

FS86

NZ PORK



FURTHER SUBMISSION ON Proposed Kaipara District Plan

15th December 2025

SUBMITTER: New Zealand Pork Industry Board

Introduction

NZ Pork thanks the Kaipara District Council for the opportunity to make a further submission on the Proposed Kaipara District Plan.

NZ Pork is the industry body representing commercial pig farmers and therefore has an interest in the proposal greater than the interest the general public has.

NZ Pork wishes to be heard in support of our further submission. If others are making a similar submission, we will consider presenting a joint case with them at the hearing.

Address for Service:

Hannah Ritchie
New Zealand Pork Industry Board
Hannah.Ritchie@pork.co.nz (preferred)
Unit 2a/9 Sir Gil Simpson Drive
Burnside
Christchurch
8053

Further Submission Points

	Name of original submitter	Original submitter number	Original submission point number	Support / Oppose	Reasons for support or opposition are	I seek that the whole (or part) of the submission be allowed (or disallowed) for the details below
FS86.1	Dhivian Govender	8	8.2	Oppose	Oppose amending rule GRUZ-R3 to allow for lot sizes over 24 hectares to have multiple dwellings. The rule already provides for 2 or 3 residential dwellings on properties 24ha+ as a PA, plus a minor residential unit under GRUZ-R4. While we appreciate housing pressures, increasing residential density in the GRUZ increases risk of conflict with primary production activities and the likelihood of reverse sensitivity issues arising. A discretionary activity status is therefore appropriate to assess the suitability and potential impacts of residential dwellings over the PA allowance.	Disallow the submission in full.
FS86.2	Dhivian Govender	8	8.3	Support	Support increase in MFA to 120m2. A larger size supports more flexible living options for farm workers, including providing accommodation for a family, while still being small enough	Allow the submission in full
FS86.3	Astute Consulting Ltd	110	110.18	Oppose	Oppose addition of 10–15% impermeable surface limit in the General Rural Zone. The submitter's concern relates to flood risk on 400 m ² lots, but this is not relevant to the GRUZ, where the minimum lot size is	Disallow the submission in full .

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				<p>12 hectares. At this scale, impermeable areas make up only a small proportion of the site and do not create the same flood-risk issues as small residential lots.</p> <p>Introducing an impermeable surface standard is therefore unnecessary and would place disproportionate constraints on normal rural production activities.</p>		
FS86.4	Federated Farmers of New Zealand (Inc) - Northland Province	136	136.1	Support	<p>Support amending the plan to provide for the installation and maintenance of typical farm infrastructure and assets in a consistent manner.</p>	Allow the submission in full.
FS86.5	Federated Farmers of New Zealand (Inc) - Northland Province	136	165	Support in part/oppose in part	<p>Support strengthening of wording around subdivision, development and land use.</p> <p>We oppose the removal of the qualifier “inappropriate” from the objective. This wording directly aligns with Clause 3.9(2) of the National Policy Statement for Highly Productive Land (NPS-HPL), which identifies specific land uses that — while not reliant on the productive capacity of the land — are not considered inappropriate on highly productive land.</p> <p>The NPS-HPL therefore recognises that some non-productive activities may be appropriate in certain</p>	Allow the submission in part.

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				<p>circumstances. Removing the word “inappropriate” from the objective would create an overly restrictive interpretation that is inconsistent with the national direction.</p> <p>Retaining the qualifier is essential to ensure the objective accurately reflects the intent of the NPS-HPL and maintains flexibility for land uses that are expressly provided for.</p>	
FS86.6	Federated Farmers of New Zealand (Inc) - Northland Province	136	136.166	Support	<p>Support strengthening of the wording to better link character and amenity to that of a rural working environment.</p> <p>Allow the submission in full</p>
FS86.7	Federated Farmers of New Zealand (Inc) - Northland Province	136	136.167	Support in part/Oppose in part	<p>Support amendments to improve clarity of the policy.</p> <p>We oppose the proposed amendment to Clause 3 requiring council to “avoid” or limit activities on highly productive land (HPL) that are not reliant on the productive capacity of the land.</p> <p>In the RMA context, the term “avoid” has a clear and strong legal meaning. As confirmed by the Supreme Court in Environmental Defence Society Inc v NZ King Salmon [2014] NZSC 38, “avoid” means “not allow” or “prevent the occurrence of.” Its use therefore creates a strict prohibition.</p> <p>Allow the submission in part.</p>

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				<p>This framing is inconsistent with Clause 3.9(2) of the NPS-HPL, which explicitly identifies certain activities that do not rely on the soil resource but are nonetheless considered “not inappropriate” on HPL. The national direction is clear that some non-soil-dependent activities may be appropriate.</p> <p>Using the term “avoid” in this context would impose an unjustified level of restriction, conflict with the intent of the NPS-HPL, and prevent activities that the NPS expressly enables. Retaining alignment with the NPS wording is essential.</p>		
FS86.8	Federated Farmers of New Zealand (Inc) - Northland Province	139	136.191	Support in full	Support replacement of the term 'factory farming' with 'Intensive Indoor Primary Production' throughout the proposed plan.	Allow submission in full
((((FS86.9 (((((((Horticulture New Zealand	140	140.1	Support in full	Support addition of definition for 'Ancillary Rural Earthworks. Support reference in the definition to the burying of material infected by unwanted organisms (as declared by Ministry for Primary Industries Chief Technical Officer or an emergency declared by the Minister under the Biosecurity Act 1993).	Allow submission in full
	Horticulture New Zealand	140	140.1	Support in full	Support addition of definition for reverse sensitivity. Support adoption of definition from the Northland	Allow submission in full

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				Regional Policy Statement for consistency.	
FS86.10	Horticulture New Zealand	140	140.13	Support in full In our experience, these types of activities can give rise to reverse sensitivity issues in the rural zone, and this should be reflected in how Sensitive Activities are defined.	Allow submission in full.
FS86.11	Horticulture New Zealand	140	140.58	Support in full Agree that smaller rural lifestyle lots being provided for within the General rural zone does not meet the zone's purpose.	Allow submission in full
FS86.12	Horticulture New Zealand	140	140.64	Support in full Support opposition to minimum lot size of 12ha in the GRU as being too small to retain effective productive capacity that enables primary production and prevents reverse sensitivity issues.	Allow submission in full.
FS86.13	Horticulture New Zealand	140	140.65	Support in full Support addition of assessment of reverse sensitivity effects to SUB-S2.	Allow submission in full.
FS86.14	Horticulture New Zealand	140	140.90	Support in full Agree with submitter that effects typical of a working rural environment should not be described as 'adverse' in the GRUZ.	Allow submission in full
FS86.15	Horticulture New Zealand	140	140.100	Support in full Support requested amendments as necessary to manage potential for reverse sensitivity conflict from visitor accommodation on established primary production activities in rural locations	Allow submission in full.

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FS86.16	Daytona Trust	263	263.51	Support in part	<p>Support including a rule for 'recreation activity' in the rural zone. However, "Recreation Activity" has a broad description in the plan, which could include activities that are sensitive to the effects of primary production that are typical of a productive rural environment. This may create reverse sensitivity issues that limit or curtail established primary production activities. Therefore, PA status should be subject to GRUZ-S4 for reverse sensitivity setbacks</p>	Allow submission in part.
FS86.17	BA & JK Paton Ltd	212	212.40	Oppose	<p>Oppose addition of wording "<u>where it adjoins highly productive land</u>" to GRUZ-P3.</p> <p>The effects of reverse sensitivity are not limited to primary production on highly productive land. Areas within the GRUZ that are not classified as HPL are still used and valued for primary production, and they face the same reverse sensitivity pressures as HPL land.</p> <p>The proposed wording would narrow the consideration of reverse sensitivity effects in a manner inconsistent with the intent and function of the GRUZ.</p>	Disallow submission

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FS86.18	Cato Bolam Consultants Limited	217	217.149	Oppose	<p>Oppose addition of wording "<u>where it adjoins highly productive land</u>" to GRUZ-P3.</p> <p>The effects of reverse sensitivity are not limited to primary production on highly productive land. Areas within the GRUZ that are not classified as HPL are still used and valued for primary production, and they face the same reverse sensitivity pressures as HPL land.</p> <p>The proposed wording would narrow the consideration of reverse sensitivity effects in a manner inconsistent with the intent and function of the GRUZ</p>	Disallow submission
FS86.19	Leighway Holdings Limited	251	251.8	Oppose	<p>Oppose the amendment changing "avoid" to "discourage." The submitter argues that the policy would restrict almost all non-rural activities, but this is appropriate in the General Rural Zone (GRUZ).</p> <p>Under the National Planning Standards, the GRUZ is intended to be used predominantly for primary production and activities that either support primary production or genuinely require a rural location. The policy as notified aligns with the purpose of the GRUZ and gives effect to GRUZ-O1.</p>	Disallow submission.

End of Submission.