

**BEFORE THE INDEPENDENT HEARINGS PANEL  
FAR NORTH DISTRICT COUNCIL**

**UNDER**

the Resource Management Act 1991

**IN THE MATTER**

of the Proposed Far North District Plan

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**MEMORANDUM TO THE HEARING PANEL  
ON BEHALF OF SUBMITTER AUDREY CAMPBELL-FREAR**

**15 October 2024**

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**Counsel acting:**

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## INTRODUCTION

- 1.1 Audrey Campbell-Frear is primary submitter #209 and further submitter #172 on the Proposed District Plan (PDP).
- 1.2 Ms Campbell-Frear's primary submission addresses four themes:
  - Delete the Horticulture Zone
  - Review commercial zones (hierarchy of centres)
  - Rezone Kerikeri fringe to enable commercial activities
  - Review Rural Residential zoning west of Kerikeri Road
- 1.3 As such Ms Campbell-Frear's submission will be heard across a number of the scheduled hearings.
- 1.4 This Memorandum concerns the following two scheduled hearings:
  - Hearing 9: Rural, Horticulture & Horticulture Processing (2<sup>nd</sup> to 5<sup>th</sup> December 2024)
  - Hearing 15A: Rezoning General & Kauri Cliffs (including "existing" special purpose zones)<sup>1</sup> (25<sup>th</sup> to 26<sup>th</sup> August 2025)
- 1.5 The Horticulture Zone was notified by FNDC as a "special purpose zone" (that is, it is not one of the zones in the National Planning Standards). The purpose of the Horticulture Zone is to manage land fragmentation and reverse sensitivity effects and achieve greater protection of highly productive land.
- 1.6 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 to zoning of land which meets the NPS-HPL definition of highly productive land, because the NPS-HPL is highly directive about appropriate uses and zoning of highly productive land.

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<sup>1</sup> Assuming that "existing" special purpose zones means notified special purpose zones, which includes the Horticulture Zone

- 1.7 The Government has committed to amend the definition of highly productive land in the NPS-HPL as part of its “Going for Housing Growth” package.<sup>2</sup> In his speech to the RMLA conference on 20 September 2024 the Minister responsible for RMA Reform confirmed that amendments to national direction are to follow the same timeline as the second RMA amendment bill (introduced to Parliament before the end of 2024 and enacted by mid 2025).<sup>3</sup>
- 1.8 The current hearing schedule for the PDP will require submitters to prepare evidence for Hearing 9 and Hearing 15A before the amendments to the NPS-HPL and the definition of highly productive land have been made. This is highly prejudicial to submitters and will not result in efficient hearings.
- 1.9 Ms Campbell-Frear requests that Hearing 9 and Hearing 15A are **deferred** until October 2025 so that the amended NPS-HPL will be in place (mid 2025) when submitters prepare their evidence.
- 1.10 If these hearings are not deferred, in fairness to submitters an additional hearing round would need to be allocated at the end of the hearing schedule to revisit these topics in light of the amended NPS-HPL. This would be inefficient and extremely expensive for submitters. Deferring the hearing topics is more efficient, more cost effective and fairer.



**Sarah Shaw**

Counsel for Audrey Campbell-Frear

15 October 2024

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<sup>2</sup> [Going for Housing Growth.pdf \(nationbuilder.com\)](#)

<sup>3</sup> [Speech on replacing the Resource Management Act | Beehive.govt.nz](#)