

**FAR NORTH DISTRICT COUNCIL
TE KAUNIHERA O TE HIKU O TE IKA**

PROPOSED FAR NORTH DISTRICT PLAN HEARINGS PANEL

UNDER THE

Resource Management Act 1991

ON BEHALF OF

Mr Lewis Thomas Grant, Mr Jake Ryan Lockwood, Mr Luke
Stephen Lockwood and Mr Stephen Graham Lockwood

Lockwood Family

Memorandum of Counsel

18 August 2025

Hearing 15B: Rezoning Requests for new Special Purpose Zones
Monday 1 - Thursday 4 September 2025



MAI CHEN
BARRISTER

Counsel for the Lockwood Family:

Mai Chen / Caleb Saunders

Telephone: 021 565 709

Email: mai.chen@maichen.nz

- 1 Counsel for the Lockwood Family file the accompanying legal submissions in relation to Motukiekie Island under the Far North District Council (**FNDC**) Proposed District Plan (**PDP**) for Hearing 15B.
- 2 Counsel for the Lockwood Family confirm that no further rebuttal evidence will be filed and that they will appear before the Independent Hearings Panel (the **Panel**) at Hearing 15B, if that would assist the Panel.
- 3 As detailed in the accompanying legal submissions, the original zoning of Natural Open Space for Motukiekie Island under the PDP is inappropriate given the private ownership and use of the Island by the Lockwood Family. It is also inconsistent with the approach taken under the PDP to other privately owned land on islands in the Bay of Islands and would prevent their “reasonable use” of Motukiekie Island.
- 4 The Lockwood Family originally made submissions and provided evidence in support of a new or modified special purpose zone to apply to Motukiekie Island, like for Moturoa Island.
- 5 However, the Lockwood Family have been responsive to feedback and comments from the FNDC through extensive engagement during the PDP process.¹ The result has been modification of the Lockwood Family proposal over time, as detailed in its supplementary evidence and summarised in the Section 42A Report.
- 6 The Lockwood Family are now requesting that Motukiekie Island be included within the Rural Production zone and be subject to specific Motukiekie Island precinct provisions that will allow for ongoing conservation efforts, the continued residential use of existing dwellings on Motukiekie Island and some strictly limited additional building development. The Section 42A Report prepared by FNDC officers recommends the inclusion of Motukiekie Island in the Rural Production zone and the application of the Motukiekie Island precinct provisions with some further amendments.
- 7 The Lockwood Family agree with the further amendments proposed to the Motukiekie Island precinct provisions in the Section 42A Report² and have no further amendments to propose. The Lockwood Family agree with the conclusion of the Section 42A Report that:³

the proposed underlying RPROZ and MIP will deliver a number of benefits compared to alternative options, including better recognising current and anticipated activities on the Island and providing a targeted set of provisions that achieve the conservation and residential development outcomes sought for Motukiekie Island.
- 8 As a result, the Lockwood Family accept and support the FNDC reporting officer’s recommendations for Motukiekie Island and section 32AA evaluation.⁴
- 9 The Lockwood Family submit the recommendations of the Section 42A Report are the most appropriate method to achieve the purpose of the Resource Management Act 1991 and provide for at least some use of Motukiekie Island by the Lockwood Family.

¹ Section 42A Report (Hearing 15B: Rezoning Submissions) dated 4 August 2025 (**Section 42A Report**) at paragraphs 144 – 151.

² As detailed at paragraph 190 (a) to (e) and in Appendix 2.

³ At paragraph 192.

⁴ At paragraphs 191 – 192.

- 10 There are no other submissions or further submissions concerning Motukiekie Island.

Hearing

- 11 The Lockwood Family recognise the importance of Hearing 15B and have arranged to appear before the Panel remotely on 2 September at 2pm. Luke Lockwood for the Lockwood Family, and expert witnesses James Hook (planning) and Mike Farrow (landscape architecture and ecology) are all available to appear before the Panel at that time, as is counsel.
- 12 In light of the Lockwood Family's agreement with the recommendations of the Section 42A Report detailed above, and the lack of any opposing submissions concerning Motukiekie Island, the Lockwood Family do not have extensive further oral submissions to make further to the attached legal submissions, but will prepare to answer any questions the Panel have for the expert witnesses and the Lockwood Family. If the Panel can give any prior indication of issues of concern or does not see value in hearing from the Lockwood Family or its expert witnesses, please let us know.

Exact Location of Building Areas

- 13 The data to address the exact location of the proposed building areas, as referred to in paragraph 160 of the Section 42A Report, has been provided to FNDC however it was not in the preferred format. James Hook has been liaising with the FNDC GIS/Mapping Team regarding the Shapefile to provide it in their preferred format as soon as possible.

DATED 18 August 2025



Mai Chen / Caleb Saunders
Counsel for the Lockwood Family