

Far North Proposed District Plan

6-8 October 2025

Hearing 15D

Rezoning Submissions – Kerikeri-Waipapa



**Te Kaunihera
o Te Hiku o te Ika**
Far North District Council

HE ARA TĀMATA
CREATING GREAT PLACES
Supporting our people

Procedural matters

Submitters presenting at alternate Hearings:

- Audrey Campbell-Frear – presenting at Hearing 15D (as sites of interest span both topics).
- Some submitters presented at Hearing 15C e.g. Jeff Kemp.

Ara Poutama - Department of Corrections

- Further Submission Point to include Community corrections activity for the Town Centre zone.



Evaluation

- Minute 14
- Other planning analysis included:
 - Location
 - Land use
 - Site suitability
 - Infrastructure
 - Growth demand

Assessment to provide development capacity

- Three options were assessed to provide development capacity for Kerikeri-Waipapa.
- PDP-R package is aligned with the PDP strategic direction and the intensification principles of the Spatial Plan details includes the following zoning recommendations for Kerikeri/ Waipapa:
 - Creation of MDRZ and TCZ
 - Other urban rezoning requests which I will detail below
 - Hearing 14 – Urban recommendations including Minor residential unit permitted pathway plus other urban zone provision changes.
 - Other urban rezoning requests
- PDP as notified already provided for areas of upzoning, particularly around Kerikeri and Waipapa
- Goal of compact urban form stems from PDP Strategic Direction, not just the Kerikeri Waipapa Spatial Plan

Urban Rezoning Requests

9 'Opt in' submitters

- 6 provided planning and various other expert evidence

Further Rebuttal evidence provided

- Audrey Campbell –Frear
- Turnstone Trust
- LD Family investments
- Foodstuffs North Island Limited
- McDonald's Restaurants (NZ) Limited
- Northland Regional Council

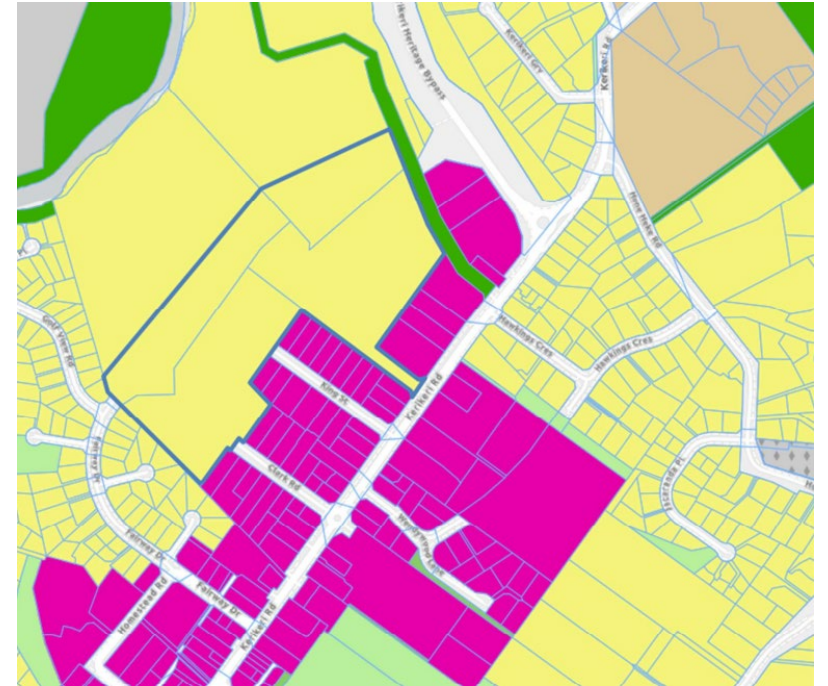
Kāinga Ora -
Medium Density
Residential Zone
(MDRZ)

- Kāinga Ora and
Various submitters
- Town Centre zone
(TCZ)

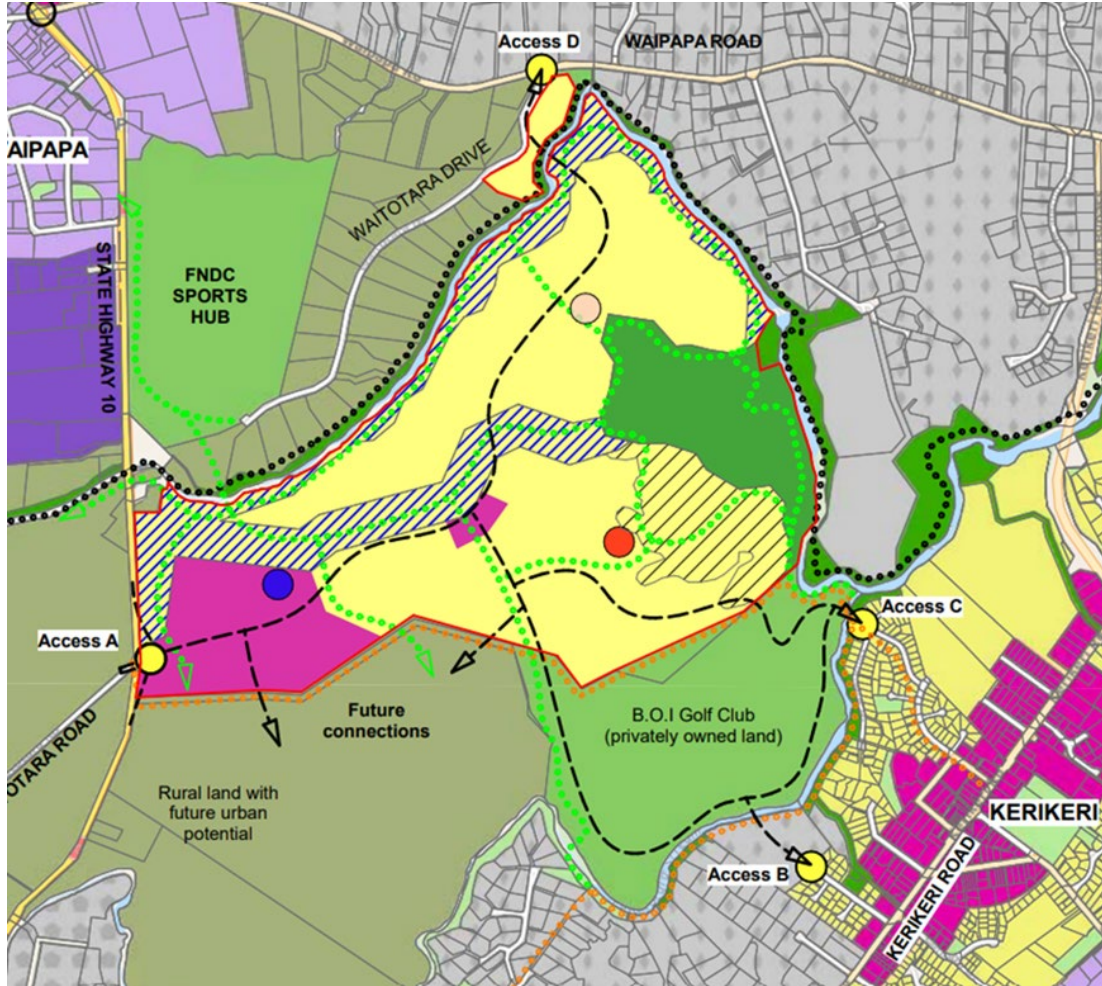
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Urban Rezoning Requests supported

- Turnstone Trust - GRZ – 7.7ha Mixed Use
- Smartlife Trust - GRZ
- Zone change for the Cherry House



Kiwi Fresh Orange Limited (KFO) – Rezoning Request



Original submission points

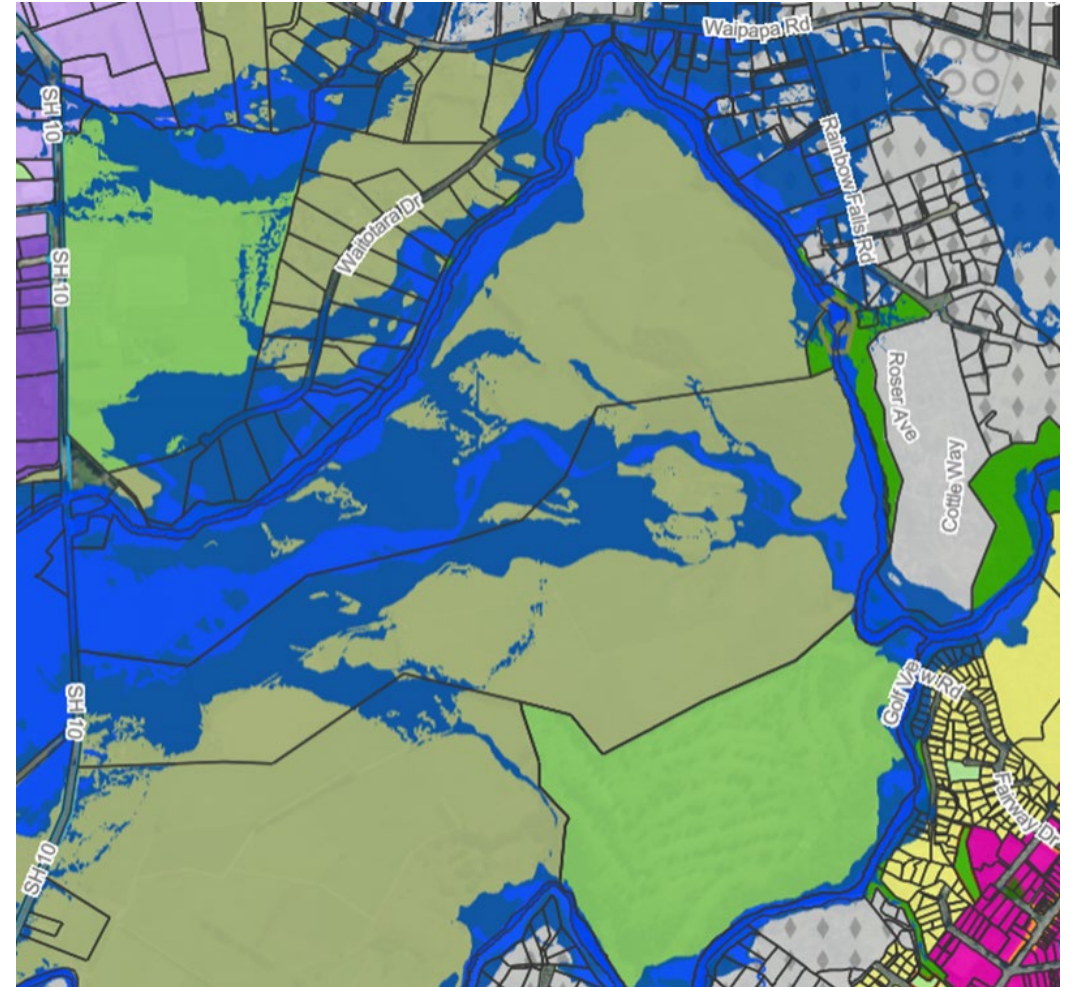
- Four original submission points from KFO requesting rezoning of the Site
- The KFO proposal is broadly to rezone approximately 197ha of land between Waipapa and Kerikeri from RPROZ to a mix of GRZ, MUZ and NOSZ
- Submission includes a proposed Precinct Chapter and Structure Plan, range of technical assessments

Minute 14 rezoning process

- KFO choose to “opt-in” to the reverse timetable for rezoning submissions in Minute 14
- KFO evidence-in-chief lodged 30 June
- Council evidence lodged on 8 September
- KFO rebuttal evidence lodged 23 September

KFO Proposal – Key issues in section 42A report

- Do not support the KFO proposal for a range of reasons
- Seven broad issues or themes that provide the basis for my recommendation, informed by expert advice:
 1. Sufficiency of development capacity and risks of over-zoning
 2. Uncertainties in evidence and level of information needed for rezoning v consenting
 3. Flooding risks and proposed mitigation
 4. Anticipated adverse effects
 5. Infrastructure servicing uncertainty and risks
 6. Shortcomings in the Precinct Chapter and Precinct Plan
 7. Alignment with higher order documents and the Spatial Plan



Issue 1 – Development capacity and over-zoning

Key points in section 42A report and supporting evidence

- Updated assessment of development capacity for Kerikeri-Waipapa concludes that this is “*sufficient*” in accordance with the NPS-UD (with “*competitiveness margins*”)
- The implication is additional greenfield growth through the KFO proposal is not needed at this point of time to provide sufficient development capacity, especially in the short-medium term (i.e. the life of the PDP)
- Increasing “plan-enabled” capacity through the KFO proposal will not contribute to “sufficient” development capacity (as this is not “infrastructure ready”)
- Over-zoning will likely undermine/dilute the concentration benefits sought through the PDP-R and strategic direction set through the Spatial Plan

Outstanding matters

- Significant differences in views between the economic experts (demand, capacity, uptake of attached dwellings. relevance of case studies, price assumptions etc.)
- Agreement that additional greenfield growth is required as reflected in the Spatial Plan – the key issue is:
 - **when** that is needed (now or through a future plan change)
 - **where** that greenfield growth is best located

Issue 2 – Sufficiency of information for rezoning

Key points in section 42A report and supporting evidence

- Overreliance on addressing issues and uncertainties through future consenting processes
- Some critical issues and information gaps that should be addressed at rezoning stage
- Key uncertainties and gaps identified in technical evidence include ecology, flooding risks and mitigation, infrastructure funding and delivery, transport and urban design effects
- Uncertain and insufficient information on key aspects of the KFO proposal means the risks of acting and not acting must be assessed under s32(2)(c):
 - Risks of acting (rezoning) are potentially significant
 - Conversely, the risks of not acting are low

Outstanding matters

- KFO – position appears to be that information provided is sufficient, and all relevant effects have been adequately assessed
- General agreement between experts on the matters that need to be addressed – issue in contention is **when** that information is needed

Issue 3 – Flooding risks and proposed mitigation

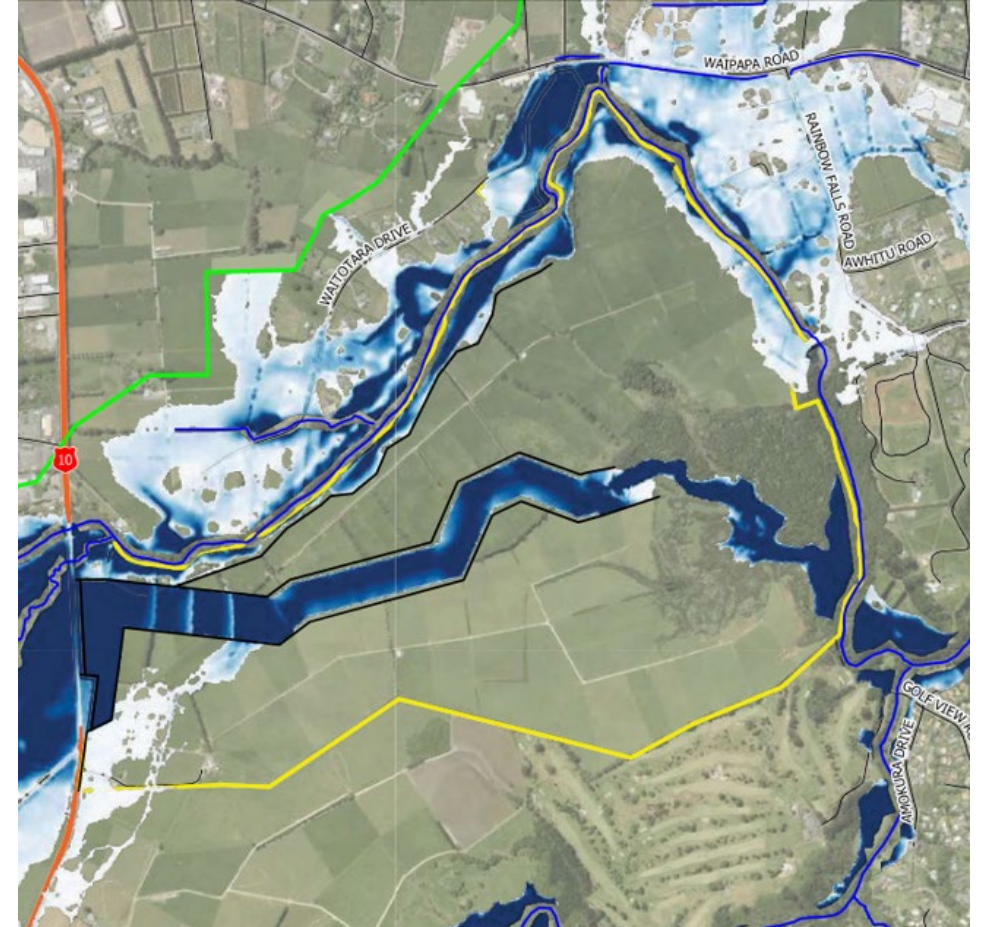
Key points in section 42A report and supporting evidence

Greenfield development in hazard-prone area

- From a planning perspective, it is generally inappropriate to locate greenfield growth in an area subject to extensive flooding risks when there are feasible alternative locations
- NRC – greenfield developments in floodplains using engineered protection is inappropriate and out of step with current and best practice

Level of information on proposed flood mitigation

- General agreement on matters that need to be addressed – issue in contention is when these need to be addressed
- Mr Rix has identified critical information gaps to address at rezoning stage (level of protection, residual effects etc.)
- Proof-of-concept design provides little certainty of outcomes and there is potential for material changes to proposed flood mitigation design through any future consenting processes



Issue 4 – Potential adverse effects of the KFO proposal

Key points in section 42A report and supporting evidence

- **Urban design** – key adverse effects, include:
 - Loss of local character and identity
 - Poor connectivity and integration
 - Inefficient urban growth outcome
- **Traffic** - adverse traffic effects include:
 - Limited connectivity and increasing inefficiencies within the existing transport network (including significant transport effects on SH10)
 - Uncertainties in traffic modelling and assumptions, with potential to underpredict traffic movements and effects
- **Ecology** – a range of potential adverse effects identified, in particular effects of floodway on stream and wetland habitats
- **Rural productivity** – loss of highly productive land that could otherwise be avoided

Outstanding issues:

- KFO – evidence is that the provisions will secure good urban design outcome, access point A and D are sufficient
- Revised proposal from KFO to rely on two access points for up to 1,600 dwellings (TPW-S2) – significant change from a transport perspective
- Lack of secured access into Kerikeri means that there are some key connectivity issues from a transport and urban design perspective that are difficult to resolve

Issue 5 – Infrastructure servicing uncertainty and risks

Key points in section 42A report and supporting evidence

- No specific details or commitments from KFO to demonstrate how the necessary development infrastructure will be staged, funded and delivered
- Mr Hensley evidence is that this “*creates a significant financial risk*” for responsible funding entities
- Council evidence also highlights that:
 - KFO proposal expected to be more costly in terms of infrastructure delivery compared to a more compact urban form sought through the Spatial Plan
 - Funding responsibilities for the necessary transport infrastructure have not adequately addressed at this rezoning stage

Outstanding matters

- KFO – infrastructure upgrades required regardless of location for growth, KFO will provide funding stream for bulk infrastructure, general assumption that infrastructure servicing can be adequately addressed at the subdivision stage
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Issue 6 – Precinct Chapter and Precinct Plan

Key points in section 42A report and supporting evidence

- Numerous shortcomings identified with the provisions in the Precinct Chapter and Precinct Plan
- Identified issues include:
 - Provisions not adequately address key issues, e.g. urban design, transport, ecological protection and enhancement
 - Relationship with other PDP provisions is unclear
 - Uncertain terms and policy directions
 - Inconsistencies in wording and terms
 - Precinct Plan lacks detail, not consistently referenced in provisions, contains uncertain features and layers (e.g. large lot residential area)
- Overall, the Precinct Chapter and Precinct Plan lacks the necessary certainty and precision for an urban development proposal of this scale

Outstanding matters

- KFO – have responded to some of the identified issues (e.g. new requirements for urban design and landscape assessment)

Key issues remain:

- Uncertain provisions, inconsistencies
- Issues identified in section 5.3.4 of s42A report have not been directly responded to
- Overreliance on the Comprehensive Development Plan (CDP) rule to achieve quality outcomes

Issue 7 – Alignment with higher order documents and Spatial Plan

Instrument	Key provisions/issues
NPS-UD	<ul style="list-style-type: none"> • Alignment with certain NPS-UD provisions include competitive land markets • However, not aligned with key provisions relating to well-functioning urban environments and enabling intensification in appropriate locations
NPS-HPL	<ul style="list-style-type: none"> • Clause 3.6(4) provides three directive tests that must all be met before urban zoning on highly productive land can be allowed • The first two tests have not met, i.e. the rezoning is not needed to provide sufficient development capacity and there are other reasonably practicable and feasible options
NPS-FM/ NES-F	<ul style="list-style-type: none"> • Uncertainty of the effects of proposed floodway on potential natural inland wetland • Potential for significant consenting challenges (e.g. floodway not “specified infrastructure”)
RPS	<ul style="list-style-type: none"> • Some alignment (e.g. provisions relating to economic well-being) • Poor alignment/inconsistencies with provisions relating to urban form and natural hazards
PDP strategic direction	<ul style="list-style-type: none"> • Poor alignment/inconsistencies with key strategic objectives relating to compact urban form, mix of housing typologies, resilience, protecting highly productive land
Spatial Plan	<ul style="list-style-type: none"> • Contrary to strategic objectives and principles • Conditions for Scenario F as a “Contingent Future Growth Area” have not been met • Risk that PDP decisions that are inconsistent with Spatial Plan undermine the ability for Council to deliver coordinated, infrastructure-supported growth in the right locations