

**BEFORE THE HEARINGS PANEL OF COMMISSIONERS  
FOR THE FAR NORTH DISTRICT COUNCIL**

**IN THE MATTER** of the Proposed District Plan

**AND**

**IN THE MATTER** of submissions and further submissions under clauses 6 and  
8 of Schedule 1 of the Resource Management Act 1991

**SUBMITTER** **Neil Construction Limited**

(Submitter no. 349;  
Further Submitter no. 445)

**HEARING** **15C: Rezoning General**

---

**STATEMENT OF REPLY EVIDENCE OF PHILIP MICHAEL BROWN (PLANNING)**

**DATED 15 SEPTEMBER 2025**

---

**Solicitors Acting:**

**TOANLAW**

Solicitor Acting: Vicki Toan  
PO Box 42048, Ōrākei, Auckland 1745  
T: + 64 21 537 547  
E: vicki@toanlaw.com

## STATEMENT OF REPLY EVIDENCE OF PHILIP MICHAEL BROWN (PLANNING)

- 1 I prepared a statement of evidence dated 9 June 2025, which I refer to as my evidence in chief (**EIC**). My qualifications and experience are set out in paragraphs [1]-[6] of my EIC.
- 2 As per paragraph [7] of my EIC, I confirm I have read and understood the Environment Court's Code of Conduct for Expert Witnesses and agree to comply with it.
- 3 I have read and considered the section 42A report dated 1 September 2025, prepared by Ms Pearson. In particular, I have reviewed those parts of the section 42A report that relate to the submission made by Neil Construction Limited (**NCL**).
- 4 I have prepared this brief statement of reply evidence to confirm my agreement with the conclusions and recommendations that Ms Pearson has made in relation to the NCL submission (S349.001).<sup>1</sup>
- 5 I agree with Ms Pearson's conclusion that NCL's submission should be accepted and concur with her opinion at paragraph 216 of the s 42A report that: *"I do not see merit in entertaining a return to a more productive rural zone when the existing and consented character and development intensity of the land has clearly changed to a residential focus."*
- 6 I note that Far North Proposed District Plan section 42A recommendations for other hearing topics may have general implications for plan enabled capacity across the rural areas of the district. However, I consider that any such matters are not relevant to the relief sought in the NCL submission because the relief only reflects existing capacity that has been enabled by a resource consent.

**Philip Michael Brown**  
**15 September 2025**

---

<sup>1</sup> Section 42A report, section 4.4.4, pages 68-74