td><td>50m³ of moved or placed earth in any 12-month period.</td></tr><tr><td>Coastal riparian and foredune management area</td><td>Excluding for coastal dune restoration, 200m² of exposed earth at any time.</td></tr><tr><td>Flood hazard area</td><td>100 m³ of moved or placed earth in any 12-month period</td></tr><tr><td>Other areas</td><td>5,000m² of exposed earth at any time.</td></tr></table> <p>The approach taken in this standard is considered to be too simplistic and does not adequately for earthworks in specific locations.</p> <p>As well, it is noted that standard NATC-S2 is an earthworks provision. The NPS gives mandatory direction for the layout of District Plans. Section 7, clause 29 states that provisions for managing earthworks must be located in the EW chapter.</p>	Location	Earthworks thresholds	Within 10m of a natural wetland, the bed of a continually or intermittently flowing river or lake	200m ² of exposed earth at any time, and 50m ³ of moved or placed earth in any 12-month period.	Within 10m of an inanga spawning site	200 m ² of exposed earth at any time, and 50m ³ of moved or placed earth in any 12-month period.	Catchment of an Outstanding Lake	2,500m ² of exposed earth at any time.	Erosion-prone Land	2,500m ² of exposed earth at any time.	High-risk flood hazard area	50m ³ of moved or placed earth in any 12-month period.	Coastal riparian and foredune management area	Excluding for coastal dune restoration, 200m ² of exposed earth at any time.	Flood hazard area	100 m ³ of moved or placed earth in any 12-month period	Other areas	5,000m ² of exposed earth at any time.	<p>Federated Farmers seek;</p> <p>(a) the amendment of standard NATC-S2 to provide for earthworks within the margins of wetlands, lakes and rivers as set out in rule C8.3.1, Table 15 of the Northland PDP; and</p> <p>(b) the relocation of standard NATC-S2 into the Earthworks chapter of the PDP;</p> <p>(c) any consequential amendments required to give effect to the relief sought above.</p>
Location	Earthworks thresholds																					
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Other areas	5,000m ² of exposed earth at any time.																					
68	NATC-S3 Indigenous vegetation clearance	Support in part	<p>Federated Farmers has concerns over the small volume of indigenous vegetation clearance that is provided for in standard NATC-S3. As worded, the standard is too general in how it reads and has too wide of a scope. The Council needs to reconsider exactly what it is trying</p>	<p>Federated Farmers seek;</p> <p>(a) the amendment of standard NATC-S3 to provide for indigenous vegetation clearance in a manner similar to how this issue has been addressed in the Northland PDP; and</p>																		

Submission point	Proposed District Plan provision	Support / support in part / oppose	Federated Farmers submission	Relief sought
			<p>to achieve with this standard and perhaps redraft the standard so that it addresses specific activities.</p> <p>An example to look at could be rule C.8.4.2 of the Northland PRP which addresses clearance within the 10m riparian setback and contains other standards such as where felling can occur and slash and debris not being deposited in a position where it could damage in an adverse weather event.</p> <p>It is also considered that the PDP may be easier to use if all provisions for indigenous vegetation clearance are in the ECO chapter. The NPS gives mandatory direction for the layout of District Plans. Section 7, clause 19 states matters relating to the maintenance of biological diversity must be located in the ECO chapter, while clause 20 provides for provisions to protect natural character to be located in the NATC chapter.</p>	<p>(b) the relocation of standard NATC-S3 into the Earthworks chapter of the PDP;</p> <p>(c) any consequential amendments required to give effect to the relief sought above.</p>
NFL – Natural Features and Landscapes				
69	NFL-O1 Protection of Outstanding Natural Features and Outstanding Natural Landscapes	Support	As drafted, objective NFL-O1 reflects s6(b) of the RMA and provides for the appropriate subdivision, use and development of land. Federated Farmers supports this provision as it will enable farmers to continue with their lawful, everyday operations.	Federated Farmers seek the retention of objective NFL-O1 as notified or with wording with similar intent.
70	NFL-O2 Maintenance and enhancement of Outstanding Natural Features and Outstanding Natural Landscapes	Support in part	Federated Farmers would prefer amendments to NFL-O2 so that it improves its framing as an objective.	<p>Federated Farmers seek either:</p> <p>(a) the amendment of the objective to read:</p> <p><i><u>To promote the maintenance and enhancement of the characteristics, qualities and values that contribute to the recognition of Outstanding Natural Features and Outstanding Natural Landscapes is promoted.</u></i></p> <p>(b) any other consequential amendments necessary to give effect to the relief sought.</p>

Submission point	Proposed District Plan provision	Support / support in part / oppose	Federated Farmers submission	Relief sought
71	NFL-P1 Activities that maintain, restore or enhance characteristics, qualities and values	Support in part	<p>Federated Farmers support policy NFL-P1 and the enabling activities that maintain, restore or enhance the values of ONFs and ONLs.</p> <p>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.</p> <p>Federated Farmers seek that similar provisions are included in the NFL chapter. This would be consistent with NFL-R1 and NFL-R2 which provide for new buildings and structures and alterations and additions.</p>	<p>Federated Farmers seek:</p> <p>(a) the amendment of policy NFL-P1 as follows:</p> <p><i>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:</i></p> <p><i>a. conservation activities; and</i></p> <p><i>b. the removal of redundant buildings and structures;</i></p> <p><i>c. new buildings or structures where there is a functional need or operational need;</i></p> <p><i>d. activities for health and safety or biosecurity purposes.</i></p> <p>Or with wording to similar effect;</p> <p>OR, alternatively</p> <p>(b) the inclusion of a new NFL policy to recognise and provide for the activities identified in c. and d. above;</p> <p>(c) and consequential amendments required to give effect to the relief sought.</p>
72	NFL-P2 Existing use and development	Support	Federated Farmers supports policy NFL-P2 as notified in the PDP as it recognises that lawfully established land use and development in ONFs and ONLs should be allowed to continue without undue restriction.	Federated Farmers seek retention of policy NFL-P2 as notified in the PDP or with wording that achieves a similar effect.
73	NFL-P3 Adverse effects within the coastal environment	Support	Federated Farmers supports policy NFL-P3 as it provides clear direction how adverse effects on the characteristics, qualities and values ONF and ONL in the coastal environment will be applied.	Federated Farmers seek retention of policy NFL-P3 as notified in the PDP or with wording that achieves a similar effect.
74	NFL-P4 Adverse effects outside the coastal environment	Support in part	Federated Farmers support policy NFL-P4 as it identifies how the effects hierarchy will be applied to adverse effects on the characteristics, qualities and values of ONFs and ONLs outside of the coastal environment.	<p>Federated Farmers seek the following:</p> <p>(a) the amendment of policy NFL-P4 as shown below:</p> <p><i>Outside the coastal environment, ensure the adverse effects of land use and development on the characteristics, qualities and values of ONFs</i></p>

Submission point	Proposed District Plan provision	Support / support in part / oppose	Federated Farmers submission	Relief sought
			<p>However, 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.</p> <p>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.</p>	<p><u>and ONLs set out in Schedule 4 and Schedule 5 are:</u></p> <ol style="list-style-type: none"> <u>1. 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; and</u> <u>2. All other effects are 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>(b) the deletion of clause 2.c of policy NFL-P4 in favour of its inclusion in NFL-P6; and</p> <p>(c) any other consequential amendments required to give effect to the relief sought above.</p>
75	NFL-P6 Assessment of resource consents	Support in part	<p>Federated Farmers support policy NFL-P6 as it identifies the matters that will be considered when assessing effects on ONFs and ONLs.</p> <p>Amendments are sought so that there is:</p> <ul style="list-style-type: none"> • 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). <p>It would be helpful to plan users to use a similar order and wording of matters that are common to both NATC and NFL.</p>	<p>Federated Farmers seek amendment of NFL-P6 as follows:</p> <p>(a) Have regard to the following matters when <u>assessing the effects of resource consent applications for land use and development 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>

Submission point	Proposed District Plan provision	Support / support in part / oppose	Federated Farmers submission	Relief sought
			It is also noted that subdivision is included in policy NATC-P5 but is omitted from policy NFL-P6. The Council's intent is queried, and it is noted that standard SUB-S14 otherwise lists matters of discretion for subdivision and does not otherwise link back to provisions in either the NATC or NFL chapters.	<p><u>X5. The finish of any buildings or structures, including materials, reflectivity and colour; and landscaping and fencing.</u></p> <p>(b) adjustments to the order and phrasing of the conditions of policy NFL-P6, to improve consistency and alignment with policy NATC-P5; and</p> <p>(c) any other consequential amendments required to give effect to the relief sought above.</p>
76	NFL-R1 External additions and alterations to existing buildings or structures	Support in part	<p>Federated Farmers support rule NFL-R1 as it provides for additions and alterations to buildings and structures as a permitted activity inside of ONFs and ONLs.</p> <p>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 provided for is not complex, or its effects uncertain, to justify the current discretionary rule status.</p>	<p>Federated Farmers seek the amendment of rule NFL-R1 as follows:</p> <p>3. Activity status when compliance not achieved: <u>Restricted Discretionary</u></p> <p>4. Matters over which discretion is restricted:</p> <p><u>a. The matters in NFL-P5; and</u></p> <p><u>b. The positive effects of the activity.</u></p> <p>Or with wording with similar effect.</p>
77	NFL-R2 buildings structures New and	Support in part	<p>Federated Farmers support rule NFL-R2 as it provides for some new buildings and structures within ONF and ONL outside the coastal environment as a permitted activity with restricted discretionary status where compliance is not achieved.</p> <p>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.</p> <p>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</p>	<p>Federated Farmers seek the amendment of rule 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.</p>

Submission point	Proposed District Plan provision	Support / support in part / oppose	Federated Farmers submission	Relief sought
			building or structure on their land is onerous and unwarranted.	
78	NFL-R3 Indigenous vegetation clearance	Support in part	<p>Federated Farmers support NFL-R3 for ONL outside the coastal environment as it provides for indigenous vegetation clearance as a permitted activity with restricted discretionary status where compliance is not achieved.</p> <p>Clause a. of the rule provides for indigenous vegetation clearance for any reason, so long as it meets the area limits in NFL-S5.</p> <p>There is also provision for maintenance of existing identified assets that are not subject to an area restriction. We believe amendments are necessary to ensure the rule aligns with new activities that we have 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.</p> <p>Federated Farmers 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 non-complying resource consent application each time they want to clear indigenous vegetation on their land is restrictive and unnecessary.</p> <p>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.</p> <p>As previously highlighted in its submission, Federated Farmers supports all provisions for indigenous vegetation clearance being located in the ECO chapter. By doing this, consistency with the NPS would be achieved.</p>	<p>Federated Farmers seek:</p> <p>(a) the amendment of rule NFL-R3 as follows:</p> <p>ONL outside the coastal environment</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <p>...</p> <p><i>b. Clearance for the operation, repair or maintenance of the following activities where they have been lawfully established:</i></p> <ul style="list-style-type: none"> <i>i. Fences;</i> <i>ii. Infrastructure, including effluent disposal systems;</i> <i>iii. Buildings and swimming pools;</i> <i>iv. Driveways, parking or <u>hardstand</u> areas and access;</i> <i>v. Walking tracks;</i> <i>vi. Cycling tracks;</i> <i>vii. Farming and forestry tracks; and</i> <i>viii. Farm drains</i> <i><u>ix. new buildings or structures permitted by NFL-R2; or</u></i> <i><u>x. biosecurity or natural hazard management purposes.</u></i> <p>(b) the amendment of the rule as follows:</p> <p>ONL within the coastal environment</p> <p>Where:</p> <p>...</p> <p><i><u>X. the activity is associated with essential farming activities such as fencing, farm tacks and farm drains.</u></i></p> <p>Or with wording with similar effect.</p>

Submission point	Proposed District Plan provision	Support / support in part / oppose	Federated Farmers submission	Relief sought
				<p>(c) adjustments to 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</p> <p>(d) the relocation of rule NFL-R3 into Ecosystems and Biodiversity chapter; and</p> <p>(e) any other consequential amendments required to give effect to the relief that has been sought</p>
79	NFL-R4 Earthworks	Support in part	<p>Federated Farmers support in part rule NFL-R4 for ONL outside the coastal environment as it provides for earthworks as a permitted activity with restricted discretionary status where compliance is not achieved.</p> <p>The rule also makes provision for the maintenance of existing identified assets that are not subject to an area restriction. It is thought that amendments are necessary to ensure the rule aligns with new activities that Federated Farmers have 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.</p> <p>It is noted that the rule also makes provision for farm drains and farm tracks. While this inclusion is supported by Federated Farmers, it again highlights the issue of how the Council has treated the matter of infrastructure in its PDP which is creating confusion.</p> <p>While we appreciate recognition of farm drains in the rule, these meet the definition of 'infrastructure' so we believe it is unnecessary to specifically identify them here.</p> <p>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 EW Chapter. It is noted the NPS gives mandatory direction for the layout of District Plans. Section 7, clause 29 states that</p>	<p>Federated Farmers seek amendment of rule NFL-R4 as follows:</p> <p>(a) <i>ONL outside the coastal environment</i></p> <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. <i>The activity complies with NFL-S4 – Earthworks; or</i></p> <p>b. <i>The earthworks is for the maintenance of lawfully established <u>infrastructure</u> roads, fences, utility connections, driveways, parking <u>or</u> hardstand areas, effluent disposal systems, swimming pools, walking <u>or</u> cycling tracks, or farm and forestry tracks; <u>or</u></i></p> <p><i><u>(c) new buildings or structures permitted by NFL-R2; or</u></i></p> <p><i><u>(iii) biosecurity or natural hazard management purposes.</u></i></p> <p>(b) adjustments to the formatting, order and phrasing of the conditions of rule NFL-R3, to improve consistency and alignment with rule NATC-R4.</p> <p>(c) the relocation of rule NFL-R4 was relocated into the Earthworks chapter.</p> <p>(d) the amendment of the rule as follows:</p> <p><i>ONL within the coastal environment</i></p>

Submission point	Proposed District Plan provision	Support / support in part / oppose	Federated Farmers submission	Relief sought
			<p>provisions for managing earthworks must be located in the EW chapter.</p> <p>Federated Farmers 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 non-complying resource consent application each time they want to clear indigenous vegetation on their land is restrictive and unnecessary.</p>	<p>Where:</p> <p>...</p> <p><u>X. the activity is associated with essential farming activities such as fencing, farm tacks and farm drains.</u></p> <p>Or with wording with similar effect.</p>
80	NFL-R7 Indigenous vegetation clearance and earthworks associated with conservation activities	Support in part	<p>Federated Farmers support in part rule NFL-R7 as it provides for indigenous vegetation clearance and earthworks associated with conservation activities.</p> <p>However, it is considered that the PDP may be easier to use if all provisions for indigenous vegetation clearance are in the ECO chapter, and all provisions for earthworks be located in the EW chapter. The NPS gives mandatory direction for the layout of District Plans. Section 7, clause 29 states that provisions for managing earthworks must be located in the EW chapter. Section 7 clause 19 states matters related to the maintenance of biological diversity must be located in the ECO chapter.</p>	Federated Farmers seek the relocation of rules for indigenous vegetation clearance to the ECO chapter, and relocation of rules for earthworks to the EW chapter.
PA – Public Access				
81	PA Overview	Support in part	<p>Federated Farmers requests that greater clarity is provided for in the District Plan that the provisions relating to public access do not override other legal requirements, including the legal rights of landowners in relation to access, and in relation to health and safety matters.</p> <p>Many rural landowners, particularly coastal or riparian margin landowners, have encounters with unwelcome trespassers, some with dogs, that are disruptive to their farming operations, create security issues for</p>	<p>Federated Farmers requests that a user note be added to the PA Overview as follows:</p> <p><u>Note: The public access provisions in the District Plan do not override other legal requirements, including the legal rights of landowners in relation to access, and in relation to health and safety matters. Public access over private land is only available where permission is given by the landowner.</u></p>

Submission point	Proposed District Plan provision	Support / support in part / oppose	Federated Farmers submission	Relief sought
			<p>themselves and their stock, have put themselves into dangerous situations, or created nuisance effects like littering or human waste.</p> <p>It is appropriate and legal to limit access across private property when this access will be unsafe or will disrupt farming activities, such as when tree felling or earthmoving is occurring, or during harvest or lambing activities.</p>	Or words to similar effect.
Subdivision				
82	SUB-O1 subdivision All	Support	Federated Farmers support inclusion of overarching objective SUB-O1 to enable the efficient use of land and achieve patterns of development consistent with anticipated uses of and outcomes for the zone.	Federated Farmers seek retention of objective SUB-O1 as notified in the PDP or with wording that achieves a similar intent.
83	SUB-O3 subdivision Rural	Support	Federated Farmers support inclusion of objective SUB-O3 to enable subdivision that supports rural activities.	Federated Farmers seek retention of objective SUB-O3 as notified in the PDP or with wording that achieves a similar intent.
84	SUB-P2 Infrastructure servicing requirements	Support	Federated Farmers support inclusion of policy SUB-P2 as it clearly describes infrastructure servicing requirements. In particular, clause 3 is supported as it exempts on-site infrastructure from installation at the time of subdivision, recognising it cannot be determined until the allotment is developed.	Federated Farmers seek retention of policy SUB-P2 as notified in the PDP or with wording that achieves a similar intent.
85	SUB-P8 Subdivision in the General rural zone outside the Mangawhai / Hakaru Managed Growth Area	Support in part	Federated Farmers support in part the inclusion of policy SUB-P8 as it enables appropriate rural subdivision. The policy would benefit from minor redrafting to ensure it functions as a policy rather than reading like an objective, and we also suggest amendments to improve alignment with GRUZ policies.	<p>Federated Farmers seek amendment of SUB-P8 as follows:</p> <p>Ensure <u>Provide for</u> subdivision in the General rural zone outside the Mangawhai / Hakaru Managed Growth Area <u>by</u>:</p> <ol style="list-style-type: none"> 1. Avoidsing <u>Avoiding</u> the fragmentation of highly productive land unless the productive capacity of that land is maintained or enhanced; 2. Avoidsing <u>Avoiding</u> reverse sensitivity effects on primary production activities consistent with GRUZ-P3; 3. Supports a <u>Enabling a</u> range of primary production activities and other activities that

Submission point	Proposed District Plan provision	Support / support in part / oppose	Federated Farmers submission	Relief sought
				<p><i>have a functional or operational need for a rural location consistent with GRUZ-P1;</i></p> <p>4. <i>Maintainsing rural character and amenity values consistent with GRUZ-P4;</i></p> <p>5. <i>Enablesing smaller rural lifestyle lots only where appropriate and consistent with the requirements for different types of subdivisions in this chapter and with GRUZ-P5;</i></p> <p>6. <i>Avoidsing subdivision of minor residential unit; and</i></p> <p>7. <i>Is well integrated Considering integration with the existing transport network infrastructure.</i></p> <p>Or with wording that achieves a similar intent.</p>
86	SUB-R1 Boundary adjustments	Support	Federated Farmers support inclusion of rule SUB-R1 as a controlled activity, with restricted discretionary status when compliance is not achieved.	Federated Farmers seek retention of rule SUB-R1 as notified in the PDP or with wording that achieves similar intent.
87	SUB-R2 Alterations to cross leases or conversion of tenure	Support	Federated Farmers support inclusion of rule SUB-R2 as a controlled activity.	Federated Farmers seek retention of rule SUB-R2 as notified in the PDP or with wording that achieves similar intent.
88	SUB-R3 Subdivision to create new allotments	Support	Federated Farmers support inclusion of rule SUB-R3 as a controlled activity, becoming discretionary where compliance is not achieved.	Federated Farmers seek retention of rule SUB-R3 as notified in the PDP or with wording that achieves similar intent.
89	SUB-R4 Small lot subdivision	Support	Federated Farmers support inclusion of rule SUB-R4 as a controlled activity.	Federated Farmers seek retention of rule SUB-R4 as notified in the PDP or with wording that achieves similar intent.
90	SUB-R5 Subdivision to create a reserve and incentive lot	Support in part	In principle Federated Farmers support an enabling approach for subdivision that will create a reserve and 'incentive lot'. However, assumptions as to what is meant by an 'incentive lot' have had to be made as the term is not defined. Further, the approach is not supported by an objective and policy structure that leads to a controlled activity rule as being an appropriate resource management response in this zone. A clear	<p>Federated Farmers seek that:</p> <p>(a) the Council provide a clear objective and policy to support rule SUB-R5; and</p> <p>(b) the inclusion of a definition of 'incentive lot';</p> <p>(c) the retention of SUB-R5 as notified in the PDP or with wording that achieves a similar intent.</p>

Submission point	Proposed District Plan provision	Support / support in part / oppose	Federated Farmers submission	Relief sought
			policy framework is essential to provide clear direction to resource users and decision-makers.	
91	SUB-R6 Environmental benefit subdivision	Support in part	In principle, Federated Farmers support an enabling approach for subdivision that will create 'environmental benefit'. However, assumptions have had to be made as to what is meant by 'environmental benefit' subdivision is as it is not defined. Further, the approach is not supported by an objective and policy structure that leads to a controlled activity rule as being an appropriate resource management response in this zone. A clear policy framework is essential to provide clear direction to resource users and decision-makers.	Federated Farmers seek that: <ul style="list-style-type: none"> (a) the Council provide a clear objective and policy to support rule SUB-R6; and (b) the inclusion of a definition of 'environmental benefit subdivision'; (c) the retention of rule SUB-R6 as notified in the PDP or with wording that achieves a similar intent.
92	SUB-R9 Subdivision of minor residential units	Oppose	Federated Farmers queries why the activity of subdividing minor residential units is a non-complying in the GRUZ / RLZ. While understanding that the primary production capacity of the rural zone needs to be protected, there needs to be a path that allows landowners to subdivide off minor residential units where that capacity will not be adversely affected.	Federated Farmers seek that the activity status for the subdivision of minor residential units in the GRUZ / RLZ is amended from non-complying to discretionary where that subdivision does not have significant adverse effects on the productive capacity of the land the minor unit is located upon.
93	SUB-S3 Setback to intensive indoor primary production, mining or quarrying activities	Support	Federated Farmers supports the inclusion of standard SUB-S3 requiring setbacks to intensive indoor primary production, mining or quarrying activities, as a means to address reverse sensitivity effects.	Federated Farmers seek retention of standard SUB-S3 as notified or with wording that achieves a similar intent.
94	SUB-S5 Servicing requirements	Support in part	Federated Farmers support the inclusion of standard SUB-S5. However, the standard needs to be consistent with policy SUB-P2. Clause 3 of Policy SUB-P3 exempts on-site infrastructure from installation at the time of subdivision, recognising it cannot be determined until the allotment is developed. Clause 4 of the policy exempts allotments in the GRUZ being required to connect to the Council's reticulated systems. We also believe the Council can reasonably identify all of effects or issues the activity may have, and as such they should list them in rule with restricted discretionary status. This would improve certainty and efficiency for	Federated Farmers seek amendment of standard SUB-S5 as follows: <ol style="list-style-type: none"> 1. <i>All new allotments, except allotments for access, roads, utilities or reserves or <u>allotments where on-site infrastructure is proposed</u>, must be provided with:</i> <ol style="list-style-type: none"> a. <i>Three waters infrastructure complying with the Kaipara District Council Engineering Standards 2011; and</i> b. <i>The option to connect to a reticulated electrical supply network at the net-site</i>

Submission point	Proposed District Plan provision	Support / support in part / oppose	Federated Farmers submission	Relief sought
			both landowners and the Council. It is not thought that activity is sufficiently complex, or its effects uncertain, to justify discretionary rule status.	<p><i>area boundary or demonstrate that this can be generated and supplied on-site.</i></p> <p>2. Activity status when compliance not achieved: Discretionary <u>Restricted discretionary</u></p> <p>3. Where:</p> <p><i>a. [list matters of discretion for non-compliant servicing proposals]</i></p> <p>Or with wording that achieves similar intent.</p>
General District-Wide Matters				
CE – Coastal Environment				
95	CE-O1 Preservation of the natural character of the coastal environment	Support in part	Objective CE-O1 is consistent with the requirements of s6(a) of the RMA and NZCPS Policy 13. However, Federated Farmers would prefer this objective to be positively framed by acknowledging appropriate activities are enabled to occur. We also suggest amendments to improve capture of the resource management issue the objective is addressing.	<p>Federated Farmers seek the amendment of objective CE-O1 as follows:</p> <p><i>The characteristics, qualities and values of the natural character of the coastal environment are preserved to support its natural function and its social and cultural values, while enabling and are protected from inappropriate appropriate subdivision, use and development to provide for the wellbeing of people and communities.</i></p> <p>Or with wording with similar intent.</p>
96	CE-P1 Managing adverse effects on the natural character of the coastal environment	Support	Federated Farmers supports the inclusion of policy CE-P1 as it provides clear direction on how the effects management hierarchy will be applied.	Federated Farmers seek the retention of policy CE-P1 as notified in the PDP or with wording that achieves similar intent.
97	CE-P2 Enabling appropriate development	Support in part	Federated Farmers support inclusion of policy CE-P2 as it enables appropriate development in the coastal environment. However, we would prefer the policy explicitly recognise and provide for rural land uses.	<p>Federated Farmers seek the amendment of policy CE-P2 as follows:</p> <p><i>Enable people and communities to provide for their social, economic and cultural wellbeing through</i></p>

Submission point	Proposed District Plan provision	Support / support in part / oppose	Federated Farmers submission	Relief sought
				<p><i>appropriate subdivision, use, and development in the coastal environment that:</i></p> <ol style="list-style-type: none"> <i>1. Preserves and restores the natural character and qualities of the coastal environment;</i> <i>2. Consolidates urban development within or adjacent to existing coastal settlements; and</i> <i>3. Avoids sprawling or sporadic patterns of development; and</i> <i>4. Recognises and supports the ongoing use and sustainable development of rural land, including farming activities, where these contribute to the resilience and wellbeing of rural communities and do not compromise natural character of the coastal environment.</i> <p>Or with wording with similar intent.</p>
98	CE-P3 Restoration and enhancement of the coastal environment	Support in part	Federated Farmers supports the inclusion policy CE-P3 as it promotes, encourages and enables restoration and enhancement of natural character. However, it is unclear how some of these actions will be encouraged by the Council, for example, by provision of funding or leadership. Amendments are sought to provide clarity on this matter and recommend the inclusion of non-regulatory methods in the PDP.	<p>Federated Farmers seek amendment of policy CE-P3 as follows:</p> <p><i>Promote the restoration and enhancement of the natural character of the coastal environment, including High Natural Character Areas and Outstanding Natural Character Areas, including by:</i></p> <p><i>(a) encouraging, using a range of tools, including financial incentives, education and advocacy, to encourage owners, community groups and others to take action; and</i></p> <p><i>(b) enabling, through the provisions of this plan:</i></p> <ol style="list-style-type: none"> <i>1. The protection and rehabilitation of ...</i> <p>Or with wording with similar intent.</p>
99	CE-P6 Assessment of resource consents	Support	Federated Farmers support inclusion of policy CE-P6 as it identifies the matters that will be considered when assessing effects in the coastal environment.	Federated Farmers seek retention of policy CE-P6 as notified in the PDP or with wording with similar intent.
100	CE-R1 External additions and alterations of buildings or structure	Support	Federated Farmers support the inclusion of rule CE-R1 as it allows for alternation or addition of existing buildings or structures, subject to restrictions on height, colour, reflectivity and floor area as a permitted activity.	Federated Farmers seek retention of rule CE-R1 as notified in the PDP or with wording with similar intent.

Submission point	Proposed District Plan provision	Support / support in part / oppose	Federated Farmers submission	Relief sought
			We support the restricted discretionary status where compliance is not achieved.	
101	CE-R2 New buildings and structures	Support in part	<p>Federated Farmers support the inclusion of CE-R2 as in the GRUZ and outside of Outstanding Natural Coastal Areas (ONCA) it allows for new buildings and structures that are ancillary to existing lawfully established uses, and subject to restrictions on height, colour, reflectivity and floor area as a permitted activity. We support the restricted discretionary status where compliance is not achieved.</p> <p>However, the restriction for ONCA where the building or structure is only permitted if it is associated with regionally significant infrastructure is not supported.</p> <p>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 establish a new building or structure on their land is restrictive and unnecessary.</p>	<p>Federated Farmers seek amendment of rule CE-R2 as follows:</p> <p>ONCA</p> <p>Where:</p> <p>...</p> <p><u>X. the activity is associated with essential farming activities such as fencing, farm tacks and farm drains.</u></p> <p>Or with wording with similar effect.</p>
102	CE-R3 Indigenous vegetation clearance	Support in part	<p>Federated Farmers support inclusion of rule CE-R3 as it provides for indigenous vegetation clearance, including for lawfully established activities.</p> <p>However, the restriction for ONCA where the building or structure is only permitted if it is associated with regionally significant infrastructure is not supported. 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 establish a new building or structure on their land is restrictive and unnecessary.</p> <p>Federated Farmers 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 ECO chapter. The NPS gives mandatory direction for the layout of District Plans. Section 7, clause 19</p>	<p>Federated Farmers seek the following:</p> <p>(a) the amendment of the rule as follows:</p> <p>ONCA</p> <p>Where:</p> <p>...</p> <p><u>X. the activity is associated with essential farming activities such as fencing, farm tacks and farm drains.</u></p> <p>Or with wording with similar effect</p> <p>(b) the relocation of rule CE-R3 into the ECO chapter of the PDP.</p>

Submission point	Proposed District Plan provision	Support / support in part / oppose	Federated Farmers submission	Relief sought
			<p>states that matters relating to the maintenance of biological diversity must be located in the ECO chapter, with clause 20 also provides for provisions to protect natural character to be located in the NATC chapter.</p> <p>Section 7, clause 28 (a) allows the CE 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. It is considered that the PDP would be easier to understand if rule CE-R3 was relocated into the ECO chapter.</p>	
103	CE-R4 Earthworks	Support in part	<p>Federated Farmers support inclusion of rule CE-R4 as it provides for earthworks, including for lawfully established activities. However, the restriction for ONCA where the building or structure is only permitted if it is associated with regionally significant infrastructure is not supported. 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 establish a new building or structure on their land is restrictive and unnecessary.</p> <p>We also consider that the PDP may be easier to use if all provisions for earthworks are in the EW Chapter. We note the NPS gives mandatory direction for the layout of District Plans. Section 7, clause 29 states that provisions for managing earthworks must be located in the EW chapter.</p>	<p>Federated Farmers seek the following:</p> <p>(a) the amendment of the rule as follows:</p> <p>ONCA</p> <p>Where:</p> <p>...</p> <p><u>X. the activity is associated with essential farming activities such as fencing, farm tacks and farm drains.</u></p> <p>Or with wording with similar effect</p> <p>(b) the relocation of rule CE-R4 into the ECO chapter of the PDP.</p>
EW – Earthworks				
104	EW Overview	Support in part	<p>The EW Overview states:</p> <p><i>“In addition to the controls on earthworks in this chapter, the District Plan includes rules in other chapters to manage and address the effects of earthworks on the identified values, characteristics, risks or features.”</i></p>	<p>Federated Farmers seek:</p> <p>(a) deletion of the following statement in the EW Overview:</p> <p><i>In addition to the controls on earthworks in this chapter, the District Plan includes rules in other chapters to manage and address the effects of</i></p>

Submission point	Proposed District Plan provision	Support / support in part / oppose	Federated Farmers submission	Relief sought
			<p>Federated Farmers supports the location of all earthworks provisions in the EW chapter. The NPS gives mandatory direction for the layout of District Plans, with section 7, clause 29 states that provisions for managing earthworks must be located in the EW chapter.</p> <p>Section 7, clause 30 states that the EW chapter must include cross-references to any relevant earthworks provisions under the Energy, infrastructure, and transport heading.</p> <p>We believe that land disturbance and cultivation provisions, while not 'earthworks' as such, are a subset of earthworks. The PDP also contains provisions for land disturbance (SASM-R3, ECO-R1, ECO-R2, EW-R2) and cultivation (SASM-R3). Only one of these rules is located in the EW chapter. It is felt that all such rules would be better located in the EW chapter.</p>	<p>earthworks on the identified values, characteristics, risks or features. The Part 2 – District wide matters chapters with additional controls on earthworks include Historic Heritage, Notable Trees, Sites and Areas of Significance to Māori, Natural Features and Landscapes, Natural Character and Coastal Environment.</p> <p>(b) all earthworks provisions located throughout the PDP be relocated into the Earthworks chapter, including, but not limited to:</p> <ul style="list-style-type: none"> • SASM-R3 and SASM-R4 • NATC-P2, NATC-R3 and NATC-S2 • NFL-R4, NFL-R7, NFL-R8 and NFL-S4 • CE-R4 and CE-S4; and <p>(c) that cross-references are added within the EW chapter, to earthworks provisions located in the INF and TRAN chapters.</p>
105	EW-O1 Earthworks activities within the District	Support	Federated Farmers support inclusion of objective EW-O1 as it provides for earthworks.	Federated Farmers seek retention of objective EW-O1 as notified in the PDP or with wording that achieves a similar intent.
106	EW-O2 Quarrying activities and mining activities	Support	Federated Farmers support inclusion of objective EW-O2 as it provides for quarrying activities to meet the resource needs of the district.	Federated Farmers seek retention of EW-O2 as notified in the PDP or with wording that achieves a similar intent.
107	EW-P1 Enable appropriate earthworks	Support in part	<p>Federated Farmers supports in part the inclusion of EW-P1 as it enables earthworks for rural land uses and development, conservation, drainage and associated with infrastructure.</p> <p>Recognition is sought that earthworks often have a functional and operational need to be undertaken in various locations, which is consistent with our submission on policy EW-P2 (6).</p>	<p>Federated Farmers seek amendment of EW-P1 as follows:</p> <p><u>Recognise the location of earthworks can be constrained by functional needs and operation needs, and Enable earthworks where they provide for: ...</u></p> <p>Or wording that achieves similar intent.</p>
108	EW-P2 Manage the effects of earthworks	Support in part	Federated Farmers support in part the inclusion of policy EW-P2 as it identifies the types of adverse effects	Federated Farmers seek amendment of policy EW-P2 as follows:

Submission point	Proposed District Plan provision	Support / support in part / oppose	Federated Farmers submission	Relief sought
			<p>anticipated and how the effects hierarchy will be applied.</p> <p>However, condition 6 states “<i>Earthworks do not occur in locations where this would result in significant adverse effects on cultural or ecological value</i>”. This should be amended to reflect the effects hierarchy of avoid, remedy or mitigate, and to acknowledge situations where significant adverse effects on cultural or ecological values are possible but unavoidable, due to functional or operational need. In such situations remediation or mitigation should be provided for.</p>	<p><i>Manage the adverse effects of earthworks by ensuring: ...</i></p> <p>6. <i>Earthworks do not occur in locations where this would result in significant adverse effects on cultural or ecological values are avoided, and where they cannot be avoided due to functional needs or operational needs, they are remedied or mitigated; and ...</i></p> <p>Or with wording with similar intent.</p>
109	EW-P3 Quarrying activities and mining activities	Support in part	<p>Federated Farmers support in part the inclusion of policy EW-P3 as it identifies how quarrying (including farm quarrying) will be provided for, and how effects should be managed.</p> <p>Condition 4 is supported as it recognises farm quarrying in the GRUZ or Māori purpose zones. Federated Farmers is concerned with the drafting of clauses 2 and 3 that could create issues in interpretation and implementation. These clauses are vague and inappropriately limit the activity by requiring maintenance of amenity values and cultural values, and by requiring no significant effects on cultural or ecological values. Quarrying (and indeed mining) are by their very nature, an extractive, often disruptive activity that typically has adverse effects.</p> <p>“Cultural values” are not sufficiently defined and may be broad. While “amenity values” are defined by the RMA, its practical interpretation varies. This lack of precision invites subjective interpretation.</p> <p>Requiring maintenance of amenity values, and avoidance of significant adverse effects on cultural and ecological values sets an impractically high bar that may be impossible to meet in most real-world scenarios. This could result in perverse outcomes where necessary or appropriately mitigated quarrying activities are declined,</p>	<p>Federated Farmers seek amendment of policy EW-P3 as follows:</p> <p><i>Provide for quarrying activities and mining activities to meet the District's and region's supply needs, where:</i></p> <ol style="list-style-type: none"> <i>1. Adverse environmental effects generated by the quarrying activity or mining activity are internalised as far as practicable, including by using industry best practice and management plans where necessary;</i> <i>2. The amenity of values of the existing environment, including sensitive activities and cultural values in the surrounding area, are maintained by the quarrying activity or mining activity. Adverse environmental effects are avoided, remedied or mitigated to an acceptable level, and offsets may be considered;</i> <i>3. New quarrying activities and mining activities and the expansion of existing quarrying activities and mining activities are located in appropriate locations, and do not result in significant adverse effects on cultural or ecological values; and</i> <i>4. The activity is farm quarrying in the General rural zone or Māori purpose zone.</i>

Submission point	Proposed District Plan provision	Support / support in part / oppose	Federated Farmers submission	Relief sought
			<p>despite being consistent with broader planning objectives.</p> <p>If the Council's intent is to link to amenity values and overlays as addressed in the NFL chapter, cultural values and overlays in the SASM chapter, or ecological values and overlays in the ECO chapter, then this should be clearly stated within EW-P3. Otherwise, clauses 2 and 3 add unnecessary and unjustified complexity and uncertainty to the policy framework.</p>	Or with wording with similar effect.
110	EW-P4 Rehabilitation	Support in part	Federated Farmers supports in part the inclusion of EW-P4 as it clarifies site rehabilitation requirements for quarries and mines. However, new farm quarries should not be subject to site rehabilitation and the preparation of detailed site rehabilitation plans, as they are often small and will have only minor adverse effects that can be internalised to the site.	<p>Federated Farmers seek amendment of policy EW-P4 as follows:</p> <p><i>Require any new or expanding quarrying activities (excluding farm quarries) or mining activities, and changes in the use of existing quarry (excluding farm quarry) or mines sites, to rehabilitate the site and provide a detailed rehabilitation plan to Kaipara District Council demonstrating how the site will be rehabilitated.</i></p> <p>Or with wording to similar effect.</p>
111	EW-P5 Effects on infrastructure	Support in part	<p>Federated Farmers supports in part the inclusion of policy EW-P5 as it requires earthworks do not compromise the safe, effective and efficient operation of infrastructure.</p> <p>However, as this requirement is about managing an adverse effect of earthworks, so it should sit as a requirement within policy EW-P2.</p>	<p>Federated Farmers seek the integration of policy EW-P5 into policy EW-P2 as follows:</p> <p><i>EW-P2 Manage the adverse effects of earthworks by ensuring: ...</i></p> <p><i>8. EW-P3 Ensure that earthworks do not compromise the safe, effective and efficient operation of infrastructure.</i></p> <p>Or with wording with similar intent.</p>
112	EW-R1 Earthworks	Support	Federated Farmers support inclusion of rule EW-R1 as it provides for earthworks as a permitted activity, which becomes restricted discretionary where compliance is not achieved.	Federated Farmers seek retention of rule EW-R1 as notified in the PDP or with wording that has similar effect.

Submission point	Proposed District Plan provision	Support / support in part / oppose	Federated Farmers submission	Relief sought
113	EW-R2 disturbance Land	Support	Federated Farmers support inclusion of rule EW-R2 as it provides for land disturbance as a permitted activity.	Federated Farmers seek retention of rule EW-R2 as notified in the PDP or with wording that achieves a similar intent.
114	EW-R3 quarrying Farm	Support in part	<p>Federated Farmers support the inclusion of rule EW-R3 as it provides for farm quarrying as a permitted activity in the GRUZ and Māori purpose zones.</p> <p>Insofar as farm quarries use aggregate only on farm, and for farm purposes, we oppose the inclusion of volumetric limits as they appear to have been imposed arbitrarily rather than on adverse effects that could be caused.</p> <p>It is also not practical to require that a farm quarry can only be used within the same site. The term 'site' is defined in the NPS as meaning as a single record of title. Many farms will have multiple titles, and it is not practical that a farm quarry use is limited to only the title on which it exists, rather than the full property or operation. Most farm quarries would serve rural production activities across the farm.</p> <p>Federated Farmers is also aware of some larger operators with multiple farms in an area, which use the takings from a quarry on one farm, on other farms in their ownership.</p> <p>We also believe the Council can reasonably identify all of effects or issues that farm quarrying may have, and as such the rule when compliance is not achieved should be given restricted discretionary status. This would be consistent with policies EW-P2 and EW-P3, and it would improve certainty and efficiency for both landowners and the Council. It is not thought that the activity is sufficiently complex, or its effects uncertain, to justify a discretionary rule status.</p>	<p>Federated Farmers seek amendment of rule EW-R3 as follows:</p> <ol style="list-style-type: none"> Activity status: Permitted Where: <ol style="list-style-type: none"> The maximum volume of disturbance or removal of material extracted from the farm quarrying does not exceed <u>1,000m³ 2,000m³</u> in any 12-month period; The maximum face height of any cut and/or batter face is 2m; The farm quarry is not located within 100m of a road boundary, or within 200m of an existing sensitive activity located on another site; and The material is not being transported off the property where it is extracted from. Activity status when compliance not achieved: <u>Discretionary</u> <u>Restricted discretionary</u> Matters over which discretion is restricted: <ol style="list-style-type: none"> <u>The location, scale and duration of the activity;</u> <u>Traffic, noise, vibration and dust management;</u> <u>Stability and erosion;</u> <u>Visibility from public viewpoints;</u> <u>Ecological, biodiversity, cultural and heritage effects;</u> <u>Alteration of any prominent natural features; and</u> <u>Any need for rehabilitation.</u>

Submission point	Proposed District Plan provision	Support / support in part / oppose	Federated Farmers submission	Relief sought
115	EW-R4 New quarrying activities or mining activities or the expansion of existing quarrying activities or mining activities	Support	Federated Farmers support the exclusion of farm quarrying from this rule.	Federated Farmers seek retention of EW-R4 as notified in the PDP or with wording with similar intent.
116	EW-S1 Maximum earthworks thresholds	Support	<p>Federated Farmers support inclusion of standard EW-S1, as it provides thresholds for earthworks as a permitted activity, with a restricted discretionary rule status where compliance is not achieved.</p> <p>We support the exclusion of earthworks for domestic wastewater systems; track, drain and infrastructure maintenance. However, further to its earlier submission point regarding the definition of infrastructure how it is provided for (see submission point 1) those inconsistencies may need addressing here.</p> <p>We support the threshold in the GRUZ of 5000m³ volume, and 2500 m² in area.</p>	Federated Farmers seek retention of EW-S1 as notified, subject to consequential amendments to consistently provide for farm infrastructure and assets (see submission point 1).
117	EW-S2 Cut height and fill depth	Support	Federated Farmers support inclusion of standard EW-S2 as it provides cut height and fill depths for earthworks as a permitted activity, with a restricted discretionary rule status where compliance is not achieved.	Federated Farmers seek retention of EW-S2 as notified in the PDP or with wording that achieves similar intent.
118	EW-S3 Setbacks	Support	<p>Federated Farmers support inclusion of EW-S3 as it provides setbacks for earthworks as a permitted activity, with a restricted discretionary rule status where compliance is not achieved.</p> <p>The exclusions for infrastructure, driveways and crossings are supported, however, further to our earlier submission point regarding the definition of infrastructure how it is provided for (see submission point 1) those inconsistencies may need addressing here.</p>	Federated Farmers seek retention of standard EW-S3 as notified in the PDP subject to consequential amendments to consistently provide for farm infrastructure and assets (see submission point 1).

Submission point	Proposed District Plan provision	Support / support in part / oppose	Federated Farmers submission	Relief sought
119	EW-S4 Dust, silt and sediment control	Support	Federated Farmers support inclusion of EW-S4 as it establishes requirements for controlling dust, silt and sediment from earthworks as a permitted activity, with a restricted discretionary rule status where compliance is not achieved.	Federated Farmers seek retention of EW-S4 as notified in the PDP or with similar wording.
LIGHT – Light				
120	LIGHT-P1 Artificial outdoor lighting	Support in part	Federated Farmers support inclusion of policy LIGHT-P1 as it describes how artificial outdoor lighting will be provided for. However, a minor wording amendment is sought to clause 2, regarding 'security and safety' to better align with LIGHT-O2, which recognises lighting for 'health and safety' purposes.	Federated Farmers seek amendment of LIGHT-P1 clause 2 as follows: <i>2. Enabling lighting that supports security, <u>health</u> and safety.</i>
121	LIGHT-P2 Managing the intensity, location and direction of artificial outdoor lighting	Support	Federated Farmers supports the inclusion of LIGHT-P2 as it describes how the effects of artificial outdoor lighting will be addressed.	Federated Farmers seek retention of LIGHT-P1 as notified in the PDP or with similar wording.
122	LIGHT-R1 Artificial outdoor lighting	Support in part	Federated Farmers support inclusion of LIGHT-R1 as it permits artificial outdoor lighting subject to conditions, and becomes a restricted discretionary activity when compliance is not achieved. It is noted that LIGHT-P1, clause 2 specifically notes the security aspect of lighting. While security is an aspect of health and safety, the Council should amend clause 3.c to be consistent with LIGHT-P1.	Federated Farmers seek amendment of LIGHT-R1 clause 3.c. as follows: <i>3. Matters over which discretion is restricted:</i> ... <i>c. Adverse effects on the health, safety, <u>security</u> and wellbeing of people and communities; ...</i>
NOISE – Noise				
123	NOISE-O1 Manage noise effects	Support	Federated Farmers supports the inclusion of NOISE-O1 as it recognises some noise is reasonable and anticipated.	Federated Farmers seek retention of objective NOISE-O1 as notified in the PDP or with wording with similar effect.
124	NOISE-O2 Reverse sensitivity effects	Support	Federated Farmers supports the inclusion of objective NOISE-O2 as it protects existing and authorised	Federated Farmers seek retention of objective NOISE-O2 as notified or with wording that achieves a similar intent.

Submission point	Proposed District Plan provision	Support / support in part / oppose	Federated Farmers submission	Relief sought
			activities that generate noise from reserve sensitivity effects.	
125	NOISE-P1 Managing noise in the zones	Support	Federated Farmers support inclusion of policy NOISE-P1 as it provides for noise compatible with the zone in which it occurs.	Federated Farmers seek retention of policy NOISE-P1 as notified in the PDP or with similar wording.
126	NOISE-P2 Manage ongoing land use compatibility	Support	Federated Farmers support inclusion of policy NOISE-P2 as it manages reverse sensitivity.	Federated Farmers seek retention of policy NOISE-P2 as notified or with wording that achieves a similar intent.
127	NOISE-P4 Management of noise effects	Support	Federated Farmers support inclusion of policy NOISE-P4 as it describes how noise effects must be managed.	Federated Farmers seek retention of policy NOISE-P4 as notified in the PDP or with similar wording.
128	NOISE-R1 Emission of noise (not otherwise provided for in this chapter)	Support	Federated Farmers support inclusion of rule NOISE-R1 as it provides for noise in the GRUZ as a permitted activity, and as a restricted discretionary activity when compliance is not achieved.	Federated Farmers seek retention of rule NOISE-R1 as notified or with wording with similar effect.
129	NOISE-R8 Noise from frost fans and horticultural wind machines	Support	Federated Farmers support inclusion of rule NOISE-R8 as it provides for noise from frost fans and horticultural wind machines in the GRUZ as a permitted activity, and as a restricted discretionary activity when compliance is not achieved.	Federated Farmers seek retention of rule NOISE-R8 as notified in the PDP.
130	NOISE-R9 Noise from bird scaring devices	Support	Federated Farmers support inclusion of rule NOISE-R9 as it provides for noise from bird scaring devices as a permitted activity, and as a restricted discretionary activity when compliance is not achieved.	Federated Farmers seek retention of NOISE-R9 as notified in the PDP.
131	NOISE-S3 Noise levels in the General rural zone and Māori purpose zone	Support	Federated Farmers support inclusion of NOISE-S3 as it provides for noise from primary production, animals, and any other activity within specified noise levels, as a permitted activity. The activity classification of restricted discretionary status is supported where compliance is not achieved.	Federated Farmers seek retention of NOISE-S3 as notified in the PDP.

Submission point	Proposed District Plan provision	Support / support in part / oppose	Federated Farmers submission	Relief sought
132	NOISE-MAT1 General	Support	Federated Farmers support inclusion of NOISE-MAT1 which lists the matters to be considered where consent is required.	Federated Farmers seek retention of NOISE-MAT1 as notified in the PDP.
SIGNS – Signs				
133	SIGN-R2 Temporary sign	Support	Federated Farmers supports the inclusion of rule SIGN-R2 as it provides for temporary signs.	Federated Farmers seek retention of rule SIGN-R2 as notified in the PDP.
134	SIGN-R3 Information sign	Support	Federated Farmers supports the inclusion of SIGN-R3 as it provides for information signs, including for health, safety and public awareness.	Federated Farmers seek retention of rule SIGN-R3 as notified in the PDP.
135	SIGN-R4 Signs on or attached to a building, structure, window, fence or wall	Support	Federated Farmers support inclusion of rule SIGN-R4 as it provides for signs relating to goods and services available on the site.	Federated Farmers seek retention of rule SIGN-R4 as notified in the PDP.
136	SIGN-R6 Freestanding, double-sided signs	Support	Federated Farmers support inclusion of rule SIGN-R6 as it provides for signs relating to goods and services available on the site.	Federated Farmers seek retention of rule SIGN-R6 as notified in the PDP.
Area-Specific Matters				
GRUZ – General Rural Zone				
137	GRUZ Overview	Support	Federated Farmers supports the GRUZ Overview as it provides a helpful introduction to the purpose of the zone and how it intends to enable primary production.	Federated Farmers seek retention of the GRUZ Overview as notified in the PDP or with wording that achieves a similar intent.
138	GRUZ-O1 Purpose of the General rural zone	Support in part	Federated Farmers supports in part the inclusion of objective GRUZ-O1 as the overarching objective for the GRUZ. It is preferred that the wording is reframed so it functions as a formal objective.	Federated Farmers seek amendment of objective GRUZ-O1 as follows: <i>The purpose of the General rural zone is to:</i> <i>1. Enables primary production activities as the predominant land use;</i> <i>2. Provide for supports ancillary activities that support primary production directly contribute to rural productivity; and</i>

Submission point	Proposed District Plan provision	Support / support in part / oppose	Federated Farmers submission	Relief sought
				3.—Restricts activities that are incompatible with rural character or lack do not have a functional or operational need to be in a rural environment.
139	GRUZ-O2 Primary production activities	Support in part	Federated Farmers supports the inclusion of objective GRUZ-O2 as it upholds the importance of primary production in the GRUZ. However, it is preferred that the wording be reframed so it functions as a formal objective, and to improve clarity by removing passive language and vague qualifiers.	Federated Farmers seek amendment of objective GRUZ-O2 as follows: <i><u>Primary production activities are is maintained as the predominant land use in the General rural zone and are protected from the zone is managed to avoid or mitigate reverse sensitivity effects that may constrain their effective or efficient operation could compromise the ongoing viability or efficiency of primary production activities.</u></i>
140	GRUZ-O3 Highly productive land	Support in part	Federated Farmers support in part the inclusion of objective GRUZ-O3 as it upholds the importance of highly productive land. However, it is preferred the wording is reframed so it functions as a formal objective, improves alignment with the NPS-HPL, and to improve clarity by removing passive language and vague qualifiers.	Federated Farmers seek amendment of objective GRUZ-O3 as follows: <i><u>Highly productive land is protected from inappropriate subdivision, development and land uses that do not rely on the productive capacity of the land, so that it remains available for current and future and is able to be used for land-based primary production, both now and for future generations.</u></i>
141	GRUZ-O4 Rural and character amenity values	Support in part	Federated Farmers support inclusion of GRUZ-O4 as it acknowledges the GRUZ as a rural working environment, and it seek to maintain its character and amenity values. We suggest amendments to better link character and amenity to the rural working context and give strong directional intent to plan uses and decision makers that some change is anticipated and acceptable, and to improve alignment with GRUZ-P4.	Federated Farmers seek amendment of GRUZ-O4 as follows: <i><u>The rural character and amenity values of the GRUZ are maintained in a manner that reflects its role as associated with a rural working environment are maintained.</u></i>
142	GRUZ-P1 Activities that require a rural location	Support in part	Federated Farmers supports in part the inclusion of policy GRUZ-P1 as it provides for primary production and ancillary activities in the GRUZ. Amendments have	Federated Farmers seek amendment of policy GRUZ-P1 as follows: <i><u>Ensure Provide for activities in the General rural zone provides for activities that have a functional</u></i>

Submission point	Proposed District Plan provision	Support / support in part / oppose	Federated Farmers submission	Relief sought
			been given to improve clarity and align with RMA and NPS-HPL terminology.	need or operational need to locate in <u>require a rural location environment by:</u> 1. Enabling <u>Recognising and maintaining</u> primary production activities as the predominant land use; 2. Enabling a range of <u>Supporting compatible</u> activities that <u>support directly contribute to</u> primary production activities, including ancillary activities and rural industries; and 3. Restricting <u>Avoiding or limiting</u> activities on highly productive land that are not reliant on the <u>productive capacity of the soil</u> resource of the land .
143	GRUZ-P2 Adverse effects of primary production	Support in part	Federated Farmers supports in part the inclusion of policy GRUZ-P2 as notified as it supports primary production as the dominant rural activity and recognises the reality of rural effects, which is critical for managing reverse sensitivity. Amendments have been recommended in order to make the policy more concise and to improve readability.	Federated Farmers seek amendment of policy GRUZ-P2 as follows: Enable primary production activities while recognising that adverse typical effects associated with primary production a typical rural working environment, such as odour, noise, dust, heavy traffic movements, and agrichemical use fertiliser application, crop spraying and forestry harvesting, occur, and should be are anticipated and accepted, in the General rural zone.
144	GRUZ-P3 Reverse sensitivity effects	Support	Federated Farmers support inclusion of policy GRUZ-P3 as it acknowledges and manages reverse sensitivity, which is important in the GRUZ.	Federated Farmers seeks the retention of policy GRUZ-P3 as notified in the PDP or with similar wording.
145	GRUZ-P4 Rural character and amenity values	Support in part	Federated Farmers supports in part the inclusion of policy GRUZ-P4 as notified as it characterises rural character and amenity and promotes the continuation of primary production. Amendments have been recommended to make the policy more concise, improve readability and align with requested amendments to GRUZ-P2.	Federated Farmers seek amendment of policy GRUZ-P4 as follows: Ensure land use activities are undertaken in a manner that <u>Maintains the rural character and amenity values of the General rural zone, which includes by:</u> 1. <u>Retaining a predominance of primary production activities;</u>

Submission point	Proposed District Plan provision	Support / support in part / oppose	Federated Farmers submission	Relief sought
				<ol style="list-style-type: none"> Limiting the Low site coverage and density of buildings and structures to support rural open spaces; and Recognising Typical adverse that effects from primary production activities such as odour, noise, dust, heavy traffic movements, and agrichemical use fertiliser application, crop spraying and forestry harvesting are typical of associated with a rural working environment and are acceptable in this context.
146	GRUZ-P5 Non-rural activities	Support	Federated Farmers supports the inclusion of policy GRUZ-P5 as it aligns with best practice under the RMA and the NPS-HPL.	Federated Farmers seeks the retention of policy GRUZ-P5 as notified in the PDP or with wording with similar effect.
147	GRUZ-P6 Limited communal housing opportunities	Support	Federated Farmers supports the inclusion of policy GRUZ-P6 as it provides for limited communal rural housing while protecting productive capacity and addressing reverse sensitivity effects.	Federated Farmers seeks the retention of policy GRUZ-P6 as notified in the PDP.
148	New GRUZ policy direction	Support	<p>While the rules of the GRUZ enable and restrict activities, there are gaps in the policy framework that support inclusion of some of the rules. A clear policy framework is essential to provide clear direction to resource users and decision-makers.</p> <p>Federated Farmers consider further policies that recognise, direct how these activities are to be provided for, and their effects managed:</p> <ol style="list-style-type: none"> Home business: this provided for by rule GRUZ-R5, which we support. However, it is not entirely clear from policy GRUZ-P1 if the policy framework actively supports home businesses, because the policy references ancillary activities and rural activities, of which home business may be neither. Commercial business: we query if the definition of home business provides for farm retail sales, or 'roadside stalls' or 'rural produce stalls' as included in the Definitions section of this PDP, but for which we have not found any related provisions. The 	<p>Federated Farmers seeks further policy direction in the GRUZ chapter to better provide for:</p> <ol style="list-style-type: none"> Home business Stalls that sell farm produce Rural industry offensive trades Rural housing Other activities for which there are specific rules but no supporting policy.

Submission point	Proposed District Plan provision	Support / support in part / oppose	Federated Farmers submission	Relief sought
			<p>provision for this type of commercial activity to occur is support but needs supporting policy and rules. It is noted that 'other' commercial business in the GRUZ become non-complying. To provide greater clarity, amendment to the nested definition of 'commercial activities' in DEF1 has been sought.</p> <p>3. Offensive trades: these trades are defined in the Definitions section of this PDP, and they include what may be considered predominantly rural industries, e.g. blood or offal treating, slaughtering of animals (other than for human consumption) or tanning. Rule GRUZ-R8 permits rural industry but the activity is non-complying if it includes an offensive trade. It is queried how the PDP provides for offensive - but necessary - trades to occur, and whether policy direction is required (for example, by stating a preference for such activities to occur in an industrial zone).</p> <p>4. Intensive indoor primary production and greenhouses: While primary production is actively enabled in the GRUZ two key components of primary production - intensive indoor primary production and greenhouses - are subject to different controls. Policy should provide some explanation why this is necessary.</p> <p>5. Rural housing: Other than for communal housing (policy GRUZ-P6) and visitor accommodation (rule GRUZ-R6), there are no specific provisions in the GRUZ chapter to provide direction on rural housing needs. Policy GRUZ-P4 seeks to maintain rural character and amenity through 'low' site coverage and density.</p> <p>6. Other activities: There is no clear policy framework to give direction to activities for which there are specific rules, namely visitor accommodation (rule GRUZ-R6), conservation activity (rule GRUZ-R7), emergency services facilities (rule GRUZ-R9) the Dargaville Airfield specific control layer (rule GRUZ-R10), domestic and animal boarding/breeding (rule</p>	

Submission point	Proposed District Plan provision	Support / support in part / oppose	Federated Farmers submission	Relief sought
			<p>GRUZ-R14), community facilities (rule GRUZ-R15), refuse transfer stations (rule GRUZ-R16) or educational facilities (rule GRUZ-R17).</p> <p>If the PDP anticipates the need for such specific rules and wishes to direct decision making where consent is sought, then as currently drafted, the only direction given by the PDP to plan users and decision-makers via GRUZ policy is whether there is an operational or functional need, adverse effects on primary production, and addressing reverse sensitivity. Greater policy direction is necessary for the activities identified above.</p>	
149	GRUZ-R1 Buildings and structures	Support in part	<p>Federated Farmers support inclusion of rule GRUZ-R1 as it provides for buildings and structures. However, discretionary status when compliance with rule GRUZ-R1.b is not achieved is opposed. The Council can reasonably identify all of effects or issues the activity may have, and as such they should list them in rule with restricted discretionary status. This would improve certainty and efficiency for both landowners and the Council. The activity is not sufficiently complex, or its effects uncertain, to justify discretionary rule status.</p>	<p>Federated Farmers seek amendment of GRUZ-R1 as follows:</p> <p>3. Activity status when compliance with GRUZ-R1.b not achieved: <i>Discretionary</i> <i>Restricted discretionary</i></p> <p>4. Matters over which discretion is restricted:</p> <p><i>a. Effects on rural character, including the intensity and scale of the built form;</i></p> <p><i>b. Effects on amenity values of other sites including shading, dominance, privacy and access to sunlight/daylight;</i></p> <p><i>c. Landscaping to mitigate impacts on visual amenity values;</i></p> <p><i>d. Within 25 m of the coastal marine area:</i></p> <p><i>i. effects on the natural character, landscape, ecological, public access and cultural values of the waterbody; and</i></p> <p><i>ii impacts on existing and future esplanade reserves, esplanade strips, and public access to the coastal margins;</i></p> <p><i>e. Setbacks to site boundaries and sensitive activities;</i></p> <p><i>f. Servicing and access;</i></p> <p><i>g. Intended use of the building and fit with the purpose of the zone.</i></p>

Submission point	Proposed District Plan provision	Support / support in part / oppose	Federated Farmers submission	Relief sought
				Or with wording that gives similar effect to the relief sought above.
150	GRUZ-R2 Agricultural, pastoral or horticultural activities, or forestry activities not regulated by the NES-CF (excluding greenhouses and intensive indoor primary production)	Support	Federated Farmers supports the inclusion of rule GRUZ-R2 as it provides for agricultural, pastoral and horticultural activities as a permitted activity.	Federated Farmers seeks the retention of rule GRUZ-R2 as notified in the PDP or with similar wording that achieves the same outcome.
151	GRUZ-R3 Residential unit (excluding minor residential units)	Support	Federated Farmers supports the inclusion of rule GRUZ-R3 as it provides for residential units as a permitted activity.	Federated Farmers seeks the retention of rule GRUZ-R3 as notified or with similar wording.
152	GRUZ-R4 Minor residential unit	Support	Federated Farmers support inclusion of rule GRUZ-R4 as it provides for minor residential units as a permitted activity.	Federated Farmers seeks the retention of rule GRUZ-R4 as notified in the PDP or with similar wording.
152	GRUZ-R5 Home business	Support in part	<p>Federated Farmers support inclusion of rule GRUZ-R5 as it provides for home business.</p> <p>New policy direction to support rule GRUZ-R5 has been requested as it is unclear if policy GRUZ-P1 actively supports home businesses, because the policy references ancillary activities and rural activities, of which home business may be neither. It is unclear if rural produce stalls / roadside stalls (as included in the Definitions section of the PDP), are home businesses or ancillary activities, or neither. If rural produce stalls / roadside stalls are captured by this rule, then that provision should be made clearer.</p> <p>It is presumed that rural contractors are considered 'rural industry', as if they were captured by this rule, then the time restrictions and accessory building size limits are too onerous.</p>	<p>Federated Farmers seeks the amendment of rule GRUZ-R5 as follows:</p> <p>Activity status: Permitted</p> <p><i>The establishment of a new, or alteration or expansion of an existing, home business (including roadside stalls or rural produce stalls). ...</i></p>

Submission point	Proposed District Plan provision	Support / support in part / oppose	Federated Farmers submission	Relief sought
154	GRUZ-R6 Visitor accommodation	Support	Federated Farmers supports the inclusion of rule GRUZ-R6 as it provides for visitor accommodation.	Federated Farmers seeks the retention of rule GRUZ-R6 as notified in the PDP.
155	GRUZ-R7 Conservation activity	Support in part	Federated Farmers supports in part the inclusion of GRUZ-R7 as it provides for conservation activity. There are concerns that the term 'conservation activity' is undefined. It is queried whether this would include activities such as construction of boardwalks, or conservation tourism activities such as car parking, shelters / information areas and toilets. Such activities have the potential to result in reserve sensitivity issues with primary production activities.	<p>Federated Farmers seeks the amendment of rule GRUZ-R7 to clarify the scope of 'conservation activity' that the rule permits, and/or a definition of 'conservation activity' in the PDP, to ensure only activities with minor effect are permitted. For example:</p> <p><u>Conservation activity means weed and pest control, fencing, restoration planting, associated environmental research and education activities.</u></p> <p>Federated Farmers also seeks that non-permitted activities associated with conservation, such as conservation tourism, or public conservation visitor facilities are provided for with restricted discretionary or discretionary rule status.</p>
156	GRUZ-R8 Rural industry	Support in part	Federated Farmers support in part the inclusion of rule GRUZ-R8 as it provides for rural industry. However, the discretionary status when compliance with GRUZ-R8.1.a, b or d is not achieved is opposed. The Council can reasonably identify all of effects or issues the activity may have, and as such they should list them in rule with restricted discretionary status. This would improve certainty and efficiency for both landowners and the Council. The activity is not sufficiently complex, or its effects uncertain, to justify discretionary rule status.	<p>Federated Farmers seek amendment of rule GRUZ-R8 as follows:</p> <p>2. Activity status when compliance with GRUZ-R8.1.a, b or d not achieved: <u>Restricted Discretionary</u></p> <p><u>X. Matters over which discretion is restricted:</u></p> <p><u>a. Effects on the transport network</u></p> <p><u>b. Effects on rural character and amenity</u></p> <p><u>c. For highly productive soils, land fragmentation and effects on productive use.</u></p> <p>or with wording that gives similar effect.</p>
157	GRUZ-R12 Intensive indoor primary production	Support	Federated Farmers supports the inclusion of rule GRUZ-R12 as it provides for intensive indoor primary production as a restricted discretionary activity, with limited matters of discretion relating to building design and landscaping, and odour, noise and dust effects.	Federated Farmers seeks the retention of rule GRUZ-R12 as notified in the PDP.

Submission point	Proposed District Plan provision	Support / support in part / oppose	Federated Farmers submission	Relief sought
158	GRUZ-R13 Communal housing	Support	Federated Farmers support the inclusion of rule GRUZ-R13 as it provides for communal housing which would support the accommodation of farm workers.	Federated Farmers seek the retention of rule GRUZ-R13 as notified in the PDP.
159	GRUZ-R19 Commercial activity	Support in part	Federated Farmers supports the inclusion of rule GRUZ-R19, providing for commercial activity in the GRUZ as a non-complying activity, if visitor accommodation, home business, and rural produce stalls / roadside stalls are otherwise provided for as permitted activities and with restricted discretionary or discretionary status when compliance is not achieved. It would be helpful to amend the nested definition of the 'Commercial activities' group (in DEF1) to include visitor accommodation, home business and rural produce stalls / roadside stalls.	Federated Farmers seek retention of rule GRUZ-R19 as notified in the PDP, insofar as the PDP otherwise provides for reasonably anticipated rural commercial activities. It is also sought that the nested definition of the 'Commercial activities' group (in DEF1) is amended to include visitor accommodation, home business and rural produce stalls / roadside stalls.
160	GRUZ-S2 Setback – all boundaries	Support	Federated Farmers supports the inclusion of standard GRUZ-S2 as it establishes boundary setbacks for buildings and structures and lists the matters of discretion where compliance is not achieved.	Federated Farmers seek retention of standard GRUZ-S2 as notified in the PDP.
162	GRUZ-S3 Setbacks from a coastal marine area	Support	Federated Farmers support the inclusion of standard GRUZ-S3 as it establishes setbacks for the coastal marine area for buildings and structures and lists the matters of discretion where compliance is not achieved.	Federated Farmers seeks the retention of GRUZ-S3 as notified in the PDP.
163	GRUZ-S4 Setbacks for reverse sensitivity	Support	Federated Farmers supports the inclusion of standard GRUZ-S4 as it establishes setbacks for reverse sensitivity for buildings and structures and lists the matters of discretion where compliance is not achieved.	Federated Farmers seeks the retention of standard GRUZ-S4 as notified in the PDP.
Schedules				
Schedule 3 –Sites and Areas of Significance to Māori				
164	Schedule 3	Support	Federated Farmers supports the identification of specific SASMs with descriptions and identification of SASM features in Schedule 3.	Federated Farmers seeks the retention of Schedule 3 as notified in the PDP.