

## **PROPOSED FAR NORTH DISTRICT PLAN**

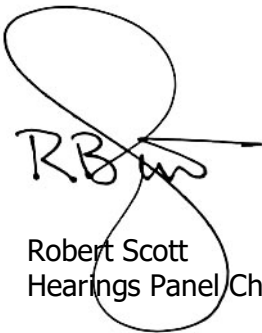
### **MINUTE 12 OF THE INDEPENDENT HEARINGS PANEL**

#### **Request to defer Hearing 9 and Hearing 15A**

#### **INTRODUCTION**

1. On 15 October 2024 we received a memorandum from counsel on behalf of Submitter Audrey Campbell-Frear (submitter #209 and further submitter #172) on the Proposed District Plan (**PDP**).
2. Ms Campbell-Frear's primary submission addresses four themes namely:
  - a. Delete the Horticulture Zone;
  - b. Review commercial zones (hierarchy of centres);
  - c. Rezone Kerikeri fringe to enable commercial activities; and
  - d. Review Rural Residential zoning west of Kerikeri Road.
3. Ms Campbell-Frear's submission is currently set down to be heard in the following hearings:
  - Hearing 9: Rural, Horticulture & Horticulture Processing (2 to 5 December 2024).
  - Hearing 15A: Rezoning General & Kauri Cliffs (including "existing" special purpose zones) (25 to 26 August 2025).
4. Ms Campbell-Frear has advised that the National Policy Statement on Highly Productive Land (**NPS-HPL**) and its definition of "highly productive land" are fundamental to the proposed Horticulture Zone and other Rural zones and that the Government has committed to a reform of the NPS-HPL including (but not necessarily limited to the definition of highly productive land in the NPS-HPL) as part of its Resource Management Act (**RMA**) reforms. On that basis, Ms Campbell-Frear considers that hearing evidence regarding the NPS-HPL prior to the reforms would be "highly prejudicial to submitters and will not result in efficient hearings." Consequently, Ms Campbell-Frear requests that Hearing 9 and Hearing 15A are deferred until October 2025 so that the amended NPS-HPL can potentially be in place (mid 2025) when submitters prepare their evidence.
5. We thank Ms Campbell-Frear for bringing this matter our attention. As a hearings panel we are aware that this hearing process is being undertaken in a dynamic resource management environment which includes RMA reform and signalled changes to a number of national policy and national environmental standard instruments, including the NPS-HPL.

6. In that light we have sympathy with the concerns raised and the potential implications that has for the scheduling and hearing of evidence. It is our intention to run the hearings as efficiently as possible in this dynamic environment, including our duty to avoid unreasonable delay under Section 21 of the RMA.
7. Having considered Ms Campbell-Frear's memorandum we are of the view that the delivery timeframes for RMA reform are still uncertain and may be subject to change as is often the case with government timetables and competing government reforms. We note that Council officers are also aware of this dynamic environment and refer to future changes to national policy instruments (including the NPS-HPL) in section 4.1.2.2 in the hearing reports (including Hearing 1). Furthermore, we understand that the Council has undertaken considerable effort to align with the NPS-HPL as part of the rural group of chapters in the PDP. Accordingly, we have determined that we will hear the Rural chapters in Hearing 9 as scheduled but will review the situation as the reform process progresses and as timelines become more certain. We acknowledge that we are in a state of flux at this stage in the political cycle and signalled reforms and we are cognisant that making further changes to hearing timetables with this level of uncertainty might also be unproductive.
8. If you have any questions regarding this Minute, please contact the Hearings Administrator Alicia-Kate (AK) Taihia - Submissions & Hearings Administrator District Plan: [aliciakate.taihia@fndc.govt.nz](mailto:aliciakate.taihia@fndc.govt.nz) or (09)4015247.

A handwritten signature in black ink, appearing to read 'RBS', with a large, stylized loop above the letters and a horizontal line extending to the right from the middle of the signature.

Robert Scott  
Hearings Panel Chairperson

17 October 2024