



SECTION 42A REPORT

Hearing 15C: Rezoning Submissions

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List of Abbreviations

Table 1: List of Submitters and Abbreviations of Submitters' Names

Submitter Number	Abbreviation	Full Name of Submitter
S359	NRC	Northland Regional Council

Note: This table contains a list of submitters relevant to this topic which are abbreviated and does not include all submitters relevant to this topic. Appendix 2 to this Report also contains a table with all submission points relevant to this topic.

Table 2: Other abbreviations

Abbreviation	Full Term
FNDC	Far North District Council
PDP	Proposed District Plan
RMA	Resource Management Act
RPS	Regional Policy Statement
NPS-HPL	National Policy Statement for Highly Productive Land
HPL	Highly Productive Land
RPROZ	Rural Production Zone
RLZ	Rural Lifestyle Zone
RRZ	Rural Residential Zone
RSZ	Settlement Zone
HZ	Horticulture Zone
HPFZ	Horticulture Processing Facilities Zone
DP	Deposited Plan

1 Executive summary

1. The Far North Proposed District Plan ("PDP") was publicly notified in July 2022. This report provides recommendations on submissions on the zoning of land related to existing Special Purpose Zones / New Special Purpose Zones / Rezoning Requests for all zones / Rezoning requests for land within the Kerikeri-Waipapa Spatial Plan Area.
2. This Section 42A Report should be read in conjunction with the Rezoning Submissions - Overview Report.
3. The rezoning submissions addressed in this report are those that have been allocated to the Hearing 15C – Rural topic, relating to land that was notified with one of the six rural zones in the PDP where the submitter is requesting an alternative rural zone.
4. Sections 4.3 – 4.5 of this report group and evaluate the rezoning submissions using the following subcategories:
 - a. Horticulture Precinct (including opt-in submitters with land zoned Horticulture Zone in the PDP as notified)
 - b. Opt-in submitter rezoning requests
 - c. Other rezoning requests
5. This report has been prepared in accordance with Section 42A of the Resource Management Act ("RMA") and outlines recommendations in response to the issues raised in submissions. Rezoning submissions have been evaluated in this report using criteria consistent with the direction of the Hearing Panel provided in Minute 14: Rezoning Criteria and Process and Section 32AA of the Resource Management Act ("RMA"). This report is intended to both assist the Hearings Panel to make decisions on the submissions and further submissions on the PDP and also provide submitters with an opportunity to see how their submissions have been evaluated, and to see the recommendations made by officers prior to the hearing.
6. The key changes recommended in this report are as follows (refer to maps in **Appendix 6**):
 - a. The Horticulture Precinct be applied to the land identified in Figure 1 of **Appendix 6** and that all of this land has an underlying zone of Rural Production Zone.
 - b. Land identified in Figure 1 of **Appendix 6** is not included in the Horticulture Precinct but is instead rezoned Rural Production Zone.
 - c. An additional setback of 20m for sensitive activities be applied to properties zoned Rural Production that adjoin the Horticulture Precinct. This will require a new setback standard inserted into the Rural Production Zone chapter, as set out in **Appendix 7**.

- d. The properties known as 'Tubbs Farm' are rezoned from Rural Lifestyle to Rural Residential Zone – Neil Construction Ltd (S349.001), Trent Simpkin (S22.003, S284.004) and Tristan Simpkin (S288.004).
- e. The site at 17B Snowdon Avenue is rezoned Settlement Zone to ensure that all of Lot 1 DP 533343 is contained within the same zone – Roman Catholic Bishop of the Diocese of Auckland (S382.001).
- f. The properties at 98A to 110, and 109 to 115 State Highway 12 in Opononi are fully zoned Rural Lifestyle Zone (as opposed to split zoned Rural Lifestyle and Rural Production). As a consequential amendment, the adjacent lot to the north be fully zoned Rural Production to remove the small areas of Rural Lifestyle Zone applied to the property in error – Nigel Ross Surveyor Ltd (S381.001).
- g. 153 Waipapa Road is fully zoned Horticultural Processing Facilities Zone as opposed to partially zoned Rural Residential – Seeka Limited (S34.001).
- h. The three properties identified by Ngamaia Farms Ltd incorrectly zoned Natural Open Space are rezoned Rural Production Zone – Ngamaia Farms Ltd (S3.001).

2 Introduction

2.1 Author and qualifications

- 7. My full name is Melissa Leanne Pearson, and I am a Principal Planning and Policy Consultant at SLR Consulting New Zealand Limited, based in Auckland.
- 8. I hold a Bachelor of Planning (Hons) at the University of Auckland and am a Full Member of the New Zealand Planning Institute.
- 9. I have 16 years' experience as a resource management practitioner in New Zealand, which has included working for both the private sector and for central and local government on a range of resource consent and policy projects. My private sector planning experience ranges from obtaining resource consents for small and large scale residential and subdivision developments in the Auckland Region, development of private plan changes in both Auckland and Waikato for residential and commercial developments and consenting and policy development experience for clients in the telecommunication, intensive primary production, and community facility sectors.
- 10. My public sector planning experience involves a significant amount of central government policy research and development relating to telecommunications, forestry, climate change, highly productive land, and infrastructure. My local government policy experience involves drafting of district plan provisions in the Far North, Kaipara, Waikato, Hamilton, and Queenstown Lakes districts for local authorities.

11. These projects have given me significant experience with all parts of the Schedule 1 process from both the public and private sector perspectives, including provision research and development, provision drafting, the preparation of section 32 and 42A reports, preparation of submissions and further submissions, presentation of evidence at council hearings, preparation and resolution of appeals and Environment Court mediation.
12. I have been closely involved in the development and implementation of numerous national direction instruments under the RMA (national policy statements and national environmental standards), from the policy scoping stage through to policy decisions and drafting, the preparation of section 32 evaluation reports and implementation guidance. This includes close involvement in national direction instruments relating to highly productive land.
13. I have been working with the Far North District Council (FNDC) on the PDP since 2021. My involvement in the PDP initially involved refining certain chapters in response to submissions on the draft district plan and preparing the associated section 32 evaluation reports, specifically on rural topics. Since mid-2023, I have been working with the FNDC PDP team analysing submissions.
14. I was not involved in the PDP zoning decisions prior to notification. I was engaged by FNDC to be the reporting officer for this topic in early 2025.

2.2 Code of Conduct

15. I confirm that I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023 and that I have complied with it when preparing this report. Other than when I state that I am relying on the advice of another person, this evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.
16. I am authorised to give this evidence on the Council's behalf to the Proposed District Plan hearings commissioners ("Hearings Panel").
17. Wherever possible, I have provided a recommendation to assist the Hearings Panel.

2.3 Expert Advice

18. In preparing this report I rely on expert advice of Mr Lawrence McIlrath of Market Economics. The scope of this evidence relates to evaluating whether the PDP's notified rural zoning framework (and associated subdivision provisions) provides sufficient capacity to accommodate projected household growth, including consideration of plan enabled capacity (PEC) based on both the PDP as notified and amendments to the Rural Lifestyle Zone (RLZ) subdivision minimum lot size. Mr McIlrath's evidence is provided in **Appendix 3** to this Report.

19. I have relied on the memorandums provided by Ms Melean Absolum (landscape architecture) and Ms Elizabeth Morrison (ecology) with respect to the rezoning requests from Lucklaw Farm Ltd, Trustees of Taranaki Trust and Grace Sturgess. These memorandums consider the masterplan and associated analysis submitted by Ms Bridget Gilbert and Ms Melanie Dixon on behalf of these submitters. Ms Absolum and Ms Morrison's memorandums are provided in **Appendix 3** to this report.
20. Although I did not receive any expert transport evidence from submitters on this topic, Mr Mat Collins from Abley has prepared a brief transport memorandum to provide context for potential transport issues that may arise as a result of some submissions. Mr Collins has also provided advice as to the level of transport evidence that would be required to support some of the larger scale rezoning requests. Mr Collins' memorandum is provided in **Appendix 3** of this report.
21. I have relied on the expert soils advice provided by Dr Reece Hill of Landsystems to inform my recommendations on the spatial extent of the Horticulture Precinct. Given the level of detail associated with this advice, it is attached as a separate **Appendix 4** to this report.
22. Any other expert feedback sought and considered will be clearly referenced throughout this report in relation to the assessment of specific rezoning request submissions.

2.4 Scope/Purpose of Report

23. This report should be read in conjunction with the Rezoning Submissions – Overview Report. The Overview Report provides:
 - a. Overview information on the statutory context within which the rezoning submissions must be considered (including changes to the relevant regulatory framework) which officers have considered when making recommendations on the submissions received.
 - b. An overview of the process that officers have followed when evaluating rezoning submissions, including the criteria and process set out in Hearing Panel Minute 14 and consideration of the Rural Rezoning Evaluation Criteria in Appendix 2 of the Overview Report.
24. This report has been prepared in accordance with section 42A of the Resource Management Act to:
 - a. Assist the Hearings Panel in making their decisions on the submissions and further submissions on the Proposed District Plan; and
 - b. Provide submitters with an opportunity to see how their submissions have been evaluated and the recommendations being made by officers, prior to the hearing.

25. This report responds to rezoning submissions requesting a change from one type of rural zone to another (i.e. where the requested zone is either Rural Production, Horticulture, Rural Lifestyle, Rural Residential or Settlement) and does not address urban or special purpose zones. The exception to this is the rezoning requests from Lucklaw Farm Ltd, Trustees of Taranaki Trust and Grace Sturgess, which include a component of General Residential and Mixed Use zoning. As the requests for these zones need to be considered in conjunction with the larger scale request for Rural Lifestyle zone, the entire submission has been considered in this report, as opposed to being split across the rural and urban components of Hearing 15C.

2.4.1 Pre-hearing Engagement with Submitters

26. **Appendix 5** summarises the pre-hearing informal engagement with the 'opt in' submitters and the matters discussed at a high level, specific to the submissions that are evaluated within this report.

2.5 Section 32AA evaluation

27. This report groups, considers and provides reasons for the recommended decisions on similar matters raised in submissions. Where changes to zoning are recommended, these have been evaluated in accordance with section 32AA of the RMA.
28. The section 32AA further evaluation for recommendations consider:
- a. The reasonably practicable options for achieving the PDP objectives.
 - b. The environmental, social, economic and cultural benefits and costs of the zoning or requested zone changes.
 - c. The efficiency and effectiveness of the zoning or requested zone change and whether it would achieve the objectives.
 - d. The risk of acting or not acting where there is uncertain or insufficient information about the requested zone change.
 - e. Summarises the reasons for the recommendation.
29. The section 32AA further evaluation contains a level of detail that corresponds to the scale and significance of the anticipated effects of the changes that have been made. Recommendations on editorial, minor and consequential changes are not re-evaluated.

3 Rezoning context

30. I have considered a wide range of factors when making recommendations on rezoning requests but have mainly focused on:
- a. The matters set out in Minute 14 by the Hearing Panel, being the general criteria for rezoning submissions; and

- b. The more specific criteria I set out in the Rural Zoning Evaluation Framework.

- 31. I have considered all these matters to some degree when evaluating a submission requesting rezoning. I note that, in considering this broad range of matters, I have taken an overall judgement approach for each submission, based on the combination of information provided (in the original submission and/or in evidence) and the degree to which the various criteria have been met. In most cases, my response to the rezoning request is proportionate to the level of information received from the submitter in support of their rezoning request.

3.1 Minute 14 matters

- 32. The matters set out in Minute 14¹ apply to rezoning requests across the entire Far North district. They were identified by the Hearing Panel as the key matters for submitters to address and demonstrate in their pre-circulated evidence and hearing statements. They are also intended to be used by reporting officers in their assessment of the rezoning requests and section 32 evaluation reporting.
- 33. The Minute 14 matters are high level and, in some cases, overlap with the rural rezoning criteria that I have identified as the critical matters to be considered in the rural context e.g. Minute 14 and the Rural Zoning Evaluation Framework both require consideration of alignment with intended zone outcomes, natural hazards, compatibility with existing land uses and reverse sensitivity effects. There are also elements of the Minute 14 criteria that are less relevant in a rural context e.g. impact of the proposed rezoning on reticulated infrastructure servicing.
- 34. In my analysis below I identify where I consider a rezoning proposal has not met the Minute 14 criteria or where there is a gap in the information provided on Minute 14. For the 'opt in' submitters who have already provided me with their evidence I have undertaken a review of that information against the matters listed in Minute 14, contained in **Appendix 1**.

3.2 Rural Zoning Evaluation Framework

- 35. The Rural Zoning Evaluation Framework is set out in Table 6 of the Rezoning Overview section 42A report. The criteria in this framework build on the matters listed in Minute 14 but focus more closely on the matters that, in my view, should be considered for rezoning requests in a rural context.
- 36. In the interests of efficiency, this section of my report sets out the rationale for why the Rural Zoning Evaluation Framework criteria were selected, as well as signalling how these matters have influenced the recommendations in this report. These sections will be cross referenced throughout my

¹ The Minute 14 criteria can be viewed here - https://www.fndc.govt.nz/data/assets/pdf_file/0018/34254/Minute-14-Rezoning-Criteria-and-Process.pdf

recommendations where submissions have common issues to avoid this analysis being repeated throughout the report.

3.2.1 Criterion A – Location

37. Much of the content of Criterion A is self-explanatory, however I consider further clarification is required in terms of my approach to assessing rezoning requests where the land is defined as highly productive land under the National Policy Statement for Highly Productive Land (NPS-HPL). As signalled in the Rezoning Overview section 42A report, the NPS-HPL is likely to be reviewed as part of Package 2 – Primary sector reforms to national direction instruments, released in May 2025.
38. At the time of writing this report, the detail of these amendments has not been released and the changes to the NPS-HPL have not taken effect. As such, I have made recommendations relating to the NPS-HPL as it exists at the time of drafting, rather than pre-empt what the changes may be. However, I am mindful that by the time the Hearing Panel come to make their decisions, the NPS-HPL may have formally changed. As such, if the rezoning request involves LUC class 3 land (which may be removed from the NPS-HPL), I have signalled this in the report for the Hearing Panel to consider at a later date if required.
39. With respect to the term 'logical and defensible zone boundary', I have looked at whether granting the rezoning request would:
 - a. Result in a strong geographically defensible boundary i.e. a road or a river in preference to a cadastral boundary (although cadastral boundaries are also appropriate, provided the extension is logical, see point b. below). A rezoning request that may generate additional pressure for further growth/fragmentation of land in an area where there is not clear boundary to frame growth is unlikely to be supported. Conversely, a rezoning request that fills in a gap between a zone and a defensible boundary may be more likely to be supported.
 - b. Result in an illogical extension of a zone i.e. rather than 'filling in a gap', the inclusion of land in a zone would create a protrusion where land on three sides of the parcel is a different zone. As above, this may not be supported where the additional pressure will put on development and use of adjacent blocks of land and further increase the likelihood of development sprawl rather than compact development.
 - c. Create an isolated pocket of land that is not adjoining other land with the same zoning. This is unlikely to be supported as best practice is to create cohesive zones rather than fragmented or ad hoc zones.
 - d. Resolve a split zoning situation – this may be supported.

3.2.2 Criterion B – Land Use and Subdivision Pattern

40. Criterion B in the Rural Zoning Evaluation Framework is as follows:

Land use and subdivision pattern: Existing land uses and subdivision pattern are consistent with the purpose of the zone (aligned with the objectives, policies and intended outcomes for the zone)

41. There are many submissions from owners of rural lifestyle sized lots requesting a zone change from Rural Production to either Rural Lifestyle or Rural Residential zone, with the core argument being they should have a zone that matches the current size of their property. Some also have an issue with being zoned 'Rural Production' when the size of their property/the properties in the wider area are too small to be productive and any attempt from neighbours to set up a productive activity could potentially be incompatible with the existing residential activities in the area.
42. However, I must also consider the context of how these fragmented areas were created, which is a legacy of the ODP subdivision provisions. The ODP contains a range of pathways for subdivision to create rural lifestyle sized lots across the Rural Production zone. The ODP subdivision provisions allow for:
- a. 20ha controlled, 12ha restricted discretionary, 4ha discretionary minimum lot sizes
 - b. Some limited opportunities for rural lifestyle sized lots, ranging from 2,000m² to 4ha
 - c. Additional subdivision opportunities for titles that existed at, or prior to, 28 April 2000
 - d. Environmental benefit lot and management plan subdivisions
43. Under this framework, extensive fragmentation of parts of the Far North rural environment has occurred. This has resulted in parts of the district that are zoned Rural Production in the PDP having a subdivision pattern that is more akin to a Rural Lifestyle or Rural Residential zone i.e. lots ranging from 2,000-4,000m² to 2-4ha in size.
44. I understand where these submitters are coming from and why, after a cursory examination, it would appear logical to allocate zones to properties purely based on what size those properties are now. However, in my view, the purpose of allocating a zone to a property is to send a clear signal as to what land use and subdivision opportunities should be afforded to that property looking ahead for the next ten years (being the anticipated life of the PDP under the RMA at the time of drafting this report). The PDP as notified does not have scope to reduce the fragmentation of the rural environment that has been allowed to occur under the ODP, but it can (and should) set the strategic direction for how growth in the rural environment should occur in the future.

45. In many cases, amending the zoning of property from Rural Production to Rural Lifestyle or Rural Residential would enable further intensification of that land – while in some locations that might be a desirable outcome, many locations identified by submitters for upzoning may not be appropriate for further subdivision as:
 - a. The land is in an isolated part of the Rural Production zone where it is not adjoining any other area of Rural Lifestyle or Rural Residential zoning (or other zone that would enable residential or commercial development). Rezoning this land would create isolated pockets of land that could be further subdivided, potentially exacerbating reverse sensitivity effects.
 - b. Some of the land is still in large parcels compared to the subdivision potential of the zone being requested. Rezoning this land would enable a substantial yield in locations that are either not being strategically prioritised for growth and/or would undermine intensification outcomes in adjacent zones.
 - c. Insufficient evidence has been provided as to why additional growth opportunities are required in the area where upzoning is requested. More information on this is provided in Section 3.2.4 of my report below.
46. While Criterion B is one factor to be considered, this factor alone, in my view, is not sufficient to justify the upzoning of a property. Its inclusion in the Rural Zoning Evaluation Framework is appropriate because it is one of many factors that requires consideration, but if other key criteria are not met then rezoning will not be supported.
47. As such, my recommendations in this report generally reject rezoning submissions where the key argument put forward is that the size of land parcels and existing patterns of subdivision better match an alternative zone, as this argument alone is insufficient justification for upzoning.

3.2.3 Criterion C – Site suitability

48. Again, much of this criterion is self-explanatory, however I have some additional comments on the matters of natural hazards/climate change.
49. Natural hazards and the future effects associated with climate change are key risks to consider when assessing requests for rezoning. The Northland Regional Council (NRC) is an 'opt in' submitter for the rezoning topic with respect to their submission point S359.013, specifically to remain involved with requests for zone changes that would enable intensification in areas prone to flood and coastal hazards (as discussed in Section 4.1 of the Rezoning Overview report). The NRC submission point states that they *"do not support further intensification in flood plains given storm/flood events are predicted to intensify with climate change [and that] enabling further development in areas prone to flooding is at odds with direction in the RPS Policy 7.1.2 and Method*

7.1.7". This submission point is largely being considered in Hearing 15D but is a relevant consideration in relation to other rezoning requests where intensification of land use would result in more sensitive activities being established in areas prone to natural hazards.

50. I agree with NRC that there are significant risks to life and property associated with allowing intensification in flood plains or in areas subject to coastal inundation. As such, rezoning requests that would allow for intensification of land (either through additional subdivision opportunities and/or more permissive pathways for establishing sensitive land uses) in areas subject to natural hazards are unlikely to be supported.

3.2.4 Criterion D – Growth Demand

51. Criterion D of the Rural Zoning Evaluation Framework is as follows:

Growth demand: *Clear evidence of growth pressure/insufficient development capacity that the requested rezoning would address. In the case of land within or near the Kerikeri Waipapa, the rezoning would not undermine the growth objectives of the KKWSP being met.*

52. When considering this criterion I have relied on the advice of Mr McIlrath as set out in his memo (refer **Appendix 3**). Mr McIlrath is clear that the PDP provisions as notified (being a combination of subdivision provisions and spatial extent of rural zones) provide more than sufficient capacity for short, medium and long-term growth (over 30 years) across the Far North rural environment (outside of the Kerikeri Waipapa Spatial Plan area). In particular, the memo prepared by Mr McIlrath concludes that (my emphasis added):

*The substantial surplus of PEC [plan-enabled capacity] in both rural areas and other settlements demonstrates **that additional rezonings are not required to meet anticipated demand.** The PDP already enables more than sufficient development potential across rural and settlement areas, supporting a managed and sustainable approach to accommodating growth.*

53. My recommendation from Hearing 9 to amend the minimum lot sizes in the Rural Lifestyle Zone would add further capacity across the rural environment. Specifically, Mr McIlrath estimates in Table 5 of his memo that Plan Enabled Capacity (PEC) in the Rural Lifestyle zone rises by 200%, from 94 to 282 dwellings. While Mr McIlrath notes that this additional capacity is not needed, he notes that *"This targeted uplift reflects a more efficient use of land, enabling greater housing choice within the existing rural zoning footprint without expanding the area available for development."*

54. Mr McIlrath concludes that (my emphasis added):

*While submitters have requested rezoning from existing rural zones to more intensive rural or residential categories, **the evidence does not support a need for such changes.** Upzoning broad areas of rural*

*land risks undermining rural character, increasing infrastructure costs, and weakening alignment with growth strategy. In contrast, **retaining the PDP's proposed zoning strikes an appropriate balance between flexibility, capacity, and long-term sustainability.***

55. I appreciate that Mr McIlrath's comments are at a district wide scale and do not comment on growth needs for specific locations. However, as most locations where submitters have requested upzoning of rural land already have areas zoned Rural Lifestyle, Rural Residential or Settlement, my preference is for these existing areas to provide for future growth opportunities, as opposed to upzoning more land. Location specific evidence would be required from submitters to demonstrate that there is clear evidence of growth pressure/insufficient development capacity that the requested rezoning would address for me to make a supportive recommendation.

3.3 Te Pātukurea – the Kerikeri Waipapa Spatial Plan

56. Te Pātukurea, the Kerikeri-Waipapa Spatial Plan (KKWSP) was adopted by the Far North District Council on 18 June 2025. The KKWSP has been discussed at a high level in Section 3.6.1 of the Rezoning Submissions Overview report.
57. The KKWSP is mainly relevant for those submissions being considered as part of Hearing 15D - Urban Rezoning Requests for land within Kerikeri-Waipapa Spatial Plan Study Area. However, there are some requests for upzoning of rural land to a Rural Residential zone on the periphery of Kerikeri and Waipapa where the outcomes sought to be achieved by the KKWSP are a relevant consideration, hence the inclusion of the reference to the KKWSP in Criterion D, discussed above.
58. I note that, while it is a non-statutory document, the KKWSP is a matter that should be "had regard to" under Section 74(2)(b)(i) of the RMA when making recommendations in response to submissions on the PDP. I also consider that the KKWSP is a council adopted strategy that is consistent with the purpose and content of a future development strategy, as set out in the National Policy Statement for Urban Development (NPS-UD), despite this not being required for a Tier 3 local authority. As such, I consider that it can be given some weight when considering submissions that have the potential to influence whether the outcomes sought by the KKWSP will be achieved.
59. The core outcome sought by the KKWSP is that a compact urban form around Kerikeri and Waipapa is achieved, as opposed to accommodating future growth via continued greenfield development outside of the boundaries identified in the KKWSP. This compact urban form is intended to be achieved in Kerikeri by providing approximately 30–40% of future growth through brownfield development/intensification, with 60–70% accommodated in greenfield areas. For Waipapa, the proportions are approximately 17% brownfield/intensification and 80% greenfield. In my view, this outcome is particularly relevant when considering requests for additional rural residential

development on the periphery of Kerikeri and Waipapa as upzoning more land is likely to undermine a compact urban form being achieved.

60. There will be more substantive economic and planning evidence prepared with respect to the KKWSP in Hearing 15D. Given this overlap between Hearings 15C and 15D for submitters with land within or close to the KKWSP study area, the Hearing Panel issued Minute 29 on 28 August 2025 confirming that submitters wanting to prepare evidence on the KKWSP may do so following the Hearing 15D evidence deadline (22 September 2025) as opposed to the Hearing 15C evidence deadline (15 September 2025).

3.4 Future work on a District Wide Spatial Strategy

61. Working on a growth strategy for the Kerikeri/Waipapa area has been a significant focus for the Far North District Council over the past few years as one of the areas most under pressure for a plan for growth. However, there is a need for a district wide review of other locations where additional growth may need to be provided for in the future. Although the economic evidence from Mr McIlrath discussed in Section 3.2.4 above indicates a significant surplus of PEC across the rural environment as a whole, there may be location specific areas where further planning for growth is required.
62. The Far North District Council is currently in the process of initiating a District Wide Spatial Strategy project, which will seek to engage with communities and better understand where and how future growth should be provided for to help communities thrive across the District. This will help Council understand where additional capacity (if any) is needed, what form that capacity should take (i.e. urban, settlement or rural upzoning) and over what timeframe that capacity should be provided.
63. There are some submissions addressed in this report where the level of information provided does not indicate that a live upzoning is required as part of this PDP process. However, I have indicated in my analysis where an area may be considered as part of the upcoming District Wide Spatial Strategy process, which may provide a pathway for growth in the future.

4 Consideration of submissions received

4.1 Overview of submissions received

64. A total of 147 original submissions and 628 further submissions were received on the Hearing 15C: Rural Rezoning topic, either requesting a new zone or supporting the notified zoning of land as one of the rural zones.
65. Several rezoning requests were received from submitters requesting that their notified zoning of Horticulture zone be amended to an alternative rural zone. As the reporting officer for Hearing 9 – Rural, I recommended that the Horticulture Zone be replaced with a Horticulture Precinct, which is an approach that received supportive interim guidance from the Hearing Panel².

² Refer to Minute 23 - www.fndc.govt.nz/data/assets/pdf_file/0013/40414/Minute-23-Interim-Guidance-of-the-Independent-Hearings-Panel-Horticulture-Zone.pdf

These submissions are summarised in Section 4.3 of this report and, in the case of the 'opt in' submitters, have been evaluated in more detail in **Appendix 1**.

66. Note that some submissions requested that land notified as Horticulture Zone be amended to an urban zone. These submissions have been considered as part of the section 42A report for the Hearing 15C – Urban topic. There are also five submitters with land subject to the Horticulture Zone (or requests for land to become Horticulture Zone) that have opted to provide further information or evidence prior to the hearing (referred to as 'opt-in submitters'), as per Minute 14 from the Hearing Panel. These submission points have been considered in Section 4.3 relating to the Horticulture Precinct as opposed to Section 4.4 relating to submissions from 'opt in' submitters.

4.2 Officer Recommendations

67. **Appendix 1** includes tables that evaluate the rezoning submissions received from the 'opt in' submitters and provide recommendations to the Hearing Panel. My summary evaluation and recommendations on submissions are provided in the relevant subsections below.
68. A full list of submissions and further submissions on Hearing 15C - Rural is contained in **Appendix 2 – Officer's Recommended Decisions on Submissions to this report**.
69. Additional information can also be obtained from the Summary of Submissions (by Chapter or by Submitter) Submissions database Far North District Council (fndc.govt.nz) the associated Section 32 report on this chapter [section-32-overview.pdf](#) (fndc.govt.nz) the overlays and maps on the ePlan Map - Far North Proposed District Plan (isoplan.co.nz).

4.3 Horticulture Precinct

Overview

Matters raised in submissions

Submitters in support of land being zoned Horticulture Zone

70. Two M Investments Limited (S317.001) support the Horticulture Zone as it applies to the landholding identified as Lot 2 DP 192231 and request that this zoning is retained.
71. Antony and Stefanie Egerton (S506.001) also support the Horticulture Zone as it will protect high quality soils necessary for the continuation of horticultural activities.
72. A large number of submitters, including Kapiro Residents Association (S426.001), Carbon Neutral NZ Trust (529.110), Vision Kerikeri (S526.001) Kathryn and Al Panckhurst (S537.001), Kapiro Conservation Trust (S444.001) and others, request that the land at Lot 1001 DP 532487, Kapiro Road

(known as Tubbs Farm) be rezoned either Horticulture Zone or Rural Production Zone to recognise the high quality soils present on the site.

Submitters on the spatial extent of the Horticulture Zone that have 'opted in' to the Minute 14 process

73. Northland Regional Council (NRC) (S359.016) request that the Aupōuri Peninsula avocado orchards are rezoned from Rural Production to Horticulture Zone. NRC argue that significant expansion of horticultural activities on the Peninsula and around the Awanui area, particularly avocado growing, justifies horticultural zoning. NRC (S359.017) also request that the service catchment of the mid-north water storage project – near Kaikohe – is rezoned from Rural Production Zone to Horticulture Zone. NRC consider that the geography of the catchment and the available water supply (particularly its proximity to the recently operational Matawii dam) supports a shift to horticultural land use capable of having economic, employment and environmental benefits. NRC did not provide evidence in support of these submission points prior to this report being prepared.
74. Michael Francis Toft, Robert George Vellenoweth, Campbell Family Trustee Limited and others (S266.001) request that seven properties on McCaughan Road, Kerikeri are rezoned from Horticulture Zone to Rural Residential Zone³ (referred to in this report as 'The McCaughan Road submitters'). The McCaughan road submitters consider Rural Residential zoning aligns better with the existing environment and note that there are no existing horticultural activities at any of the properties. The McCaughan road submitters consider that the land has already been subdivided to an extent that reversion to horticultural land use is unlikely. The McCaughan road submitters are 'opt in' submitters but no evidence was provided prior to this report being completed.
75. Audrey Campbell Frear (S209.005) requests that an area of land south of Access Road on the edge of Kerikeri is rezoned from Horticulture Zone to Rural Residential Zone. The extent of this area where rezoning is sought is shown in Appendix 1 of the original submission. Ms Campbell Frear considers the area to be materially compromised for rural production activities owing to existing fragmentation and potential for reverse sensitivity effects. In Ms Campbell Frear's opinion, the existing properties do not fit within proposed Horticulture Zone criteria and it is submitted that Rural Residential zoning is the most appropriate for properties within the mapped area. This is because land use is consistent with the purpose of the Rural Residential Zone and capable of creating a logical and defensible boundary as well as a peri-urban pattern for Kerikeri. Ms Campbell-Frear is an 'opt in' submitter and has submitted planning and economic evidence in support her submission. It is noted that this evidence crosses over between the scope of Hearings 15C and 15D given the location of the land within the Kerikeri Waipapa Spatial Plan area, but also its location within the Horticulture Zone as notified.

³ Legal descriptions are: NA127A/757 57, NA123A/757 63, NA123A/748 79, NA123A/749 93, NA123A/454 49E, NA110C/920 41, NA124C/708 37F.

76. Robert Sintes (S61.001) opposes the Horticulture Zone as it applies to properties at 90 and 90A Wiroa Road, legally described as Lots 1 and 2 DP 564639, and requests rezoning to Rural Residential. Mr Sintes considers zoning these properties Horticulture Zone is inappropriate and notes that neither the subject sites nor much of the surrounding land is capable of horticultural activities owing to its development. Mr Sintes is also concerned that allowing horticulture activities to establish has the potential to generate reverse sensitivity effects on neighbouring properties. Mr Sintes submits that 90 and 90A Wiroa Road better meet the Rural Residential rezoning criteria identified in the section 32 report as they are accessible from Kerikeri, already serviced by three phase power, and the property at 90A has an engineer approved spoil test for an on-site septic system. With respect to the quality of soils, Mr Sintes notes that the soils were considered as part of a recent subdivision application and were found to be rocky and incompatible with horticultural production. Mr Sintes is of the opinion that Rural Residential zoning is more compatible with existing land use and the residential spread occurring around Kerikeri, particularly as the immediately surrounding area feature residential dwellings of varying densities. Mr Sintes is an 'opt in' submitter and provided a hearing statement from a lay perspective, as well as an expert soil report and copies of a 2021 subdivision consent application and decision with his original submission.

Submitters opposed to the Horticulture Zone in principle

77. Adrian and Sue Knight (S325.001) and Roger Atkinson (S534.001) oppose the Horticulture Zone in principle and request it is deleted in its entirety. The Knights request that all Horticulture zoned land is rezoned to a mix of Rural Production, General Rural, Commercial or Rural Residential zones as appropriate.

Submitters that have not 'opted in' but are requesting rezoning of specific land parcel(s) from Horticulture Zone to an alternative zone

Northern Horticulture Precinct (Waipapa)

78. Breakwater Trust (S500.001) request that the following properties in Waipapa are rezoned from Horticulture Zone to Rural Residential Zone:
- a. 29 Koropewa Road (Lot 3 DP 202022)
 - b. 9, 13, 23, 25, 29A and 35 Koropewa Road (Lots 1 and 2 DP 177929, Lots 1 and 2 DP 168917, Lot 1 DP 202022, Lot 1 DP 380499)
 - c. 1, 3 and 5 Pungaere Road (Lots 1 and 2 DP 185721, Lot 1 DP 147489)
 - d. 2079 State Highway 10 (Lot 2 DP 359361)
79. Breakwater Trust anticipate that the Horticulture Zone has been applied to these properties on the basis of the LUC classification maps, which indicate the soils are highly versatile. The Breakwater Trust submission includes a soil report completed by AgFirst Northland Ltd that concludes that the soils at 29

Koropewa Road are likely LUC 4 soils and are not highly versatile. The surrounding area includes residential housing developments, commercial and industrial areas where, in the view of Breakwater Trust, the introduction of primary production activities could result in reverse sensitivity effects. Breakwater Trust considers that the size of existing sites is not sufficient to make production activities profitable (ranging from 2,000m² through to 1.3ha) and the site at 29 Koropewa Road in particular does not meet Policy HZ-P1. Breakwater Trust considers the Rural Residential zone to be the most appropriate as it reflects current land use and less than 300m away from the notified Rural Residential zone boundary.

80. Northland Planning and Development 2020 Limited (S502.101) request that the following 19 properties are rezoned from Horticulture Zone to Rural Residential Zone:
 - a. 1, 3, 5, 10, 12B, 22, 25 and 36 Pungaere Road, Waipapa;⁴ and
 - b. 9, 13, 16, 23, 25, 29A, 29B, 33, 38, 41, 43 Koropewa Road, Waipapa.⁵
81. A soil report was completed for 22 Pungaere Road as part of a recent subdivision and, in line with Breakwater Trust's submission (S500.001) above, the site does not contain highly versatile soils. Northland Planning and Development 2020 Limited considers that none of the Pungaere Road or Koropewa Road sites listed meet the criteria in HZ-P1 and note that allotment sizes would give rise to reverse sensitivity issues if productive activities were to be established. For these reasons, Northland Planning and Development 2020 Limited consider that none of these sites should be subject to the Horticulture Zone.
82. Alan Myles Ingham Willis (S66.001) and Imago Inocente and Dan Karl Farnham (S87.001) oppose the Horticulture Zone at the eastern end or 'lower' Pungaere Road, on Koropewa Road, Ngapuhi Road and Riverstream Drive to the west of State Highway 10 in Waipapa and request the area is rezoned Rural Residential Zone. Alan Myles Ingham Willis points out that land to the east of State Highway 10 is zoned Rural Residential and considers the inclusion of lower Pungaere Road in this zoning would be congruent and sustainable. The western end of Pungaere Road is zoned Rural Production and should remain so, thus enabling horticultural use. It is submitted that lower Pungaere Road and those roads stemming from it are not fit for horticultural use and Mr Willis notes a number of residents have obtained HAIL reports which state the soil is 'not of horticultural value'. Mr Willis comments that historical use of this area as a skid road for logging activities has removed much of the topsoil near road margins and many sections are

⁴ The properties at 1, 3, 5, 10, 12B, 22, 25 and 36 Pungaere Road in Waipapa are legally described as Lot 1 DP 185721, Lot 2 DP 185721, Lot 1 DP 147489, Lot 5 DP 141443, Lot 2 DP 198306, Lot 2 DP 597531, Lot 30 DP 28670, Lot 1 DP 141443 and Lot 2 DP 155547.

⁵ The properties on Koropewa Road are legally described as Lots 1 and 2 DP 177929, Lots 1 and 2 DP 406657, Lots 1 and 2 DP 168917, Lots 1 and 2 DP 202022, Lots 1 and 2 DP 581495, and Lot 1 Deposited Plan 380499.

already too small to facilitate viable horticultural operations without adverse reverse sensitivity effects. Ultimately, both submitters consider the area is well placed for residential development within proximity to Waipapa and Mr Willis makes specific note of the potential benefit for local businesses and reduction of carbon emissions from a reduction of travel into Kerikeri.

83. Kerry Michael Lupi and Susan Charlotte Lupi (S270.001) oppose the Horticulture zoning of the property at 156 Stanners Road, legally described as Lot 2 DP 539355, and request rezoning to Rural Residential Zone. The Lupis consider that Rural Residential zoning better aligns with approved rural lifestyle sized development and note that no horticultural activity exists at the site. The Lupis are seeking to future proof the future use of the site given that the basalt quarry onsite is scheduled to close on 30 April 2030. As such, the Lupis consider that Horticulture zoning is not appropriate for either the current or potential future use of the site and is therefore not consistent with the purpose and principles of the RMA.
84. New Zealand Eco Farms Ltd (S456.001) request the zoning of an approximately 118ha farm at 74 Sandys Road in Waipapa⁶ is amended to reflect mapped highly versatile soils. New Zealand Eco Farms Ltd does not believe the proposed zoning gives effect to the RPS nor the NPS-HPL and notes that only the southern parts of the site are identified as containing versatile soils by the NZLRIS database. Based on this, New Zealand Eco Farms Ltd considers the proposed zoning inconsistent with criteria in HZ-P1 and opposes the entire site being zoned Horticulture without consideration of underlying soil composition. In lieu of the primary relief sought being granted, New Zealand Eco Farms Ltd request that the Horticulture Zone be abandoned in favour of the Rural Production Zone.
85. Solid Landholdings Limited (S275.001) oppose 390 Kapiro Road in Kerikeri, legally described as Lot 3 DP 313168, being within the Horticulture Zone and request the property is rezoned as Rural Residential Zone. Solid Landholdings consider the Rural Residential Zone to be more appropriate as it better aligns with the existing land use and size of the site and surrounding properties, noting that there are no existing horticulture activities on the site, nor is the land suitable for horticultural use. Solid Landholdings Limited considers that Rural Residential zoning will be more consistent with higher order documents and better achieve the purpose of the RMA.

Southern Horticulture Precinct (Kerikeri)

86. John and Rose Whitehead (S535.001), Hall Nominees Ltd (S252.005), Roger Atkinson (S534.006), Northland Planning and Development 2020 Limited (S503.102), Levin Stones Holding Limited and Kerikeri Park Limited (S549.005) have all made submissions requesting that land towards State Highway 10 on the southeast edge of Kerikeri, surrounding Maraenui Drive and south of Access Road, is rezoned from Horticulture Zone to Rural Residential Zone. These submitters consider that the mapped extent of Rural

⁶ The farm is held in two separate titles referenced RT 989168 (Lot 9 DP 560482, Lots 2 and 3 DP 468688, Lot 4 DP 527025 and Section 52 Blk XII Kaeo SD) and NA93A/957 (Lot 2 DP 156008).

Residential zoning should be amended to follow a more defensible boundary between horticultural activities and establish a peri-urban pattern towards Kerikeri. Ultimately, these submitters feel that existing land use does not fit within the proposed Horticulture Zone and would be more consistent with the Rural Residential Zone.

87. Similarly, Trent Simpkin (S284.001, S284.005) and Tristan Simpkin (S288.001, S288.005) request that the Horticulture Zone between Kerikeri and State Highway 10 is more tailored to existing land uses. The Simpkins oppose the extent of Horticulture zoning around Kerikeri, being some 70-75 square kilometres, and suggest the soil versatility maps on which it is based are not entirely correct and have resulted in too much land being included. Blue Gum Lane is used as an example of where rural residential land use will become subject to the Horticulture Zone. The Simpkins consider the Horticulture Zone should not be applied to the outer parts of Kerikeri and imposed on sites unlikely to be used for horticultural activities again. The Simpkins request that, where land use is already residential, the Rural Residential Zone is applied to not unnecessarily restrict land use.
88. Natalie Todd (S38.001) requests that land along the north side of Wiroa Road and west side of Waimate North Road in Kerikeri is rezoned from Horticulture to Rural Production Zone. Natalie Todd notes that all of the properties within the area identified are already lifestyle blocks with existing development, therefore making horticultural use unlikely.
89. Frederick Laurence & Ellen June Voigt (FS99.1) have made a further submission on Natalie Todd's original submission (S38.001) requesting the same relief – that the specified land be rezoned from Horticulture to Rural Production. Mr Voigt appeared at the Rural Zones Hearing in December 2024 and requested this rezoning. In addition to the reasons identified by Natalie Todd, the Voigts submit that the soil at their property (59F Riddell Road) is rocky, and the topography is too steep to be suitable for horticultural use. For example, attempts of horticultural activities in the area have since been abandoned for beef grazing.
90. Matthew Edward Arthur and Jennifer Ellen Arthur (S64.001) oppose the Horticulture zoning of land at 244 Waimate North Road in Kerikeri, legally described as Lot 1 DP 202943, and request it is rezoned to Rural Residential Zone. Matthew Edward Arthur and Jennifer Ellen Arthur consider that Rural Residential zoning better aligns with existing development and landholding size. These submitters also note that no horticultural activity exists at the site and Horticulture zoning is therefore not consistent with the purpose and principles of the RMA.

Analysis

Scope of recommendations on the Horticulture Precinct

91. As per my right of reply for Hearing 9 – Rural topic, I have recommended that the Horticulture Zone be replaced with a Horticulture Precinct⁷. The Hearing Panel have provided interim guidance that they support the approach of using a Horticulture Precinct in place of the Horticulture Zone in principle, as set out in Minute 23⁸. However, this is subject to the following qualification from the last paragraph of Minute 23:

In issuing this interim guidance we want all parties to be aware that we have yet to determine the specific structure and provisions of a Horticulture Precinct and its integration with the Rural Production Zone or the rural zones generally. We also acknowledge that we are yet to hear evidence as to the extent of any horticulture zone/precinct mapping and other evidence relating to Highly Productive Land under the NPS-HPL. This guidance therefore is limited to our interim deliberations that there is merit in the Horticulture Zone being redrafted as a Horticulture Precinct.

92. As such, there are two key matters for me to consider with respect to submission points requesting an alternative zone to the Horticulture Zone as notified:
- a. Based on the criteria set out in PREC1-P1 (the first policy drafted in the Horticulture Precinct chapter), how much land should be included in the Horticulture Precinct?
 - b. For land that is not recommended to be included in the Horticulture Precinct, what is the most appropriate zone for that land?
93. As per paragraph 26(c) and paragraph 27(c) of my right of reply for Hearing 9, the legal advice I received confirmed that there is scope within submissions to redraft the Horticulture Zone as a Horticulture Precinct with the RPROZ as the underlying zone. On that basis, I have considered the spatial extent of the Horticulture Precinct as a whole, rather than just focusing on land parcels that have requested a change of zoning (although this report does provide a specific commentary on those submissions).
94. As I am recommending that the Horticulture Zone be retained in principle (but in the form of a Horticulture Precinct), I recommend accepting in part the submissions of Adrian and Sue Knight and Roger Atkinson who are requesting complete deletion of the Horticulture Zone. The spatial reduction

⁷ Refer to my right of reply for Hearing 9 here - www.fndc.govt.nz/data/assets/pdf_file/0026/38456/S42A-Report-Writers-Right-of-Reply-Rural-Zones.pdf and my supplementary right of reply relating to the drafting of the Horticulture Precinct chapter here –

www.fndc.govt.nz/data/assets/pdf_file/0023/38741/S42A-Report-Writers-Supplementary-Right-of-Reply.pdf My recommended drafting of the Horticulture Precinct chapter can be found here - www.fndc.govt.nz/data/assets/pdf_file/0022/38740/Appendix-1-Officers-Recommended-Amendments-Horticulture-Zone-redrafted-as-a-Horticulture-Precinct,-Right-of-Reply.pdf

⁸ www.fndc.govt.nz/data/assets/pdf_file/0013/40414/Minute-23-Interim-Guidance-of-the-Independent-Hearings-Panel-Horticulture-Zone.pdf

of the Horticulture Precinct compared to the Horticulture Zone as notified partially addresses these submissions to the extent that some land will no longer be subject to a spatial layer to protect horticulture activities.

Process for evaluating an appropriate spatial extent for the Horticulture Precinct

95. As a starting point, I refer to comments that I made in my Rural right of reply (dated 3 March 2025) in paragraph 31 with respect to the purpose of the Horticulture Precinct and the criteria that I will use to guide my recommendations on its spatial extent. This paragraph signals that:
- a. The Horticulture Precinct is not solely for the purpose of giving effect to the NPS-HPL and protecting specific LUC classes – its purpose is to manage pressure on the horticultural industry and to prevent further losses of good horticultural land to non-productive land use and subdivision activities. The Horticulture Zone was initially notified for this purpose prior to the NPS-HPL coming into effect and, in my view, the replacement Horticulture Precinct is a valid way of protecting the horticultural industry irrespective of the NPS-HPL as drafted as part of my right of Reply, or how it may change in the future based on communications from the Government (i.e. if LUC 3 land is removed).
 - b. Land may be included in the Horticulture Precinct that is not LUC 1, 2 or 3 land, depending on where it is located. If there is a pocket of poor soil but it is surrounded by good soils on most sides then it will likely be included in the Horticulture Precinct to ensure that potential conflicts between sensitive land uses and the horticultural industry can be managed appropriately.
96. My high-level approach for determining an appropriate spatial extent for the Horticulture Precinct is to start with an analysis of soil as the core component of the Precinct, followed by a consideration of the other factors that I have set out in PREC1-P1 as relevant criteria for land being included in the Horticulture Precinct. PREC1-P1 is drafted as follows (as set out in Appendix 1 to my supplementary Rural right of reply, dated 11 March 2025):

Identify a Horticulture precinct in the Kerikeri/Waipapa area using the following criteria. Either:

- a. the land has:*
 - i. soil and climate characteristics that make it suitable for horticultural use;*
 - ii. access to a water source, such as an irrigation scheme or dam able to support horticultural use; and*
 - iii. infrastructure available to support horticultural use; or*

- b. the land provides an effective buffer to manage reverse sensitivity effects on horticultural activities.*

Expert soil advice and GIS analysis to inform spatial extent of Horticulture Precinct

97. The Council has engaged Dr Reece Hill from Landsystems to undertake a more in-depth analysis of soil and land related data that is available for the land within the spatial extent of the Horticulture Zone as notified. This has included consideration of site-specific expert soil reports that have been provided by submitters, either as part of the evidence submitted for Hearing 9 – Rural or provided as part of the 'opt in' Minute 14 process. Dr Hill has also used a range of soil and land related data sets that are more up to date and accurate compared to the NZLRI LUC maps, the deficiencies of which were well canvassed as part of Hearing 9.
98. The intention was for expert soils conferencing to occur prior to this report being prepared. The Hearing Panel issued Minute 22⁹ on 16 April 2025 directing that submitters proposing to provide evidence on soils as part of their request to remove land from the Horticulture Precinct should indicate their willingness to put forward a soil expert by Wednesday 30 April 2025. No submitters nominated a soil expert to engage in expert conferencing. As such, Dr Hill has conducted his assessment independently, although any site specific soils assessments provided by submitters with their submissions or as part of Hearing 9 evidence were considered, as discussed above.
99. Dr Hill's report is attached as **Appendix 4** to this report. He has set out his methodology for identifying land that is suitable for horticulture activity based on soil and land related data in Section 5 of his report, which I will not repeat here. Following this methodology, Dr Hill has prepared a map that classifies all land within the spatial extent of the Horticulture Zone as notified into the following categories:
- a. Dark green – Include
 - b. Light green – Possibly Include
 - c. Light red – Possibly Exclude
 - d. Dark red – Exclude
100. Essentially, the light green and light red colours indicate land that, based on soils alone, requires more detailed consideration as to whether it should be included or excluded i.e. there is a particular factor that may reduce its potential to be used for horticultural activities, such as soil drainage or slope. The distinction between light red and light green is to add more nuance to the data (as opposed to a generic 'orange' colour to indicate more marginal land) so that the Hearing Panel and submitters can understand whether Dr Hill is more inclined to include or exclude an area of land where the soil data

⁹ www.fndc.govt.nz/_data/assets/pdf_file/0029/39836/Minute-22-Soil-expert-conferencing-on-the-Horticulture-Precinct-16April.pdf

indicates marginal land. Allocating land either a light red or light green notation does not indicate that light green cannot be excluded from, or light red cannot be included in, my final Precinct boundary recommendations.

101. Dr Hill's map addresses the majority of criterion (a) of PREC1-P1 with respect to suitable soil/climate. I have not undertaken a further analysis of other horticultural related infrastructure or access to water as it was determined at the time the PDP was notified that all land within the Horticulture Zone was sufficiently close to infrastructure such as coolstores and packhouses to justify inclusion and had access to the irrigation network.
102. I have used this map as the starting point for making recommendations on the spatial extent of the Horticulture Precinct. I have then taken the following steps in conjunction with Dr Hill and the GIS team to determine whether any additional land should be included in the Horticulture Precinct, with a particular focus on the land that was identified as possibly included or excluded:
 - a. Inclusion of land that may have poor soils or unfavourable slope but is surrounded by good soils (to avoid creating holes or gaps in the spatial extent of the precinct).
 - b. Amending spatial extent of the Horticulture Precinct to create defensible boundaries where possible – ideally a road or geographic feature (such as a river) in the first instance, otherwise a cadastral boundary as a secondary option. No sites should be partially within the Horticulture Precinct.
103. The final step was to consider how best to manage reverse sensitivity effects at the edge of the Horticulture Precinct. I consider that there are two options available:
 - a. **Option A:** Ensure that Horticulture Precinct includes a fringe area of land within the Precinct as a buffer to ensure sensitive activities do not establish in close proximity to horticultural activities; or
 - b. **Option B:** Only apply the Horticulture Precinct to land identified by Dr Hill (as adjusted for defensible boundaries, a spatially cohesive area and land fragmentation/land use change) but introduce a setback that applies to the Rural Production Zone to manage sensitive activities¹⁰, as measured from the boundary of the Horticulture Precinct.

¹⁰ Note that the PDP defines 'sensitive activity' as: 'means:

- a. [Residential activities](#);
- b. *Education facilities and preschools*;
- c. *Guest and [visitor accommodation](#)*;
- d. *Health care facilities which include accommodation for overnight care*;
- e. *Hospital*;

104. My recommendations focus on a mixture of both these options. The locations where I think Option A is the most appropriate (i.e. including areas within the Horticulture Precinct that may already be fragmented and contain a range of non-productive activities) are along the boundaries between the urban and Rural Residential areas of Kerikeri and Waipapa. These are the interfaces under the most pressure from urban expansion and/or demand for Rural Residential scale development.
105. I acknowledge the common theme from a range of submitters that much land around Kerikeri and Waipapa is already fragmented, is predominantly used for residential activities and/or commercial activities and is unlikely (either due to lot size and/or current land use) to ever be used for horticultural activities. These arguments have been put forward predominantly from submitters located in either the area bound by Access Way, Kerikeri Road and State Highway 10 near Kerikeri, or in the area around Koropewa Road, Pungaere Road and Riverstream Drive near Waipapa. I agree that, despite this land being identified as largely containing good soils by Dr Hill, the existing land uses and fragmentation of parcels in and around existing horticulture activities is a limitation on what productive activities that land can, or is likely to, be used for in the future.
106. However, in my view, excluding these areas from the Horticulture Precinct increases the likelihood that further fragmentation and/or establishment of sensitive activities will occur and continue to spread out towards the land currently in horticultural production, i.e. a continuation of the status quo. This is also an outcome that is inconsistent with the strategic direction in the KKWSP to achieve a compact urban form. The key reasons for retaining these areas within the Horticulture Precinct are to manage reverse sensitivity effects (including for the pockets of horticulture activities that are still operating in these fragmented areas) and to send a clear signal that further sprawl of rural residential and/or commercial development on the edges of Kerikeri and Waipapa is not an outcome supported by the PDP.
107. The other alternative I considered was removing the Horticulture Precinct from these interface locations but applying a Rural Production Zone to ensure that the land does not become further fragmented (as the minimum discretionary lot size in the Horticulture Precinct and the Rural Production Zone is the same, being 8ha, if the Panel accept my recommendations for Hearing 9). The benefit to landowners of a Rural Production Zone as opposed to the Horticulture Precinct is more flexibility from a land use perspective, as there would be permitted pathways for activities such as minor residential units and visitor accommodation. However, this will increase the potential for reverse sensitivity effects, particularly on the remaining horticultural operations in these interface areas, which is why I have recommended retention of the Horticulture Precinct at this stage.

f. [Marae](#); or

g. Place of assembly.

108. For the balance of the Horticulture Precinct, particularly in locations where I recommend removing land from the Precinct, I consider it more efficient to use Option B, being a setback from the boundary of the Horticulture Precinct rather than include more land parcels as it allows for the remainder of the site outside of that setback to be used for sensitive activities (depending on what is provided for in the underlying zone). I have considered what an appropriate setback distance would be for sensitive activities based on the information provided to me in Hearing 9. Evidence provided by Horticulture New Zealand included a review of setbacks in other district plans that are applied to visitor accommodation, which ranged from 15m-30m¹¹. I consider that this is an appropriate starting point as visitor accommodation is a good proxy for a range of sensitive activities and is one of the activities that I would recommend managing the location of relative to the boundary of the Horticulture Precinct.
109. To be consistent with my recommendations for the Rural topic, I recommend an additional setback of 20m for sensitive activities be applied to properties zoned Rural Production that adjoin the Horticulture Precinct. In most cases where the spatial extent of the Horticulture Zone as notified has been reduced, the effect of the setback will be less stringent than the land being included in the Horticulture Zone or Precinct itself. In cases where the boundary of the Horticulture Precinct is staying in the same place as the Horticulture Zone as notified, the setback will be an additional layer of control, but well within scope of submissions requesting better management of reverse sensitivity effects across the PDP between primary production activities and sensitive activities.
110. I consider that this combined approach of spatially reducing the Horticulture Precinct boundaries (compared to the Horticulture Zone as notified) in some locations but introducing a setback to manage reverse sensitivity effects at the boundary with the Rural Production Zone is both an efficient and effective way of protecting the horticultural industry around Kerikeri and Waipapa.

Evaluation of land notified as Horticulture Zone but not recommended for inclusion in the Horticulture Precinct

111. Based on the analysis in the section above and my recommended spatial extent of the Horticulture Precinct, approximately 23% requires a new underlying zone where the provisions would stand alone without the Horticulture Precinct spatial layer. There are three categories of land that need to be considered:
- a. **Where there are no specific rezoning submissions** – my recommendation is to rezone this land Rural Production as there is no scope to 'upzone' this land to a zone that is more enabling of development than the Rural Production zone.

¹¹ Paragraph 38, Evidence of Vance Hodgson for Horticulture NZ, dated 18 November 2024

- b. **Where the submitter(s) request Rural Production zoning** – my recommendation is to rezone this land Rural Production, as per the submitters' request.
- c. **Where the submitter(s) request an alternative zone to Rural Production, i.e. Rural Lifestyle, Rural Residential or an urban zone** – I have considered these alternative zone requests in the following section.

112. The map in **Appendix 6** shows the spatial extent of the Horticulture Precinct that I recommend, based on the steps outlined above and my analysis of specific sites below. The spatial breakdown of land is as follows:

Type	Area (ha)	Percentage
Notified Horticulture Zone (PDP)	6882.1170	100%
Land within the new Horticulture Precinct	5326.4445	77.4%
Land to be zoned Rural Production with no Horticulture Precinct	1555.6725	22.6%

4.3.1 Submitters in support of land being zoned Horticulture Zone

Submitter name and submission point	Notified Zoning	PDP	Officer Recommendation(s)
Two M Investments Limited (S317.001)	Horticulture Zone		Zone Rural Production with a Horticulture Precinct overlay
Antony and Stefanie Egerton (S506.001)	Horticulture Zone		Zone Rural Production with a Horticulture Precinct overlay

113. Based on the mapping conducted by Dr Hill, the property identified as Lot 2 DP 192231 (near the corner of State Highway 10 and Wiroa Road) contains versatile soils and should remain in the Horticulture Precinct. As such, I recommend that the submission from Two M Investments Ltd is accepted in part (insofar as the land will not retain the Horticulture Zone but it will remain in the Horticulture Precinct, which is effectively the same relief as requested).
114. Similarly, I recommend accepting the submission from Antony and Stefanie Egerton in part as the Horticulture Zone will remain in the PDP, but in a different form i.e. as a Horticulture Precinct.
115. With respect to the range of submissions from Kapiro Residents Association, Kapiro Conservation Trust and others, I have addressed these in full in Section 4.4.4 below in response to the submission from Neil Construction Limited.

4.3.2 Northland Regional Council – S359.016, S359.017

Submitter name and submission point	Notified Zoning	PDP	Officer Recommendation(s)
Northland Regional Council (S359.016)	Rural Production Zone		No change
Northland Regional Council (S359.017)	Rural Production Zone		No change

116. NRC confirmed via email on 15 May 2025 that they do not wish to pursue submission points requesting the addition of more land into the Horticulture Zone i.e. around Awanui and Kaikohe. I note that the Horticulture Zone has now been redrafted as a Horticulture Precinct (as per my Hearing 9 recommendation) and remains specifically focused on the Kerikeri/Waipapa horticultural industry. I do not consider that the Horticulture Precinct (in its current form drafted to protect a specific geographic location) is suitable to be rolled out to other parts of the Far North district.
117. The extent of NRC's requested involvement in the Hearing 15 streams relates to their submission point S359.013, which has been deferred to Hearing 15D but applies more broadly to submissions that request intensification of land subject to flooding or coastal inundation (as discussed in Section 3.2.3 of this report above).
118. NRC have not prepared evidence on specific rezoning requests in advance of this report being prepared, however they may prepare evidence in relation to other rezoning requests where flooding or coastal inundation is present on the land. As such, I recommend that the two NRC submission points requesting additional land being added to the Horticulture Zone are rejected.

4.3.3 The McCaughan Road submitters – S266.001 and others

Submitter name and submission point	Notified Zoning	PDP	Officer Recommendation(s)
Michael Francis Toft, Robert George Vellenoweth, Campbell Family Trustee Limited and others (S266.001)	Horticulture Zone		Zone Rural Production with a Horticulture Precinct overlay

119. The McCaughan Road submitters have not filed evidence in support of their submissions, despite opting into the Minute 14 evidence exchange process. As such, my recommendation is made on the content of their original

submission. The McCaughan Road properties that are the subject of these submissions are shown in Figure 1 below:



Figure 1: Properties on McCaughan Road requesting rezoning to Rural Residential (red)

120. The soils analysis undertaken by Dr Hill identifies that the soils between McCaughan Road and Waipapa Stream to the south are generally poor quality (which aligns with the submitters' information that the LUC status of the subject parcels is a combination of LUC 3s2 and 4e2 land), however the land further to the north along McCaughan Road contains good quality soils that warrant inclusion in the Horticulture Precinct. As acknowledged in the submission, many of the land parcels between McCaughan Road and Kapiro Road to the north are currently being used for horticulture, which confirms that there are a combination of factors that make this area suitable for commercial growing.
121. I acknowledge that the McCaughan Road land parcels that are the subject of this submission are too small to be used for horticulture (approximately 1-1.8ha in area) and are currently being used as rural lifestyle properties. I agree with the submission that this area has been subdivided to an extent where reversion to horticultural use is extremely unlikely. However, this area forms a buffer between the horticultural activities to the north and the Waipapa Stream to the south. The Waipapa Stream, in my view, serves as a clear, defendable boundary between the Rural Residential zone to the south of the stream and the Horticulture Precinct to the north of the stream.
122. I do not support rezoning the McCaughan Road properties to Rural Residential zone for the following reasons:
 - a. The submitters have not specifically considered the Minute 14 criteria, however, with respect to alignment with zone outcomes I disagree with assertion in the original submission that including the land in the Horticulture Precinct would not achieve the intent of the zone. Not all land parcels need to be used for horticulture activities to align with the zone intent – the inclusion of small lots between or

adjacent to more productive parts of the precinct manages reverse sensitivity effects and fragmentation on the edges to reduce growth pressure on productive horticultural land. There is no consideration of other relevant criteria such as transport infrastructure and consultation/further submissions.

- b. The rezoning would shift the boundary between the Rural Residential Zone and the Horticulture Precinct away from a clear geographic boundary (the Waipapa Stream) to a cadastral boundary (inconsistent with Criterion A).
 - c. The rezoning would allow for intensification of the McCaughan Road properties, as the 1-1.8ha lots could be subdivided into between 2-4 lots as a controlled activity (based on a minimum controlled lot size of 4,000m²). This would increase reverse sensitivity pressure on horticultural blocks to the north and east (inconsistent with Criterion C with respect to reverse sensitivity).
 - d. As per the economic assessment, there is no clear need for additional Rural Residential capacity in this location. Further, to provide such additional capacity close to Kerikeri and Waipapa would undermine the growth objectives of the Spatial Plan (inconsistent with Criterion D).
123. As such, I recommend accepting in part the submission from the McCaughan Road submitters, insofar as the subject land should be rezoned from Horticulture Zone to Rural Production Zone but remain within the Horticulture Precinct.

4.3.4 Audrey Campbell-Frear – S209.005

Submitter name and submission point	Notified Zoning	PDP	Officer Recommendation(s)
Audrey Campbell-Frear (S209.005)	Horticulture Zone		Zone Rural Production with a Horticulture Precinct overlay

124. Ms Campbell-Frear has opted into the Minute 14 reverse evidence exchange timetable but declined to engage in either pre-hearing meetings or expert conferencing on the matter of soils. Instead, Ms Campbell-Frear has provided both planning and economic evidence in support of her request for Rural Residential zoning for an area of land described in the evidence of Ms Melissa McGrath as 'Location 1: South of Dove Lane, adjacent to the notified Rural Residential Zone'¹². Location 1 is shown in Figure 2 below:

¹² Refer to Figure 1 of Ms McGrath's evidence prepared on behalf of Audrey Campbell-Frear, dated 26 June 2025

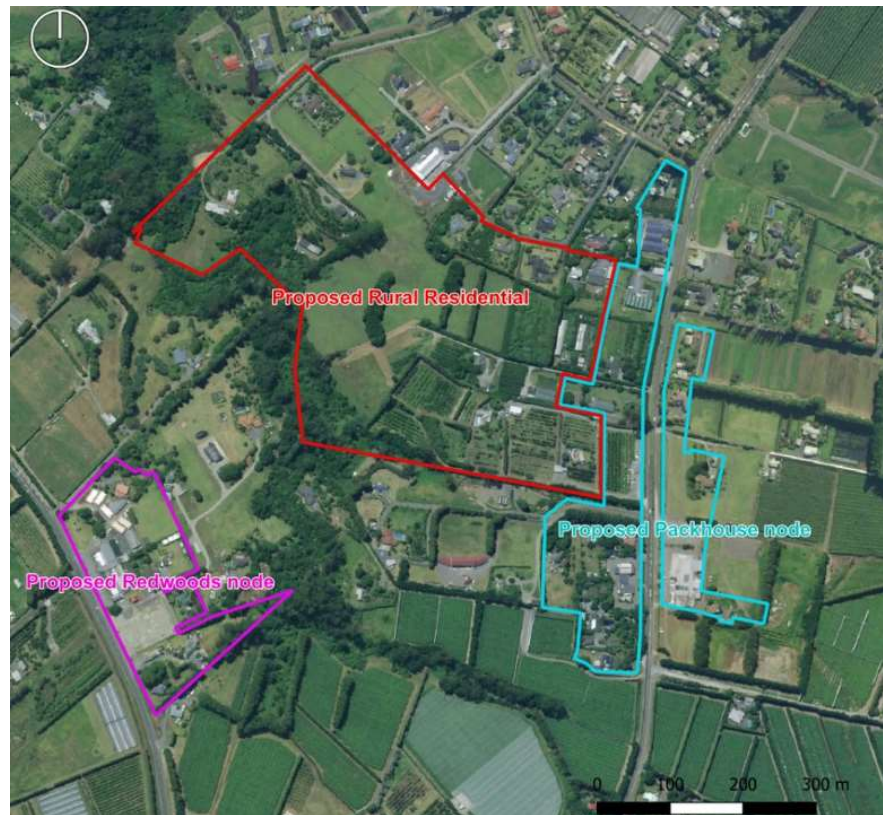


Figure 2: Location 1 – Proposed Rural Residential Zone (red)

125. I note that Ms Campbell-Frear’s evidence has been submitted under Hearing 15D, given its location within the Kerikeri-Waipapa Spatial Plan area and the fact that the other two rezoning requests are for commercial type zones. As such, my response to the evidence submitted by Ms McGrath and Mr Derek Foy (economics) only relates to the parts of the evidence relevant to Location 1 and the generic evidence in relation to the spatial extent of the Horticulture Precinct and associated provisions.

Planning evidence received on spatial extent of the Horticulture Precinct – Ms McGrath

126. Evidence has been provided by Ms McGrath the spatial extent of the Horticulture Precinct. Ms McGrath did not have the benefit of seeing my spatial recommendation for the Horticulture Precinct prior to submitting evidence, but she has also provided her opinion on what criteria should be used to spatially identify the Horticulture Precinct should the Hearing Panel choose to adopt my recommendation, which are that the Horticulture Precinct:
- a. Should only include land that meets the definition of highly productive land in the NPS-HPL as the definition stands at the time of Council’s decision on the PDP (anticipated that a revised definition will only protect LUC 1 and 2 land);

- b. Should not include LUC 4 land; and
 - c. Should not include any lots smaller than 2ha.
127. Ms McGrath notes that many of her arguments against the Horticulture Zone (and subsequently the replacement Horticulture Precinct) were included in her evidence on Hearing 9 and have not been repeated here. I have responded to Ms McGrath's evidence on Hearing 9 in my Right of Reply and do not repeat my responses here, except to make the following points in relation to Ms McGrath's suggested criteria for determining the spatial extent of the Horticulture Precinct if it were to be accepted:
- a. The Horticulture Zone was notified as a tool to protect the horticultural industry around Kerikeri and Waipapa before the NPS-HPL came into effect – it was not designed as a tool to give effect to the NPS-HPL and, in my view, has merit as a tool to protect a significant industry to the Far North (and the associated investment in that industry) irrespective of how the NPS-HPL may change over time. My drafting of the Horticulture Precinct provisions has deliberately avoided using NPS-HPL language or relying on NPS-HPL definitions to future proof the Precinct, particularly from the signalled change to remove LUC 3 from the definition of highly productive land in the NPS-HPL. Only protecting LUC 1 and 2 soils is not appropriate in the Far North context where there is only 90ha of LUC 1 land left in the Rural Production Zone and none in the Horticulture Zone as notified. Only 10% of the Horticulture Zone as notified contained LUC 2 soils, and many existing horticulture operations utilise a mix of LUC 3 and 4 soils. Limiting the Horticulture Precinct to only protecting LUC 2 soils would result in hardly any land (or existing horticultural activities) being protected and would negate the point of the Precinct.
 - b. Dr Hill acknowledges that there are some types of LUC 4 soils that are not good for horticulture, particularly those classes impacted by drainage issues or steep slopes. LUC 4 soils were identified in Dr Hill's mapping as either light red or green (signalling they could possibly be included or excluded depending on other factors, as discussed in Section 4.3 above). However, depending on where the LUC 4 soils are located within the Horticulture Precinct, some remain included due to being surrounded by better soils or forming part of a cohesive land block to achieve a defensible geographic boundary. I prefer the more nuanced and evidence-based approach that I have worked through with Dr Hill to a blunt approach of excluding all LUC 4 land.
 - c. I agree with Ms McGrath that there are areas of fragmentation throughout the Horticulture Precinct. This is a legacy of the permissive subdivision pathways available in the ODP for the Rural Production Zone and is one of the key reasons why a Horticulture Zone was proposed in the PDP – to prevent the ongoing proliferation

of fragmented land and sensitive activities establishing near horticultural activities. Excluding all land parcels under 2ha would result in a fragmented precinct layer containing multiple gaps. This would likely have the opposite effect of what the Horticulture Precinct is trying to achieve by highlighting pockets of land where the less onerous provisions apply and making them a target for additional development adjacent to the very horticultural activities the Precinct proposes to protect.

128. As such, I do not agree with the criteria proposed by Ms McGrath for setting out the spatial extent of the Horticulture Precinct and prefer the methodology proposed by Dr Hill and myself, as set out in paragraphs 97-103 above.

Planning evidence received on the Horticulture Precinct provisions – Ms McGrath

129. Ms McGrath has prepared some brief points on my recommended provisions for the Horticulture Precinct. To summarise, Ms McGrath considers that:

- a. PREC1-O1 and PREC1-O2 (previously HZ-O1 and HZ-O2) are not appropriate as they relate to a precinct that is not needed to protect the horticultural industry or land under the NPS-HPL and inappropriately contains a mix of land uses other than horticulture. Ms McGrath also considers that PREC1-O2 reads more as a policy than an objective and should be deleted.
- b. The Horticulture Precinct provisions do not provide for or enable existing activities and, with the proposed deletion of the reference to commercial activities, it is unclear what activity status commercial activities are intended to have.

130. In response to these points I make the following comments:

- a. In my view, Ms McGrath's comments on the objectives appear to be criticisms of the Horticulture Precinct in principle as opposed to specific issues with the wording of either PREC1-O1 or PREC1-O2. I acknowledge the comment that PREC1-O2 could be read as a policy as some parts are relatively directive, but equally it could also be read as a list of outcomes expected within the Horticulture Precinct, which in my view is appropriate as an objective. I consider it important that the objectives of the Horticulture Precinct are clear and directive to assist users of the plan understand both the 'protection' and 'restrictions on non-productive activities' functions of the Precinct.
- b. I note that PREC1-O2(g) and PREC1-P2(e) recognise that the maintenance, operation or upgrade of existing activities is anticipated where the loss of highly productive land is minimised, which in my view provides sufficient direction for how existing activities should be treated in the Horticulture Precinct, provided other issues such as avoiding reverse sensitivity effects can be addressed. If existing activities have been established via a resource

consent process or rely on existing use rights, those activities are entitled to rely on those resource consents or existing use rights, provided they operate within the scope of those consents or continue to operate as they did prior to the PDP being notified.

- c. With respect to the activity status of commercial activities, potentially the confusion as to the activity status comes from needing to read the Horticulture Precinct and underlying Rural Production Zone provisions together, as set out in the introduction to the Horticulture Precinct chapter - *The underlying Rural Production zone rules and standards shall apply when the Horticulture precinct chapter does not state a precinct rule or standard for the same activity*. By deleting rules such as HZ-R4 Home Business, HZ-RY Extension of existing commercial activity, HZ-RZ Extension of existing industrial activity and HZ-R19 Commercial activity not otherwise listed as permitted or discretionary, my intention was for the equivalent Rural Production rules to apply e.g. RPROZ-R5, RPROZ-R27, RPROZ-R28 and RPROZ-R33. As such, commercial activities (whether extensions to existing activities or new activities) are proposed to be managed in the Horticulture Precinct in the same way as anywhere else in the Rural Production Zone.

131. I do not recommend any further amendments to the Horticulture Precinct provisions based on Ms McGrath's feedback.

Economic evidence – Mr Derek Foy

132. Mr Foy has provided evidence on two aspects of the Location 1 rezoning request:
 - a. The relevant tests under clause 3.6 for urban rezoning under the NPS-HPL tests
 - b. The need for additional residential capacity adjacent to Kerikeri
133. Mr Foy's evidence is relevant for submission points being heard under both Hearings 15C and 15D and was submitted following the Hearing 15D evidence exchange timetable. Mr McIlrath's response to Mr Foy's evidence will be appended to the Hearing 15D section 42A report, which will be published one week later than this report.
134. As such, I do not comment specifically on the economic evidence here, except to signal that Mr McIlrath does not agree with many of Mr Foy's assertions regarding there being insufficient development capacity in Kerikeri, assumptions about anticipated future growth and the degree to which the rezoning of Location 1 meets the relevant NPS-HPL tests. Any rebuttal evidence from Mr Foy can be submitted in accordance with the Hearing 15D timetable.

Planning evidence on Location 1 – Ms Melissa McGrath

135. Much of the context of Ms McGrath's evidence revisits matters that were raised at Hearing 9 (e.g. whether a Horticulture Zone or Precinct should be included in the PDP at all), which I have responded to in my Right of Reply for that topic. As such, I have focused my comments in this section of the report on matters specific to the rezoning of Location 1, as opposed to the Horticulture Precinct as a whole. The analysis and recommendations for Locations 2 and 3 (requesting commercial zones) will be considered as part of the section 42A report for Hearing 15D.
136. I do agree with Ms McGrath's interpretation of the NPS-HPL as it applies to the Rural Residential Zone. As this is a special purpose zone I agree that it cannot be construed as being the same as a Rural Lifestyle Zone and that special purpose zones are included in the list of 'urban zones' under the NPS-HPL. As such, the correct tests to apply for rezoning highly productive land under the NPS-HPL to Rural Residential are the tests of clause 3.6 as opposed to 3.7. The evidence of Mr Foy and the response from Mr McIlrath with respect to whether they consider that the tests of clause 3.6 have been passed will be discussed in the Hearing 15D section 42A report, however I can signal that Mr McIlrath disagrees with Mr Foy's assertion that the clause 3.6 tests have been met.
137. I have responded to Ms McGrath's consideration of the Minute 14 matters in **Appendix 1** of this report. I have also considered the information provided against the Rural Rezoning Evaluation Framework. Based on this evaluation I do not support rezoning Location 1 to Rural Residential zone for the following reasons:
 - a. Location 1 is not intended to transition to an urban or settlement over time. As discussed in response to the economic evidence above, the intention of the Kerikeri Waipapa Spatial Plan is to prevent the spread of urban and rural residential style development further south down Kerikeri Road. Rezoning additional Rural Residential land in Location 1 would signal that the intention is for the urban area of Kerikeri to expand further over time, which is inconsistent with the growth objectives of the Kerikeri Waipapa Spatial Plan (inconsistent with Criteria A and D). I do acknowledge that, with respect to Criterion A, the choice of the stream as the southwestern boundary of Location 1 is a clear and defensible boundary, however the other boundaries are based on cadastral boundaries, which is no different to how the current boundary is determined.
 - b. I acknowledge that, with respect to Criterion B, some of the existing land uses and the subdivision pattern within Location 1 are consistent with the purpose of the Rural Residential Zone but that this is not sufficient justification for releasing more land for rural residential development, particularly when compared to utilising urban and rural residential land around Kerikeri and Waipapa more efficiently for this purpose.

- c. The rezoning would allow for intensification of the properties within Location 1. The properties in this block range from 4,000m² to 2ha in size. While some of the smaller blocks would not be able to be subdivided further as a controlled activity, any lots over 8,000m² would be able to be subdivided into between 2-5 lots as a controlled activity (based on a minimum controlled lot size of 4,000m²). This would increase reverse sensitivity pressure on the remaining horticultural blocks further to the south near the intersection of Kerikeri Road and State Highway 10 (inconsistent with Criterion C with respect to reverse sensitivity).
 - d. Given the location of the requested upzoning adjacent to Kerikeri Road and State Highway 10, I would have expected evidence considering the impacts on the transport network of the upzoning. The transport memorandum from Mr Collins in **Appendix 3** makes some high-level comments on traffic impacts in this location given there was no specific evidence to review. Mr Collins notes that there will be direct impacts on Kerikeri Road and that further consideration of the cumulative impact of additional trips on the network, including whether they would accelerate the need for transport improvements around Kerikeri, is required.
- 138. As discussed in paragraph 107 above, I also considered whether the Rural Production Zone for this location would be a suitable alternative to the Horticulture Precinct, which was an option also considered by Ms McGrath in her section 32AA evaluation. However, I remain of the opinion that excluding Location 1 from the Horticulture Precinct increases the likelihood that further fragmentation and/or establishment of sensitive activities will occur and continue to spread out towards the land currently in horticultural production, as is clearly the intention of some landowners in this location.
- 139. Further, I find that Ms McGrath's section 32AA evaluation is not sufficiently robust when it comes to identifying potential benefits and costs of each of the options she considers. In particular:
 - a. The only costs identified with her preferred option of Rural Residential Zone are associated with the loss of 5.3ha of highly productive land. Ms McGrath has not acknowledged:
 - i. any of the potential costs associated with increased reverse sensitivity and peri-urban edge sprawl
 - ii. that there are horticultural operations in close proximity to Location 1 that will be placed under increased pressure to convert to more rural residential style living should the rezoning be approved
 - iii. the costs associated with promulgating a growth model that prefers sprawl over efficient use of urban land and existing Rural Residential zoned land.

- b. I disagree that the Rural Production and Horticulture Precinct options do not recognise existing residential and commercial activities, for the reasons set out in paragraph 137 above. As such I do not consider these to be 'costs'.
 - c. I disagree that reverse sensitivity effects will occur if Location 1 is zoned Rural Production – with or without the Horticulture Precinct. Reverse sensitivity occurs when there is an existing land use that generates some sort of offsite effect (noise, odour, dust etc) that is appropriate in the context of the zone it is located in but may be offensive or objectionable to a 'sensitive' use e.g. residential activity. Location 1 being zoned Rural Production or Horticulture Precinct would only reduce the chance of more reverse sensitivity effects occurring as it would be more difficult to subdivide further and set up sensitive land uses compared to the Rural Residential Zone.
 - d. It is not clear what Ms McGrath means by labelling options as 'honest' or 'dishonest' zoning but, in my experience, these are not RMA based costs or benefits that should be taken into account in a section 32 or 32AA analysis.
140. Overall, I find that there are more benefits associated with including Location 1 within the Horticulture Precinct than there are associated with rezoning it Rural Residential Zone. If the Hearing Panel were minded to consider a third alternative option, being Rural Production Zone, I consider that Rural Production Zone would also be more suitable as an urban edge zone to Kerikeri when compared to the Rural Residential Zone, but less effective at preventing an increase in reverse sensitivity effects compared to the Horticulture Precinct option, for the reasons set out above.

4.3.5 Robert Sintes – S61.001

Submitter name and submission point	Notified Zoning	PDP	Officer Recommendation(s)
Robert Sintes (S61.001)	Horticulture Zone		Zone Rural Production

141. Mr Sintes has filed evidence in support of his original submission and I have considered both together. I also had the opportunity for a pre-hearing discussion with Mr Sintes on 13 May 2025 to discuss his preference to rezone 90 and 90A Wiroa Road from Horticulture Zone to Rural Residential Zone.

Figure 3 below shows the two properties that are the subject of this submission:



Figure 3: 90 and 90A Wiroa Road (red)

142. In terms of the areas where I agree with Mr Sintes:
 - a. Dr Hill's analysis of soils confirms Mr Sintes' position (and that of Mr Bob Cathcart's site specific assessment from 2021) that the soils are poor and have limited value for primary production.
 - b. 90 and 90A Wiroa Road were created via a non-complying subdivision consent granted in 2021 (creating two lots sized just over 2ha) and there is other evidence of land fragmentation along Wiroa Road between Bay of Islands Airport and Kerikeri township.
143. With respect to determining the appropriate zoning for Mr Sintes' land, I have first considered whether the land remaining in the Horticulture Precinct is appropriate, given the clear limitations on the quality of soils identified by Dr Hill. 90 and 90A Wiroa Road are in a location identified by Dr Hill and myself as being appropriate to remove from the Horticulture Precinct (refer to Figure 4 in Dr Hill's report in **Appendix 4**) – although there are some pockets of good soils, in this location, the majority of the land is not suitable for horticulture. I have identified a small stream that runs close to the eastern boundary of 90A Wiroa Road as a clear boundary for the Horticulture Precinct, meaning that Mr Sintes' land would fall outside the Precinct, as he has requested.

144. The second part of Mr Sintes' request is whether Rural Residential zoning is appropriate in this location. I have responded to Mr Sintes's evidence as it addresses the Minute 14 matters in **Appendix 1** of this report. I do not support 90 and 90A Wiroa Road being rezoned Rural Residential for the following reasons:
- a. The Minute 14 matters have not been specifically addressed, however Mr Sintes has commented on a wide range of matters that indirectly address some of the Minute 14 matters, both in his evidence and in his original submission. Key areas where I disagree with Mr Sintes relate to alignment with zone outcomes (given that the land is not adjacent to an existing urban area it is not suitable for rural residential zoning), giving effect to higher order documents (disagree that spot zoning sites rural residential gives effect to the RPS), compatibility with surrounding land uses and reverse sensitivity effects (see paragraph 145 below) and consultation with surrounding landowners. Although Mr Sintes indicates that his neighbours are in support of the rezoning proposal, no specific evidence of this has been provided. I am aware that the owner of the adjacent property at 90B Wiroa Road has made a submission on the draft KKWSP supporting the Horticulture Zone as notified and opposing further subdivision/intensification of land use in this area¹³.
 - b. The rezoning would allow for intensification of 90 and 90A Wiroa Road, as the 2ha lots could be subdivided into five lots each as a controlled activity (based on a minimum controlled lot size of 4,000m²). Although there is some fragmentation of land in the surrounding area, lots this small are not in keeping with the intensity or character of development in the surrounding area. The purpose of the Rural Residential zone is to signal land that is anticipated to be converted to urban use in the future. There is no strategic growth plan that envisages urban development expanding from Kerikeri down Wiroa Road. 90 and 90A Wiroa Road are also not contiguous with any other land zoned Rural Residential, urban zone or Settlement Zone, which is a requirement for Rural Residential zoning (inconsistent with Criteria A and B).
 - c. As per the economic assessment, there is no clear need for additional Rural Residential capacity in this location. Further, to provide such additional capacity close to Kerikeri and Waipapa would undermine the growth objectives of the Spatial Plan (inconsistent with Criterion D).
145. I acknowledge that Mr Sintes and I have differing opinions about what constitutes reverse sensitivity, as it is Mr Sintes' opinion that reverse sensitivity 'goes both ways' and that allowing horticulture or other types of rural production in and around 90 and 90A Wiroa Road would cause reverse sensitivity effects on the existing houses. I consider that reverse sensitivity

¹³ Submission on the KKWSP from Margaret Joy May, owner of 90B Wiroa Road

only occurs when there is an existing land use that generates some sort of offsite effect (noise, odour, dust etc) that is appropriate in the context of the zone it is located in but may be offensive or objectionable to a 'sensitive' use e.g. residential activity. Where these sensitive activities have been allowed to establish in rural areas (in this case fragmentation along Wiroa Road has allowed residential dwellings to be constructed in the Rural Production Zone in the ODP), they have the potential to cause reverse sensitivity effects if there are complaints about surrounding productive activities.

146. It is precisely this scenario, where there is an incompatible mix of residential activity and productive activity, that the rural provisions of the PDP have been drafted to prevent occurring in the future. My recommendations on zoning or minimum lot sizes cannot undo the fragmentation that has already occurred through the more permissive subdivision provisions in the ODP (which Mr Sintes utilised to obtain his 2021 subdivision consent), but they can send a clear signal that pockets of rural lifestyle/rural residential sized lots occurring within otherwise productive rural environments are not an outcome desired under the PDP. In my experience, attempting to manage reverse sensitivity effects as suggested by Mr Sintes (through 'no-complaints' covenants or similar on new land titles) is problematic as they are difficult to enforce and any resulting complaints are still required to be responded to by the relevant local authority, regardless of whether a covenant is in place or not.
147. I also discussed the concept of 'precedent' with Mr Sintes' at our pre-hearing meeting. I explained that precedent as a concept is relevant when considering a resource consent application, where a decision maker must consider if approving one application might set a pattern or signal acceptability for similar future proposals, potentially undermining the integrity of a planning document such as a district plan. The concept of precedent is not relevant to plans and plan changes in the same way as it is for resource consents as plan-making is a strategic, forward-looking process. It is about determining what the planning framework *should be* for the future, not about interpreting or applying existing rules. I am considering each rezoning request on its own merits, based on evidence, policy direction, and statutory requirements—not on whether it might set a precedent for future plan changes or resource consent applications.
148. Finally, while Mr Sintes' background to the Wiroa Road and Airport area was very helpful and informative in terms of understanding the local context (reinforced by my site visit), I informed Mr Sintes at the pre-hearing meeting that his request for a 'mixed use' type zone between State Highway 10 and the Bay of Islands Airport is not able to be considered as it is not within scope of his original submission.
149. As such, I recommend accepting Mr Sintes' submission in part, insofar as 90 and 90A Wiroa Road should be rezoned from Horticulture Zone to Rural Production Zone, but I do not agree that the land should be zoned Rural Residential Zone.

4.3.6 Non 'opt in' submitters in the Northern Horticulture Precinct (Waipapa)

Waipapa western edge submitters

Submitter name and submission point	Notified Zoning	PDP	Officer Recommendation(s)
Breakwater Trust (S500.001)	Horticulture Zone		Zone Rural Production with a Horticulture Precinct overlay
Northland Planning and Development 2020 Limited (S502.101)	Horticulture Zone		Zone Rural Production with a Horticulture Precinct overlay
Alan Myles Ingham Willis (S66.001)	Horticulture Zone		Zone Rural Production with a Horticulture Precinct overlay
Imago Inocente and Dan Karl Farnham (S87.001)	Horticulture Zone		Zone Rural Production with a Horticulture Precinct overlay

150. The majority of submitters interested in the northern part of the Horticulture Precinct around Waipapa are focused on an area of partially fragmented land on the western edge of Waipapa around Koropewa Road, Pungare Road, Ngapuhi Road and Riverstream Drive. This area attracted four submissions from Breakwater Trust, Northland Planning and Development 2020 Limited, Alan Willis and Imago Inocente and Dan Farnham. I have addressed these submitters together as they make very similar arguments for why a Rural Residential zone is more appropriate for their area. No clear maps showing the spatial extent of the rezoning requests were provided with any of these submissions, so a generic map indicating the area based on descriptions is shown in Figure 4 below:

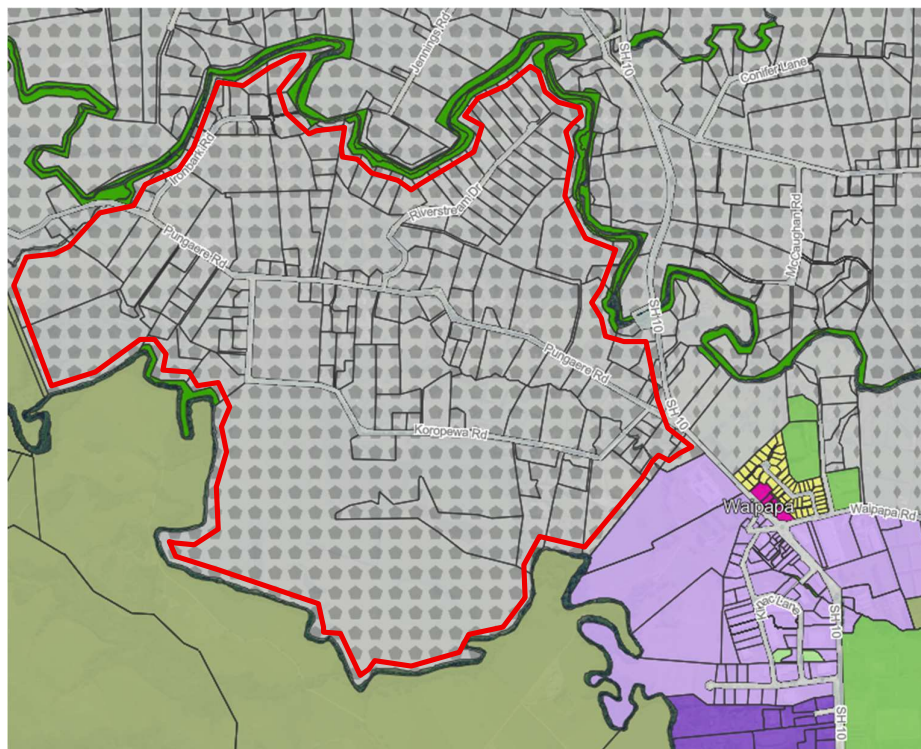


Figure 4: General area of submissions on the western edge of Waipapa (red)

151. My reasons for retaining this area within the Horticulture Precinct are similar to those that I have identified in Section 4.3.4 above with respect to the submission from Audrey Campbell-Frear. The interface between areas used for horticulture on the edges of Kerikeri and Waipapa and the urban/rural residential edge as notified in the PDP is under the most pressure for additional development and needs to be looked at through that lens.
152. The soils analysis undertaken by Dr Hill identifies that the soils around Koropewa Road, Pungare Road, Ngapuhi Road and Riverstream Drive are predominantly good soils that meet the criteria to remain within the Horticulture Precinct. Although there may be small areas of poorer soils within this area (acknowledging some of the soil reports prepared for individual sites by submitters), as a whole the area warrants inclusion in the Horticulture Precinct based on Dr Hill's advice. I note that the HAIL reports mentioned by Mr Willis in his original submission were not attached to the submission.
153. In addition, I do not support rezoning any land around Koropewa Road, Pungare Road, Ngapuhi Road and Riverstream Drive to Rural Residential Zone for the following reasons:
 - a. The submitters have not specifically considered the Minute 14 criteria, however, with respect to alignment with zone outcomes I disagree with assertion in the original submissions that including the land in the Horticulture Precinct would not achieve the intent of the zone. Not all land parcels need to be used for horticulture activities

to align with the zone intent – the inclusion of small lots between or adjacent to more productive parts of the precinct manages reverse sensitivity effects and fragmentation on the edges to reduce growth pressure on productive horticultural land. There is no consideration of other relevant criteria such as transport infrastructure and consultation/further submissions.

- b. The western edge of Waipapa is not intended to transition to an urban or settlement zone over time. As discussed in response to the economic evidence above, the intention of the Kerikeri Waipapa Spatial Plan is to prevent the spread of urban and rural residential style development to the west of State Highway 10 with respect to Waipapa. Rezoning additional Rural Residential land in this area would signal that the intention is for the urban area of Waipapa to expand further over time, which is inconsistent with the growth objectives of the Kerikeri Waipapa Spatial Plan. I also note that State Highway 10 is a logical and defensible zone boundary to define the spatial extent of rural residential development – allowing additional rural residential development on the western side of State Highway 10 would need to rely on cadastral boundaries and would place more pressure on horticultural land further to the west to be converted into residential use (inconsistent with Criteria A and D).
- c. I acknowledge that, with respect to Criterion B, some of the existing land uses and the subdivision pattern around Koropewa Road, Pungare Road, Ngapuhi Road and Riverstream Drive are consistent with the purpose of the Rural Residential Zone but that this is not sufficient justification for releasing more land for rural residential development, particularly when compared to utilising urban and rural residential land around Kerikeri and Waipapa more efficiently for this purpose.
- d. The rezoning would allow for intensification of many properties around Koropewa Road, Pungare Road, Ngapuhi Road and Riverstream Drive. Properties in this area typically range from 2,000m² to 1.6ha in size. While some of the smaller blocks would not be able to be subdivided further as a controlled activity, any lots over 8,000m² would be able to be subdivided into between 2-4 lots as a controlled activity (based on a minimum controlled lot size of 4,000m²). This would increase reverse sensitivity pressure on the horticultural area further to the west (inconsistent with Criterion C with respect to reverse sensitivity).
- e. None of these original submissions considered the potential transport effects associated with their requests for upzoning. The transport memorandum from Mr Collins in **Appendix 3** makes some high-level comments on traffic impacts in this location given there was no specific evidence to review. Mr Collins notes that there will be direct impacts on the Heritage Bypass and that further consideration of the cumulative impact of additional trips on the network, including

whether they would accelerate the need for transport improvements around Kerikeri, is required.

154. As discussed in in relation to Audrey Campbell-Frear's submission above, I also considered whether the Rural Production Zone for this location would be a suitable alternative to the Horticulture Precinct. However, I remain of the opinion that excluding land around Koropewa Road, Pungare Road, Ngapuhi Road and Riverstream Drive from the Horticulture Precinct increases the likelihood that further fragmentation and/or establishment of sensitive activities will occur and continue to spread out towards the land currently in horticultural production.
155. Overall, I find that there are more benefits associated with including land around Koropewa Road, Pungare Road, Ngapuhi Road and Riverstream Drive within the Horticulture Precinct than there are associated with rezoning it Rural Residential Zone. If the Hearing Panel were minded to consider a third alternative option, being Rural Production Zone, I consider that Rural Production Zone would also be more suitable as an urban edge zone to Waipapa when compared to the Rural Residential Zone, but less effective at preventing an increase in reverse sensitivity effects compared to the Horticulture Precinct option, for the reasons set out above

Kerri and Susan Lupi – 156 Stanners Road

Submitter name and submission point	Notified Zoning	PDP	Officer Recommendation(s)
Kerry Michael Lupi and Susan Charlotte Lupi (S270.001)	Horticulture Zone		Zone Rural Production with a Horticulture Precinct overlay

156. The site at 156 Stanners Road is shown in Figure 5 below:

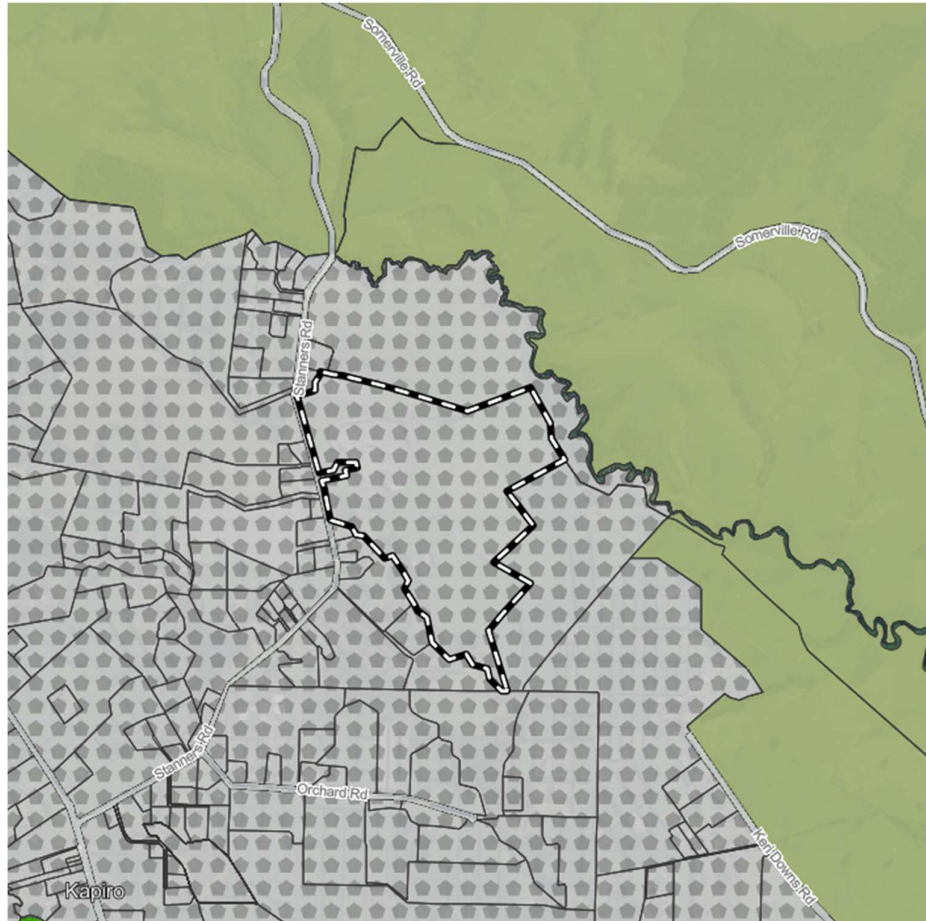


Figure 5: 156 Stanners Road (black and white)

157. I appreciate that this site is not currently used for horticulture and is in the process of transitioning from a basalt quarry to rural lifestyle scale development (submission indicates the approved lots range in size from 2-3ha in size). 156 Stanners Road is on the northern side of the northern part of the Horticulture Zone as notified in the PDP and is surrounded by other land zoned Horticulture on all boundaries, although noting that the north eastern boundary is close to the interface with the Rural Production Zone.
158. The soils analysis undertaken by Dr Hill indicates that most of the site contains soils that could be possibly included in the Horticulture Precinct (light green), but the southern portion of the site contains better soils (dark green). More importantly from my perspective, the site is adjacent to good quality soils currently being used for horticulture to the south, despite some fragmentation in a ribbon formation along Stanners Road itself. The site is also not located anywhere near an urban, Settlement, Rural Lifestyle or Rural Residential Zone.
159. I do not support rezoning 156 Stanners Road to Rural Residential Zone for the following reasons:



- a. The Lupis have not specifically considered the Minute 14 criteria, however, with respect to alignment with zone outcomes I disagree with assertion in the original submission that including the land in the Horticulture Precinct would not achieve the intent of the zone. Not all land parcels need to be used for horticulture activities to align with the zone intent – the inclusion of small lots between or adjacent to more productive parts of the precinct manages reverse sensitivity effects and fragmentation on the edges to reduce growth pressure on productive horticultural land. There is no consideration of other relevant criteria such as transport infrastructure and consultation/further submissions. Given the scale of rezoning proposed and the potential intensification that could be achieved, further evidence is at least required on impacts on the surrounding road network and consideration of effects on adjacent landowners to fully assess the rezoning proposal.
 - b. The rezoning would create an isolated pocket of Rural Residential Zone in a location that is not intended to transition to an urban or settlement zone over time (inconsistent with Criterion A).
 - c. The rezoning would allow for intensification of 156 Stanners Road, as the 57.37ha site could be subdivided into just over 140 lots as a controlled activity (based on a minimum controlled lot size of 4,000m²). Realistically the boundaries of the already approved 2-3ha lots, combined with the soon to be retired quarry would be constraints on achieving this theoretical yield, but it provides an indicator of the subdivision potential of the land. An extensive amount of rural residential development in this location would increase reverse sensitivity pressure on surrounding horticultural blocks, particularly to the south (inconsistent with Criterion C with respect to reverse sensitivity).
 - d. As per the economic assessment, there is no clear need for additional Rural Residential capacity in this location. Further, to provide such additional capacity close to Kerikeri and Waipapa would undermine the growth objectives of the Spatial Plan (inconsistent with Criterion D).
160. As such, I recommend accepting in part the submission from the Lupis, insofar as the subject land should be rezoned from Horticulture Zone to Rural Production Zone but remain within the Horticulture Precinct.

New Zealand Eco Farms Ltd – 74 Sandys Road

Submitter name and submission point	Notified Zoning	PDP	Officer Recommendation(s)
New Zealand Eco Farms Ltd (S456.001)	Horticulture Zone		Zone Rural Production

161. The site at 74 Sandys Road is shown in Figure 6 below:

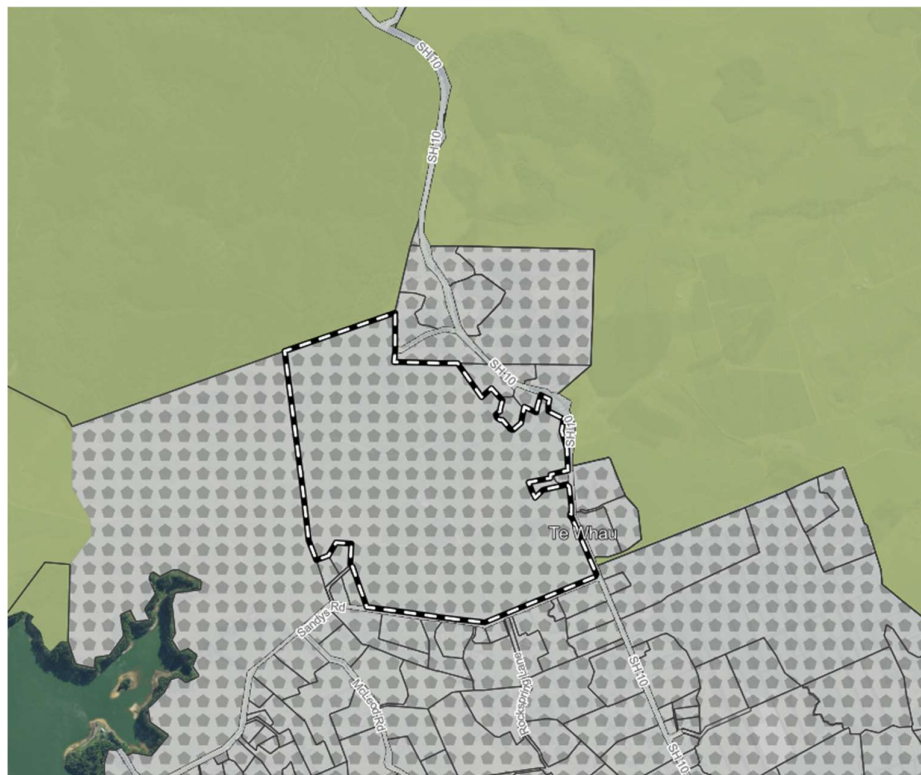


Figure 6: 74 Sandys Road (black and white)

162. I acknowledge that the farm at 74 Sandys Road does not contain a large amount of good quality soils. Dr Hill's assessment of the property identified that much of the property should be excluded from the Horticulture Precinct based on soils data alone. Dr Hill's recommendation is to remove a large amount of land to the north of Sandy's Road from the Horticulture Precinct, which includes the property at 74 Sandys Road. I consider that the most appropriate replacement zone is the Rural Production Zone, which I note was one of the relief options requested by New Zealand Eco Farms Ltd. As such, I recommend accepting this relief in part, removing 74 Sandys Road from the Horticulture Precinct and applying the Rural Production Zone.

Solid Landholdings Limited – 390 Kapiro Road

Submitter name and submission point	Notified Zoning	PDP	Officer Recommendation(s)
Solid Landholdings Limited (S275.001)	Horticulture Zone		Zone Rural Production with a Horticulture Precinct overlay

163. The site at 390 Kapiro Road is shown in Figure 7 below:



Figure 7: 390 Kapiro Road (black and white)

164. The site at 390 Kapiro Road is 5.44ha and surrounded by a mixture of smaller rural residential or rural lifestyle sized lots and land actively being used for horticulture, particularly on the northern side of Kapiro Road. It is located to the north of the Waipapa Stream, which forms a logical and clear boundary between the Rural Residential zoned land around Waipapa and the horticultural operations along Kapiro Road. There is also a parcel of land zoned Māori Purpose Rural on the direct opposite side of Kapiro Road.
165. The soil analysis undertaken by Dr Hill indicates that the entire site contains good soils that should be included within the Horticulture Precinct, which aligns with the LUC class 3s2 soils indicated on the NZLIR maps. Although there are some areas of fragmentation along Kapiro Road, this is one of the areas around Waipapa used most intensively for horticultural activities. The site is also not located adjacent to an urban, Settlement, Rural Lifestyle or Rural Residential Zone.
166. I do not support rezoning 390 Kapiro Road to Rural Residential Zone for the following reasons:
- a. The original submission from Solid Landholdings Ltd did not specifically considered the Minute 14 criteria, however, with respect to alignment with zone outcomes I disagree with assertion in the original submission that including the land in the Horticulture Precinct would not achieve the intent of the zone. Not all land parcels

need to be used for horticulture activities to align with the zone intent – the inclusion of small lots between or adjacent to more productive parts of the precinct manages reverse sensitivity effects and fragmentation on the edges to reduce growth pressure on productive horticultural land. There is no consideration of other relevant criteria such as transport infrastructure and consultation/further submissions.

- b. The rezoning would create an isolated pocket of Rural Residential Zone in a location that is not intended to transition to an urban or settlement zone over time. (inconsistent with Criterion A).
 - c. The rezoning would allow for intensification of 390 Kapiro Road, as the 5.44ha site could be subdivided into around 13 lots as a controlled activity (based on a minimum controlled lot size of 4,000m²). Additional rural residential development in this location would increase reverse sensitivity pressure on surrounding horticultural blocks, particularly to the north (inconsistent with Criterion C with respect to reverse sensitivity).
 - d. As per the economic assessment, there is no clear need for additional Rural Residential capacity in this location. Further, to provide such additional capacity close to Kerikeri and Waipapa would undermine the growth objectives of the Spatial Plan (inconsistent with Criterion D).
167. As such, I recommend accepting in part the submission from Solid Landholdings Limited, insofar as the subject land should be rezoned from Horticulture Zone to Rural Production Zone but remain within the Horticulture Precinct.

4.3.7 Non 'opt in' submitters in the Southern Horticulture Precinct (Kerikeri)

Land between State Highway 10 and Kerikeri urban edge

Submitter name and submission point	Notified Zoning	PDP	Officer Recommendation(s)
Trent Simpkin (S284.001, S284.005), Tristan Simpkin (S288.001, S288.005)	Horticulture Zone		Zone Rural Production with a Horticulture Precinct overlay
Hall Nominees Ltd (S252.005)	Horticulture Zone		Zone Rural Production with a Horticulture Precinct overlay
John and Rose Whitehead (S535.001)	Horticulture Zone		Zone Rural Production with a Horticulture Precinct overlay

Roger Atkinson (S534.006)	Horticulture Zone	Zone Rural Production with a Horticulture Precinct overlay
Levin Stones Holding Limited, Keri Keri Park Lodge Limited (S549.005)	Horticulture Zone	Zone Rural Production with a Horticulture Precinct overlay
Northland Planning and Development 2020 Limited (S502.102)	Horticulture Zone	Zone Rural Production with a Horticulture Precinct overlay

168. John and Rose Whitehead (S535.001), Hall Nominees Ltd (S252.005), Roger Atkinson (S534.006), Northland Planning and Development 2020 Limited (S503.102), Levin Stones Holding Limited and Kerikeri Park Limited (S549.005), Trent Simpkin (S284.001, S284.005) and Tristan Simpkin (S288.001, S288.005) have all made similar submissions in relation to land between State Highway 10 and the urban edge of Kerikeri. The spatial extents of these submissions differ slightly, with the Simpkins focused on the land between Kerikeri and State Highway 10, while the other submitters are mainly focused on an area similar to that identified by Audrey Campbell-Frear, being that land towards State Highway 10 on the southeast edge of Kerikeri, surrounding Maraenui Drive and south of Access Road. Figure 8 shows the general area indicated in the Simpkin's submissions while Figure 9 shows the spatial extent of the area indicated in the other submissions:

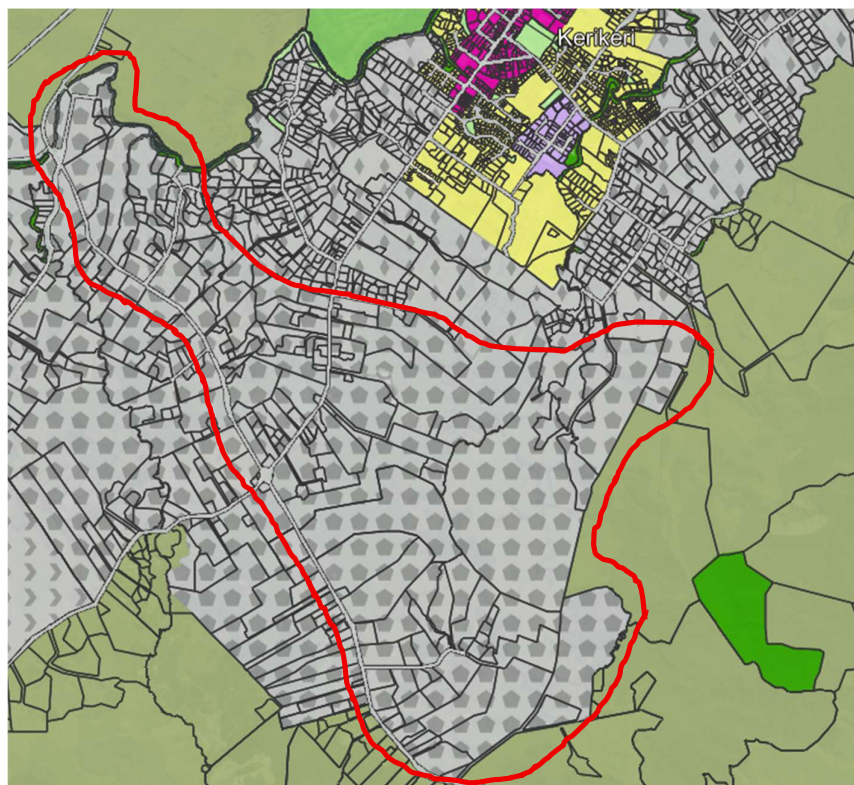


Figure 8: Land between State Highway 10 and the urban edge of Kerikeri (red)

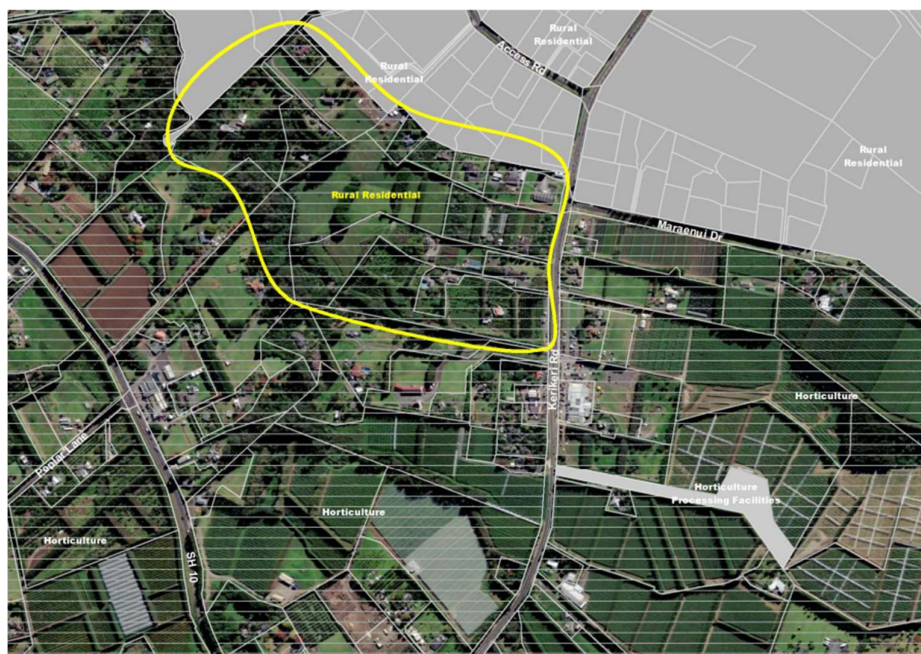


Figure 9: Extract from Appendix 1 of Audrey Campbell-Frear's submission showing the area of land towards State Highway 10 on the southeast edge of Kerikeri, surrounding Maraenui Drive and south of Access Road (yellow). This is the same figure used by the other submitters listed above.

169. I have addressed this area on the southwestern edge of Kerikeri in response to the evidence provided by Audrey Campbell-Frear in Section 4.3.4 of this report. My rationale for retaining this land within the Horticulture Precinct is the same as that outlined in Section 4.3.4 and I consider the analysis equally applicable to this group of submitters. As such, I recommend accepting in part these submissions insofar as the subject land should be rezoned from Horticulture Zone to Rural Production Zone but remain within the Horticulture Precinct.

Natalie Todd and Frederick Laurence & Ellen June Voigt

Submitter name and submission point	Notified Zoning	PDP	Officer Recommendation(s)
Natalie Todd (S38.001) and Frederick Laurence & Ellen June Voigt (FS99.1)	Horticulture Zone		Zone Rural Production with some areas subject to a Horticulture Precinct overlay (59F Riddell Road to be zoned Rural Production, no Horticulture Precinct)

170. Natalie Todd made a spatially broad submission that land along the north side of Wiroa Road and west side of Waimate North Road should be rezoned from Horticulture to Rural Production Zone. The Voigts (as a further submitter in support) presented evidence at Hearing 9 in relation to one particular property at 59F Riddell Road and requested that it be rezoned Rural

Production. There was one other further submitter that supported Natalie Todd's relief in full (Dominique Zivkovich-Brady) and one that supported it in part (Audrey Campbell-Frear) but these further submitters were not focused on a particular property.

171. It was not clear from Ms Todd's original submission exactly how many land parcels she considered should be removed from the Horticulture Zone and rezoned Rural Production around Wiroa Road and Waimate North Road, so I have not included a specific map. From her description in the original submission it appears she is focused on the area west of Bay of Islands Airport. As shown in Figure 1 of **Appendix 6**, a large area of land on the western edge of the Horticulture Precinct is recommended to be rezoned Rural Production due to a mixture of poorer soils and steep topography, which may address Ms Todd's submission in part depending on the intended spatial extent of her submission.
172. With respect to the Voigt property at 59F Riddell Road, I note that this particular address was not mentioned in his further submission, but that a soil report for this specific property was submitted as evidence in Hearing 9. 59F Riddell Road does not appear to be in the same spatial location as the land identified by Ms Todd, rather it is located on the southeastern side of Kerikeri to the east of Kerikeri Road, as shown in Figure 10 below:

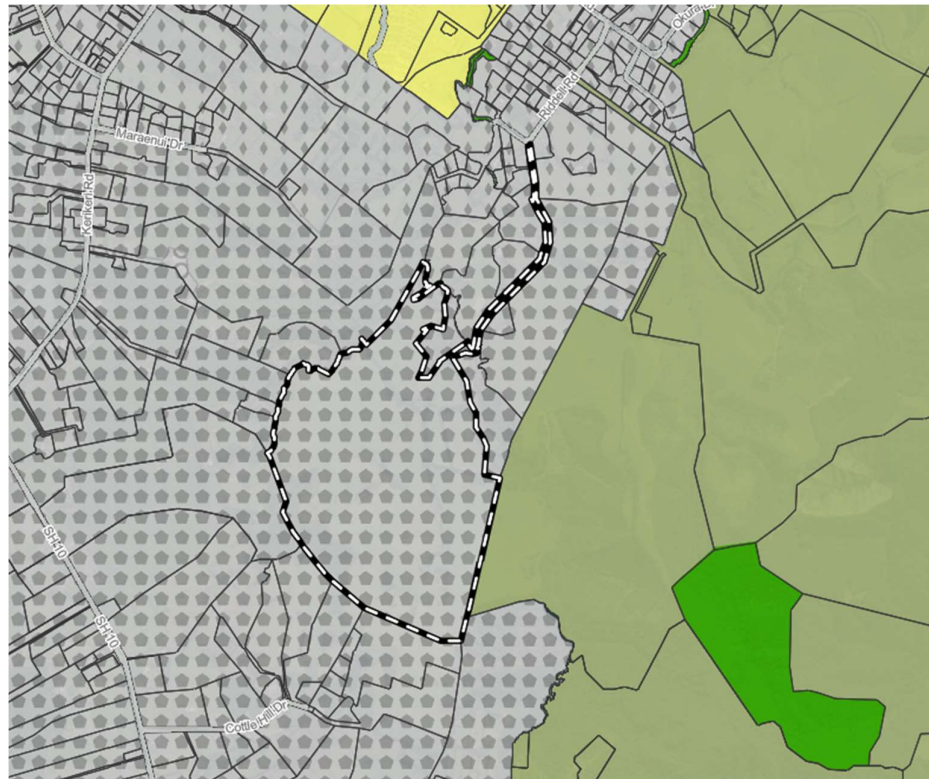


Figure 10: 59F Riddell Road (black and white)

173. Dr Hill has reviewed the soil report provided by Mr Voigt and agrees that the property at 59F Riddell Road contains poor soils for horticulture and should

be excluded from the Horticulture Precinct. As such, I recommend that the further submission from Mr Voigt as it applies to 59F Riddell Road be accepted and the property zoned Rural Production.

Matthew and Jennifer Arthur – 244 Waimate North Road

Submitter name and submission point	Notified Zoning	PDP	Officer Recommendation(s)
Matthew Edward Arthur and Jennifer Ellen Arthur (S64.001)	Horticulture Zone		Zone Rural Production with a Horticulture Precinct overlay

174. The site at 244 Waimate North Road is shown in Figure 11 below:

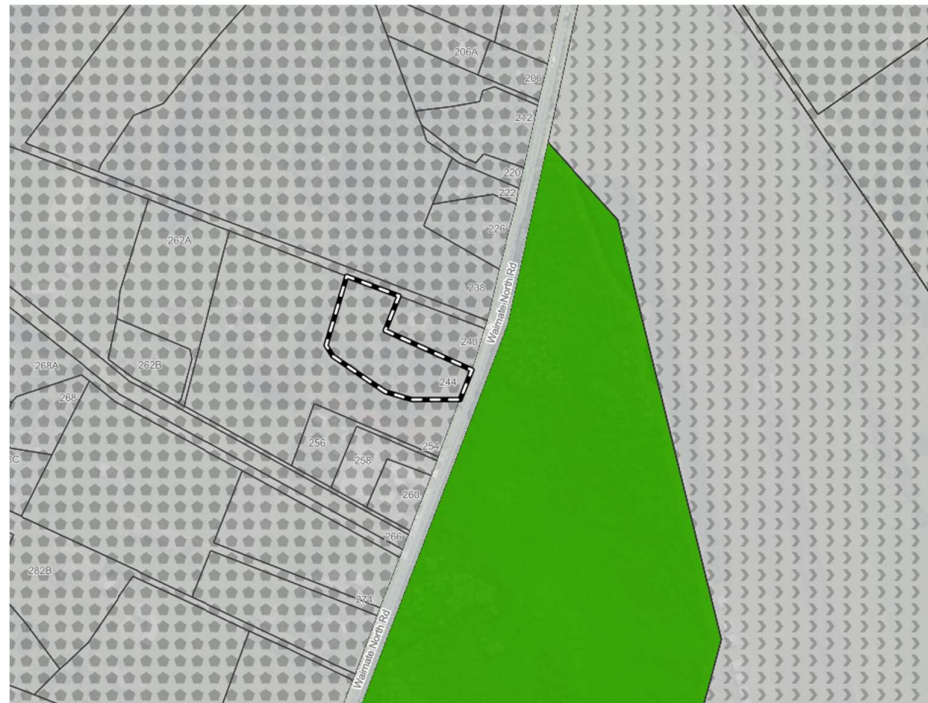


Figure 11: 244 Waimate North Road (black and white)

175. The site at 244 Waimate North Road is 1.31ha and surrounded by a mixture of smaller rural residential or rural lifestyle sized lots and land actively being used for horticulture, particularly to the southwest and northwest. It is also directly opposite Bay of Islands Airport on the opposite side of Waimate North Road.
176. The soil analysis undertaken by Dr Hill indicates that the entire site contains good soils that should be included within the Horticulture Precinct, which aligns with the LUC class 3s1 soils indicated on the NZLIR maps. Although there are some areas of fragmentation along Waimate North Road, these are

small enclaves of residential activity occurring within areas being actively used for horticultural activities. The site is also not located adjacent to an urban, Settlement, Rural Lifestyle or Rural Residential Zone.

177. I do not support rezoning 244 Waimate North Road to Rural Residential Zone for the following reasons:

- a. The original submission from the Arthurs did not specifically consider the Minute 14 criteria, however, with respect to alignment with zone outcomes I disagree with assertion in the original submission that including the land in the Horticulture Precinct would not achieve the intent of the zone. Not all land parcels need to be used for horticulture activities to align with the zone intent – the inclusion of small lots between or adjacent to more productive parts of the precinct manages reverse sensitivity effects and fragmentation on the edges to reduce growth pressure on productive horticultural land. There is no consideration of other relevant criteria such as transport infrastructure and consultation/further submissions.
- b. The rezoning would create an isolated pocket of Rural Residential Zone in a location that is not intended to transition to an urban or settlement zone over time, even if the scope of the submission were expanded out to include other small lots in the vicinity, which is an option put forward in the original submission (inconsistent with Criterion A).
- c. The rezoning would allow for intensification of 244 Waimate North Road, as the 1.31ha site could be subdivided into three lots as a controlled activity (based on a minimum controlled lot size of 4,000m²). This intensification would increase if adjacent lots were also rezoned, as indicated in the original submission. Additional rural residential development in this location would increase reverse sensitivity pressure on surrounding horticultural blocks, particularly to the northwest and southwest (inconsistent with Criterion C with respect to reverse sensitivity).
- d. As per the economic assessment, there is no clear need for additional Rural Residential capacity in this location. Further, to provide such additional capacity close to Kerikeri and Waipapa would undermine the growth objectives of the Spatial Plan (inconsistent with Criterion D).

178. As such, I recommend accepting in part the submission from Matthew and Jennifer Arther, insofar as the subject land should be rezoned from Horticulture Zone to Rural Production Zone but remain within the Horticulture Precinct.

Recommendation

179. For the above reasons, I recommend that:

- a. The Horticulture Precinct be applied to the land identified in Figure 1 of **Appendix 6** and that all of this land has an underlying zone of Rural Production Zone.
- b. Land identified in Figure 1 of **Appendix 6** is not included in the Horticulture Precinct but is instead rezoned Rural Production Zone.
- c. An additional setback of 20m for sensitive activities be applied to properties zoned Rural Production that adjoin the Horticulture Precinct. This will require a new setback standard inserted into the Rural Production Zone chapter, as set out in **Appendix 7**.

Section 32AA evaluation

180. The rationale for a Horticulture Precinct as opposed to a Horticulture Zone was considered as part of Hearing 9 and is not repeated here.
181. I consider that sufficient analysis as to whether the spatial extent of the Horticulture Precinct and the new setback standard that I am recommending is the most appropriate way to achieve the objectives of the Horticulture Precinct chapter has been undertaken in the sections above and additional evaluation under section 32AA is not required.

4.4 Opt-in submitter rezoning requests

182. This section responds to the evidence provided by each 'opt in' submitter. Some submitters have been grouped together where their rezoning requests involve the same or very similar spatial area.

4.4.1 André Galvin – S567.001

Overview

Submitter name and submission point	Notified PDP Zoning	Officer Recommendation(s)
André Galvin (S567.001)	Rural Production Zone	No change

Matters raised in submission

183. André Galvin (S567.001) requests that land accessed from Puketona Road in Haruru Falls, legally described as Lot 1 DP 53506, is rezoned from Rural Production to Settlement Zone. André Galvin acknowledges the High Natural Character Overlay (HNC409) over the property but equally notes some 14 neighbouring properties are residentially zoned. In his submission, Mr Galvin explains that significant work has been undertaken to prepare a development plan for the site and that the plan relies on the operative General Coastal zoning. The development opportunity is described as having a high public benefit as it will provide for access to the upper reaches of the Waitangi River estuary. As such, Mr Galvin requests the site is rezoned Settlement to enable the continuation of this development. I note that this is alternative relief to

Mr Galvin's primary relief, which is to rezone this land Residential as per S567.004 (submission point allocated to Hearing 15C – Urban).

Analysis

184. Mr Galvin's property is shown in Figure 12 below:



Figure 12: Lot 1 DP 53506, Haruru (black and white)

185. Mr Galvin's primary relief is to rezone this land Residential as per S567.004 (submission point allocated to Hearing 15C – Urban). Ms Sarah Trinder has addressed Mr Galvin's request for Residential zoning in her section 42A report for the urban rezoning requests and concludes that:

- a. From a landscape perspective, upzoning to Residential cannot be supported at this time due to a lack of information, particularly around what zone would apply to parts of the site not proposed to be developed for residential purposes. Some limited development may be possible in the future but this would need to be carefully designed to manage adverse landscape effects on the site.
- b. From a transport perspective there are significant concerns regarding access to State Highway 11, including a lack of engagement with NZTA on the rezoning proposal.
- c. I put little weight on the assertion that the proposed rezoning will have high public benefit as it will provide for public access to the upper reaches of the Waitangi River estuary. There is no mechanism incorporated into the rezoning request that achieves public access.

- d. In terms of other issues, Ms Trinder has identified that there are potential servicing capacity questions that would require further investigation before rezoning could be supported and no evidence has been provided demonstrating a need for additional residential growth in this location.
186. Overall, Ms Trinder does not recommend upzoning Mr Galvin's land to Residential. I consider that some of the issues she has identified, particularly with respect to landscape and transport issues are equally applicable to his secondary relief of upzoning the land to Settlement. In addition, I note that the site would not meet Criterion A for a Settlement Zone as it does not adjoin an existing area zoned Settlement. In my view, the Settlement Zone is intended to provide for small scale, standalone rural and coastal settlements that are not connected to urban areas. I do not consider Settlement an appropriate zoning for an area that is effectively an extension of the urban area of Haruru.
187. As such, I do not support Mr Galvin's secondary relief to rezone his land on Puketona Road to Settlement Zone.

4.4.2 Douglas Percy and Theodora Symes – S19.001 and S19.002, and Jeff and Robby Kemp – S51.002

Overview

Submitter name and submission point	Notified PDP Zoning	Officer Recommendation(s)
Douglas Percy and Theodora Symes (S19.001, S19.002)	Rural Production Zone	No change
Jeff and Robby Kemp (S51.002)	Rural Production Zone	No change

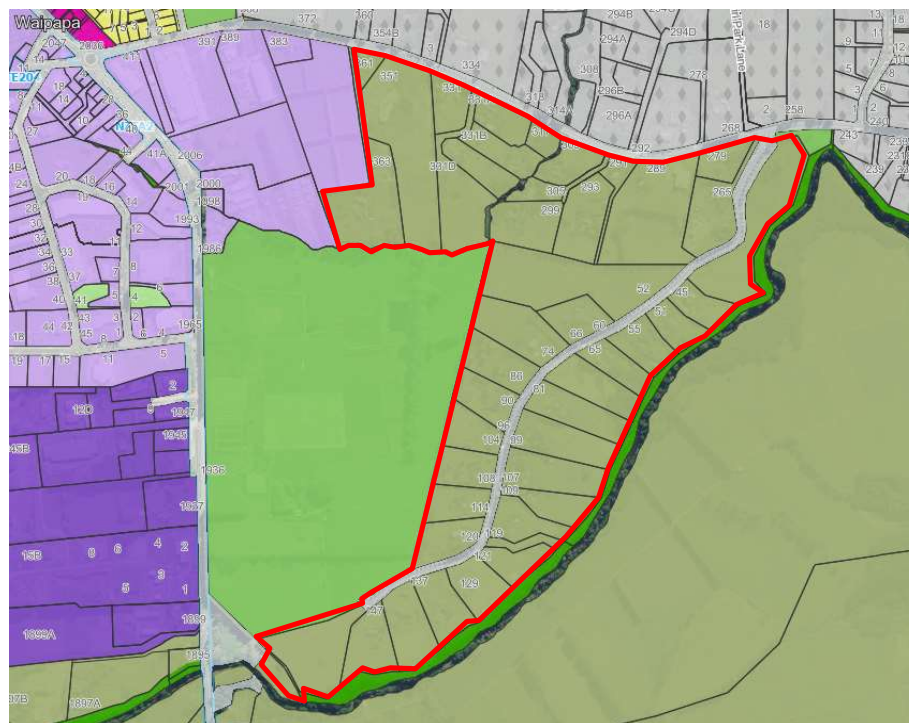
Matters raised in submissions

188. Douglas Percy and Theodora Symes (S19.001, S19.002) oppose the land along the southern side of Waipapa Road, including Waitotara Drive between State Highway 10 and the Waipetakoura River being zoned Rural Production and request it is rezoned Rural Residential. The submitters consider zoning should align with neighbouring land uses and note that screening from the highway is provided by commercial premises along the south side of Waipapa Road. Douglas Percy and Theodora Symes consider it is a logical place for infill housing between Kerikeri and Waipapa to prevent sprawl from the two centres going in all directions.
189. Jeff and Robby Kemp (S51.002) oppose the Rural Production zoning of land located along Waitotara Drive in Waipapa. Specifically, properties at 45, 51, 52, 55, 60, 65, 66, 74, 81, 86, 90, 99, 104, 107, 108, 109, 114, 119, 120,

121, 137, 145 and 147 Waitotara Drive.¹⁴ The Kemps point out that sites to the north of Waipapa Road are within the Rural Residential Zone and that there is no difference between these properties and those on Waitotara Drive. The Kemps note that the land along Waitotara Drive is not highly productive and, subject to flood mitigation measures, can be used for rural residential activities. As such, Jeff and Robby Kemp request the land identified in their submission is rezoned from Rural Production to Rural Residential Zone.

Analysis

190. Mr Percy, Ms Symes and the Kemps have opted in to the Minute 14 process and have provided evidence – Mr Percy and Ms Symes provided evidence in accordance with the Hearing 15C timetable while Mr Jeffery Kemp has provided evidence in accordance with the Hearing 15D timetable. This split approach reflects the fact that Waitotara Drive is located within the KKWSP study area but the relief request is a Rural Residential Zone. I also note that Mr Ernie Cottle has not formally opted in as a Minute 14 submitter but that the evidence provided by Mr Kemp has been provided on behalf of Mr Cottle's land, also on Waitotara Drive. As such, I have addressed these three submissions together. The extent of land being considered is shown in Figure 13 below (noting that Mr Percy is requesting that all Rural Production zoned land south of Waipapa Road between State Highway 10 and the Waipetakoura River is zoned Rural Residential, whereas Mr Kemp and Mr Cottle are only focusing on properties accessed from Waitotara Drive):



¹⁴ The properties referred to in the submission are legally described as Lots 1 and 2 DP 528209, Lots 2-16 DP 333643, and Lots 1-7 DP 353240.

Figure 13: Extent of land requested to be rezoned Rural Residential (red)

191. I had a pre-hearing meeting with Mr Percy via phone on 12 May 2025 to discuss his submission, in particular Mr Percy's suggestion that a pedestrian walkway/cycleway accessing the sports fields to the west could be provided across private land on Waitotara Drive in exchange for upzoning the land to Rural Residential. The extent of Mr Percy's evidence submitted is a map showing the proposed location of this accessway, shown in Figure 14 below (noting the image is inverted):



Figure 14: Proposed location of the pedestrian/cycle way access from Waipapa Road through to the sports grounds suggested by Mr Percy

192. I had a pre-hearing discussion with Mr Kemp and Mr Cottle on 16 May 2025 online. At this discussion I noted that the key matters that I consider need addressing with respect to rezoning were how the proposal aligned with the KKWSP (at the time of the meeting the KKWSP was still in draft and had not been adopted), how the flooding issues on the site were proposed to be addressed and how the proposal met the tests for urban rezoning with respect to the NPS-HPL. Mr Kemp confirmed at the meeting that they did not intend to provide expert reports supporting the rezoning that would require peer review. Mr Kemp also noted that the evidence he intended to prepare would not necessarily address all the Minute 14 criteria if he did not think the criteria was relevant.
193. The key points made in support of the Rural Residential rezoning in Mr Kemp's evidence are as follows:

- a. Rural Production zoning applied to Waitotara Drive is inappropriate and does not reflect the existing land use, subdivision history, or environmental context. Mr Kemp notes that the properties were created through resource consents that transitioned the land from pastoral use to rural residential purposes, and that 16 of the 25 lots now contain established residential activities (noting that Mr Kemp and Mr Cottle are focusing on the properties accessed from Waitotara Drive, not Waipapa Road).
- b. The Rural Production zoning appears to have been retained from the ODP based on outdated flood hazard data, despite extensive flood mitigation works having been implemented in recent years. These works, approved by the Northland Regional Council, include stop banks, flood gates, and stormwater detention infrastructure associated with the adjoining sports complex. Mr Kemp considers that these measures have removed the properties from the 1:100 year flood event threshold, although this has not yet been reflected in updated hazard mapping.
- c. With respect to the NPS-HPL, the land is LUC class 3 (Waipapa clay), which is poorly drained and not considered highly versatile under the ODP or RPS. He acknowledges that LUC class 3 soils are currently considered highly productive land under the NPS-HPL, but notes that this classification is proposed to be removed in the future and that a pragmatic approach should be taken.
- d. Mr Kemp considers that the Rural Residential Zone is a more appropriate fit for the properties, given their existing use, proximity to the Waipapa settlement, and compatibility with surrounding zoning. He notes that the properties are not used for productive rural activities and that the rezoning would not undermine the strategic direction of the PDP or create adverse effects on infrastructure, the environment, or neighbouring properties.
- e. Mr Kemp concludes that sufficient information has been presented to support the rezoning request under section 32AA. He considers the request to be discrete and clearly distinguishable from land genuinely suited to rural production. He states that the rezoning would better achieve the purpose of the RMA, with benefits outweighing any risks, and no adverse effects on the community, economy, or environment.

Response to Mr Percy

194. I have discussed Mr Percy's suggestion of a pedestrian access through to the sports grounds with the internal council team involved with the KKWSP, as I understand this was an offer that Mr Percy proposed as part of the hearings on the KKWSP. The feedback I have received is that FNDC is not supportive of a secondary pedestrian or cycleway access to the sports grounds from Waipapa Road, firstly because a secondary accessway is precluded by the

conditions of the resource consent issued for the sports grounds, and secondly because of potential safety, parking and CPTED issues with an accessway across private land in this location.

195. Regardless, I do not consider the offer of an accessway as sufficient justification for the upzoning of all the land between the sportsfields, State Highway 10, Waipapa Road and the Waipekakoura River. Mr Percy has not provided any additional evidence to support his rezoning proposal, however many of the Minute 14 matters are addressed in the evidence of Mr Kemp, which I discuss below.

Response to Mr Kemp's evidence

196. I have responded to Mr Kemp's consideration of the Minute 14 matters in **Appendix 1** of this report, but I make the following comments with respect to his key arguments and the Rural Rezoning Evaluation Framework criteria:

- a. As discussed in Section 3.2.2 of this report, previous fragmentation of land into smaller parcels with more limited options to be used for productive purposes does not automatically mean that land should receive a rural residential or rural lifestyle zoning, particularly if the rezoning would enable further fragmentation and intensification of that land. The range of lot sizes along Waitotara Drive (between just under 1ha to just over 4ha in size) could result in lots being further subdivided into between 2-10 lots as a controlled activity (based on a controlled minimum lot size of 4,000m² in the Rural Residential Zone). I do not consider that providing additional development capacity in this location is consistent with the objective of the KKWSP to create a compact urban form, noting that Mr Kemp and I disagree as to whether the approach of the KKWSP is achievable and sustainable. I note that further evidence on the KKWSP and the importance of not allowing additional upzoning of land to Rural Residential will be covered in more detail in the section 42A reports for Hearing 15D. I consider upzoning along Waitotara Drive to be inconsistent with Criteria D.
- b. With respect to flooding, I contacted NRC to discuss the recent flood mitigation works referred to by Mr Kemp in his evidence. The feedback I received from Mr Joseph Camuso (Rivers and Natural Hazards Manager for NRC) was that the minor flood works that NRC executed around 2020 were targeted towards mitigating flooding around the Waipapa Industrial Area, with some minor works along Waitotara Drive. Mr Camuso confirmed that the works only targeted 10-50 year flooding events (rather than the 100 year events identified along Waitotara Drive) as further extensive works to protect Waitotara Drive against more significant events would have created problematic downstream effects. Mr Camuso confirmed the assertion from Mr Kemp that the last significant rainfall event was in March 2007. Mr Camuso considers that any assertions from local landowners that the flooding issues along Waitotara Drive have been

addressed because there has not been any significant flooding recently reflect the lack of significant rainfall events rather than proving the efficacy of the flood works.

- c. I understand that NRC will likely provide further evidence in opposition to the upzoning of flood prone land around Kerikeri and Waipapa as part of Hearing 15D. In my view, the presence of significant flood risk over many of the properties on Waitotara Drive is inconsistent with the Minute 14 matter relating to natural hazards, as well as Criterion C of the Rural Rezoning Evaluation Framework.
- d. I agree with Mr Kemp that, should the amendments to the NPS-HPL go ahead as indicated, the LUC class 3 soils along Waitotara Drive are not likely to be defined as highly productive land under the NPS-HPL in the future. As currently stands, the upzoning of the land to a Rural Residential zone, and the associated loss of LUC class 3 land, would need to be assessed under clause 3.6 of the NPS-HPL. I note that the evidence of Mr Kemp has not considered these tests. Based on the statutory environment at the time of writing this report, the rezoning request is inconsistent with Criterion A with respect to upzoning land identified as HPL. I acknowledge that, if the Hearing Panel deemed that upzoning this land was appropriate, the Waipetakakoura River to the south would form a logical and defensible zone boundary, although in this instance I prefer the current zone boundary along Waipapa Road as an equally defensible geographic boundary.
- e. I do not consider that 1-4ha sized lots are consistent with the scale of development anticipated for the Rural Residential Zone (inconsistent with Criterion B), rather it represents a significant opportunity for further intensification. I take Mr Kemp's point that the size and non-productive use of the land parcels also does not sit comfortably in the Rural Production Zone, however this is a common occurrence across the Rural Production Zone due to a legacy of permissive subdivision rules in the ODP, which I have discussed in Section 3.2.2 of this report above. I consider that, given the flooding constraints on the land and the direction in the KKWSP to consolidate growth, upzoning in this location is neither sustainable nor logical and that a Rural Production zoning better signals that this is not a location where intensification is supported compared to the Rural Residential zone.
- f. With respect to the other Minute 14 matters, I note that Mr Kemp's evidence on transport matters is limited to a comment on the likely need to resurface Waitotara Drive and a lower 40km/hr speed limit extending the life of the seal. Neither Mr Kemp nor Mr Percy have commented on the potential impact of upzoning on the intersection of Waipapa Road and Waitotara Drive. The memorandum from Mr Collins in **Appendix 3** reviews Mr Kemp's request to upzone the Waitotara Drive properties and notes that the anticipated yield of

around 36 dwellings would have a direct effect on the capacity of the Heritage Bypass, which could accelerate the need for this upgrade work.

- g. Similarly, neither Mr Kemp nor Mr Percy have provided substantive evidence with respect to the level of support for the rezoning from the landowners affected. I note Mr Percy's original submission listed the owners of four Waipapa Road properties and two Waitotara Drive properties (including Mr Cottle) that supported his rezoning request. Mr Kemp only notes support from Mr Cottle and Mr Percy. This is not a high proportion of properties impacted by this rezoning request in my view.

- 197. Although Waitotara Drive is located on the opposite side of Waipapa Road from land zoned Rural Residential, it is surrounded by Rural Production land to the south, which is also the subject of a rezoning request from Kiwi Fresh Orange Company (KFO, being heard as part of Hearing 15D). Whether or not it is appropriate to continue the spread of residential development further south and effectively join up the urban areas of Kerikeri and Waipapa will be a matter discussed at length at Hearing 15D. Mr Kemp may wish to review the section 42A reports for Hearing 15D with respect to the KKWSP, flood issues and the KFO evidence in preparing for the rezoning hearing, noting that Mr Kemp is able to submit any rebuttal evidence in accordance with the Hearing 15D timetable and appear at Hearing 15D if that is his preference, as set out in Section 3.3 of this report.
- 198. Overall, I find that the reasons to retain the Rural Production Zone for land between the sports fields, Waipapa Road and the Waipapakoura River outweigh the reasons why the land should be upzoned to Rural Residential Zone, particularly the unaddressed flooding concerns and the conflict with the outcomes sought by the KKWSP. I recommend that these submissions be rejected.

4.4.3 Meridian Farm Ltd – S403.001

Overview

Submitter name and submission point	Notified PDP Zoning	Officer Recommendation(s)
Meridian Farm Ltd (S403.001)	Rural Production Zone	No change

Matters raised in submissions

- 199. Meridian Farm Ltd (S403.001) request that the property at 119 Redcliffs Road, Kerikeri (consisting of Lot 1 DP 94462 and Lot 2 DP 376997) is rezoned from Rural Production to Rural Lifestyle Zone. Meridian Farm Ltd requests this relief as the site does not contain productive soils and to use fertiliser on poor soils would mean inevitable run off into the bordering Rangitane River. Meridian Farm Ltd notes that a subdivision is already approved for the site

and an additional consent is being processed (at the time the original submission was made). Meridian Farm Ltd also consider that Rural Lifestyle Zone is appropriate given the proximity of the site to Kerikeri and the fact that some neighbouring land is already being used for rural residential activities.

Analysis

200. The 68ha of land subject to Meridian Farm's rezoning request is adjacent to both the Horticulture Zone (now recommended to be Precinct), Rural Production Zone and Rural Lifestyle Zone on the northern side of the Rangitane River, as shown in Figure 15 below:

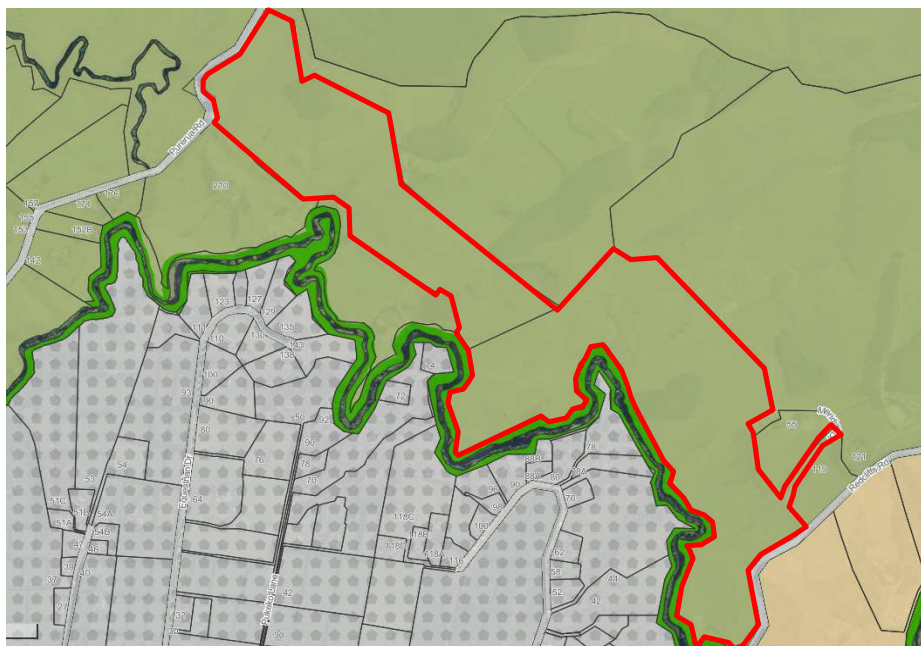


Figure 15: Land subject to the submission from Meridian Farm (red)

201. I note that the parcel fronting Redcliffs Road is in the process of being subdivided into four rural lifestyle lots ranging between 2-4ha in size and one larger balance site with an area of 37.3260ha. The rear parcel has also been recently granted subdivision consent to subdivide into three lots, ranging in size from 5.35ha to almost 17ha.
202. I held an online pre-hearing meeting with Mr Joeseph Henehan on 21 May 2025 to discuss the rezoning proposal. Key matters discussed at this meeting included what the potential subdivision yield would be if the land was upzoned to Rural Lifestyle, how this might impact the outcomes anticipated under the KKWSP (given the close proximity of the site to the KKWSP study area) and consistency of the request with the zoning and existing land uses on surrounding land. I also informed Mr Henehan of my recommendation from Hearing 9 to amend the minimum lot sizes for the Rural Lifestyle zone from 2-4ha to 1-2ha and suggested that this be factored into any assessment

of potential yield. Mr Henehan subsequently prepared planning evidence in support of Meridian Farm's rezoning request.

203. The key points made in support of the Rural Lifestyle rezoning in Mr Henehan's evidence are as follows:
 - a. The land has already been approved for subdivision into rural lifestyle sized lots. In Mr Henehan's view, rezoning this land to Rural Lifestyle would align the PDP zoning with the actual and anticipated land use, avoiding regulatory misalignment. He also considers these previous subdivision consents mean that the approved land use better aligns with the objectives and policies of the Rural Lifestyle Zone as opposed to the Rural Production Zone.
 - b. The site contains LUC Class 4 and 6 soils, which are not classified as highly productive land under the NPS-HPL. Mr Henehan relies on geotechnical reports prepared for the previous subdivision applications as evidence that the soil profile of the land is shallow and underlain by heavy clay and volcanic rock, making it unsuitable for productive agriculture or horticulture. Mr Henehan considers that attempting to cultivate the land would require significant fertilisation, potentially resulting in runoff into the adjacent Rangitane River.
 - c. The site is located approximately 5 km from Kerikeri town centre and has good access to roads, services, and school bus routes. The surrounding area includes other rural lifestyle and horticultural properties, making the rezoning a logical extension of the existing settlement pattern in Mr Henehan's view.
 - d. While the KKWSP seeks to concentrate 95% of future growth within and around Kerikeri and Waipapa, Mr Henehan argues that this is unrealistic given infrastructure constraints and market conditions. He considers the Rural Lifestyle rezoning of the Meridian Farm property to be a pragmatic response to housing demand outside serviced areas. Similar to other submitters, Mr Henehan considers that the KKWSP should be given no weight under the PDP process given it is a non-statutory document.
204. I have responded to Mr Henehan's consideration of the Minute 14 matters in **Appendix 1** of this report, but I make the following comments with respect to his key arguments and the Rural Rezoning Evaluation Framework criteria:
 - a. As discussed in Section 3.2.2 of this report, previous fragmentation of land into smaller parcels with more limited options to be used for productive purposes does not automatically mean that land should receive a rural residential or rural lifestyle zoning, particularly if the rezoning would enable further fragmentation and intensification of that land. The range of lot sizes approved for the Meridian Farm land is broad (between 2-8ha for the rural lifestyle sized lots but up to 37ha for the balance lots), which means there is significant further subdivision potential. Mr Henehan has estimated that the PEC of

Meridian Farm (excluding the rural lifestyle lots already created) would be 19 sites under the notified controlled activity minimum lot size and 33 sites if the controlled minimum lot size is reduced to 2ha, as per my Hearing 9 recommendations. However, some of the approved rural lifestyle sized lots are over 4ha in size, meaning there is also additional subdivision potential from those lots. As such, I disagree with Mr Henehan that rezoning merely brings the zoning into alignment with approved and anticipated land use.

- b. In this context, I do not consider that range of lot sizes approved for the Meridian Farm land are consistent with the scale of development anticipated for the Rural Lifestyle Zone (inconsistent with Criterion B), rather it represents a significant opportunity for further intensification. As I've mentioned above in response to other submitters, I note that the size and non-productive use of the land parcels may not sit comfortably in the Rural Production Zone, however this is a common occurrence across the Rural Production Zone due to a legacy of permissive subdivision rules in the ODP, which I have discussed in Section 3.2.2 of this report above, and not in of itself a reason to upzone the land.
- c. I do not consider that providing additional development capacity in this location is consistent with the objective of the KKWSP to create a compact urban form, noting that Mr Henehan and I disagree as to whether the approach of the KKWSP is achievable and sustainable and the relative weighting to give the KKWSP as a non-statutory document (which I have discussed in Section 3.2.2 above). I note that further evidence on the KKWSP and the importance of not allowing additional upzoning of land to Rural Residential will be covered in more detail in the section 42A reports for Hearing 15D. Overall, I consider upzoning the Meridian Farm land to be inconsistent with Criteria D.
- d. I agree with Mr Henehan that the land is not highly productive land with respect to the NPS-HPL, however I disagree that a zone change is required to avoid runoff from fertiliser entering the Rangitane River. The evidence provided by Mr Henehan is that the land has already been approved for some degree of fragmentation into rural lifestyle sized lots and is no longer being used productively. I disagree that a zone change is necessary to prevent fertiliser being used on the land.
- e. I have concerns with the replacement of the defendable and logical zone boundaries as notified with less defendable cadastral boundaries. Currently, the edges of the adjacent Rural Lifestyle Zone and Horticulture Zone (recommended to be amended to Rural Residential (see commentary on the Neil Construction submission) and Horticulture Precinct) are defined by either roads or the Rangitane River. These form clear, logical and defendable boundaries where there is a clear signal that intensification around

Kerikeri is intended to stop. Rezoning Meridian Farm as Rural Lifestyle would continue the fragmentation creep outside of these defensible boundaries, as well as create an illogical pattern of zoning whereby parcels caught between Purerua Road, the Rangitane River and the Meridian Farm land would remain Rural Production, creating a small finger of Rural Production land between the Horticulture Precinct and Rural Lifestyle Zone. As such, I disagree with Mr Henehan that the rezoning is a logical extension of the existing settlement pattern and consider the proposal inconsistent with Criterion A with respect to logical and defensible zone boundaries.

- f. With respect to the other Minute 14 matters, Mr Henehan's commentary on transport matters is limited to access being available via existing legal roads, that suitable sight distances are available along both Redcliffs and Purerua Roads and compliance with Council access standards are easily achieved. Mr Henehan provides no commentary on the impact of the increased capacity on the surrounding network. Mr Collins has reviewed the potential trip generation resulting from the upzoning and notes that, while the additional trips may not seem to be significant, they would have a direct effect on the capacity of the Heritage Bypass, which is anticipated to be under significant pressure in the future, as set out in Mr Collins' memorandum in **Appendix 3**.
- g. Mr Henehan has commented on the further submissions on the Meridian Farm original submission but has not undertaken any proactive engagement with adjacent landowners.

205. Overall, I find that the reasons to retain the Meridian Farm land as Rural Production Zone outweigh the reasons why the land should be upzoned to Rural Lifestyle Zone, particularly considering the conflict with the outcomes sought by the KKWSP, potential traffic effects (that have not been assessed) and the creation of less defensible zone boundaries compared to the PDP as notified. I recommend that this submission is rejected.

4.4.4 Neil Construction Limited – S349.001 and Kapiro Conservation Trust – S444.001 and S448.004

Overview

Submitter name and submission point	Notified PDP Zoning	Officer Recommendation(s)
Neil Construction Limited (S349.001)	Rural Lifestyle Zone	Amend to Rural Residential Zone
Deidre Putt (S68.001), Christopher Baker (S83.001), Jeffrey Putt (S76.001), Dianne Margret Pope (S88.001) Ian Harold Pope	Rural Lifestyle Zone	Amend to Rural Residential Zone

Submitter name and submission point	Notified PDP Zoning	Officer Recommendation(s)
(S89.001), Terry Clarke (S144.001), Fiona Clarke (S145.001), Jeff Christensen (S564.001), John Neison (S558.001), Craig and Mary Sawers (S181.001), Denyse Pope (S162.001), Kapiro Residents Association (S426.001), Carbon Neutral NZ Trust (529.110), Vision Kerikeri (S526.001) Kathryn and Al Panckhurst (S537.001), Kapiro Conservation Trust (S444.001)		
Kapiro Conservation Trust (S448.004)	Rural Lifestyle Zone	No change

Matters raised in submissions

206. Neil Construction Limited (S349.001) oppose the Rural Lifestyle Zone as it applies to the property previously known as 'Tubbs Farm' on Kapiro Road, consisting of:
- Approximately 68.2490 ha of land owned by Neil Construction Limited, subject to a recently granted subdivision consent;
 - Existing residential development at Blue Penguin Drive and Fernbird Grove, developed by Neil Construction Limited, and comprising approximately 58.0518 ha; and
 - Existing residential development at Kingfisher Drive comprising approximately 20 ha.
207. Neil Construction Ltd considers that the Tubbs Farm land is not subject to any constraint that would make rural residential style development inappropriate and that the recently consented subdivision for the balance of the site enables lot sizes that are more consistent with the Rural Lifestyle Zone (ranging from 3,000m² to 6,000m² in size). Neil Construction Ltd notes that land to the south has already been zoned Rural Residential and that an extension of this zone to include the subdivision at Tubbs Farm would result in an unbroken band of Rural Residential zoned land surrounding Kerikeri and the coast. Neil Construction Ltd consider that this 'band' would provide a defensible boundary to the Rural Residential zone by way of the Rangitane River, Kerikeri Inlet and Redcliffs Road. Neil Construction Limited do not consider that the land can be used for any rural production purpose owing to its contour and mixed soil quality and that the best outcome would be to



utilise the land for rural residential development, in accordance with the approved resource consent.

208. Kapiro Conservation Trust have two rezoning submission points:
- a. S444.001 opposes the Rural Lifestyle zoning of the land at Lot 1001 DP 532487, Kapiro Road (one land parcel of the wider Tubbs Farm lad) and request that it be rezoned either Horticulture Zone or Rural Production Zone to recognise the high quality soils present on the site.
 - b. S448.004 opposes the proposed Rural Lifestyle zoning of land at the end of Kurapari Road in Kerikeri, legally described as Lot 3 DP 415575. Kapiro Conservation Trust considers that, given the ODP zone is General Coastal and the southern end of the site is within the Coastal Environment, applying a Rural Lifestyle or any other residential zone is inappropriate. The site is an SNA and, as such, Kapiro Conservation Trust requests that either special zoning or a reserve equivalent on private land is applied to protect the site.

Analysis

Tubbs Farm

209. I had a pre-hearing meeting with planning and legal representatives from Neil Construction Ltd on 20 May 2025. I extended the same offer for a pre-hearing meeting to Kapiro Conservation Trust as an opt-in submitter interested in the same land (previously known as Tubbs Farm) as well as another site on Kurapari Road, on 19 May 2025. I received a response via email from Kapiro Conservation Trust that further contact would be made in June to set up a meeting. No further contact was received from Kapiro Conservation Trust so no pre-hearing meeting has been held.

210. At the pre-hearing meeting with Neil Construction Ltd, Mr Philip Brown (planner) provided me with a summary of the extensive consent history, including the recently resolved Environment Court case, of Tubbs Farm. The spatial extent of the rezoning request is shown in Figure 16 below:

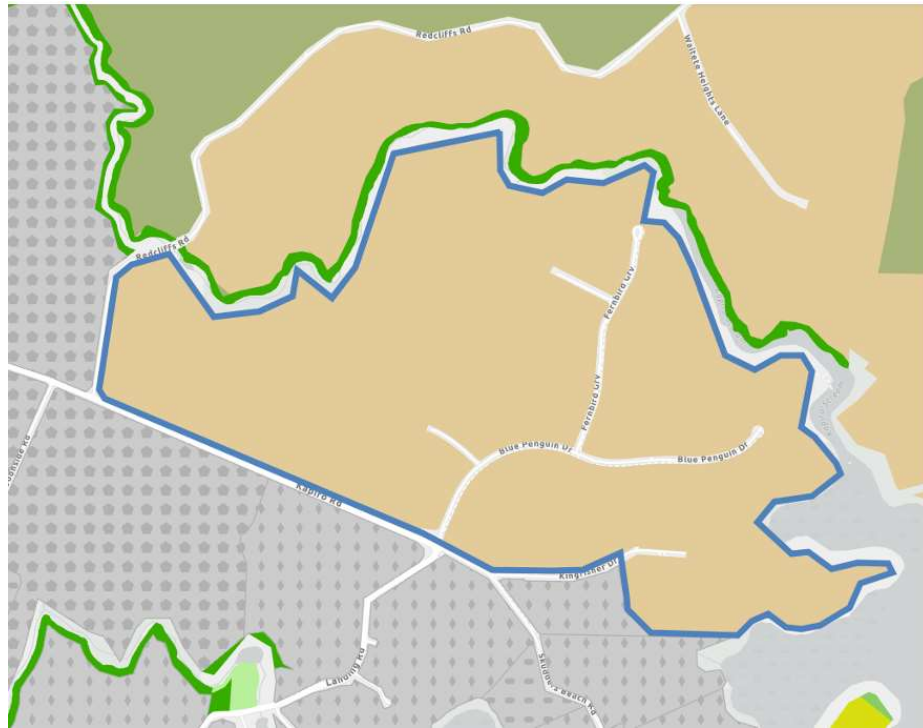


Figure 16: Spatial extent of the rezoning request from Neil Construction Ltd (blue)

211. The result of Environment Court decision [2025] NZEnvC 156 is that a subdivision consent has been approved that enables the creation of 115 lots, ranging in size from 3,000m² to 6,000m², which is in the process of being given effect to. Mr Brown has also provided planning evidence to support rezoning the Tubbs Farm site from Rural Lifestyle to Rural Residential, with the key points being:
- a. Rural Residential Zone more appropriately reflects the existing and enabled residential character of the Tubbs Farm site. The purpose of the Rural Residential Zone is intended to provide for spacious peri-urban living close to urban areas and that the Tubbs Farm site is both close to Kerikeri and Waipapa as well as adjacent to other Rural Residential zoned land.
 - b. Rural Lifestyle Zone is a poor fit for the site, given its emphasis on enabling primary production activities alongside residential use, which is inconsistent with the approved subdivision layout and lot sizes.
 - c. Rural Lifestyle Zone permits activities such as plantation forestry, which may be incompatible with the residential character and lot

sizes of the land subject to the submission and could give rise to reverse sensitivity effects.

- d. Rural Lifestyle Zone development standards, including minimum lot sizes and building setbacks, are misaligned with the approved subdivision and would likely result in a high number of resource consent applications for future non-compliances for buildings and structures.
 - e. Rezoning the land to Rural Residential would result in a more coherent and logical zoning pattern, particularly given the adjacency to Rural Residential land to the south.
 - f. The land subject to the submission is bounded by defensible physical features, including the Rangitane River and an escarpment, which would limit pressure for future expansion of the Rural Lifestyle Zone.
212. In his section 32AA evaluation, Mr Brown concludes that the Rural Residential Zone is a more efficient and effective zoning option compared to the Rural Lifestyle Zone, with fewer costs and greater alignment with the existing and consented land use. He considers that the Rural Lifestyle Zone would be inefficient, given the likelihood of unnecessary resource consent applications and potential for incompatible land uses. He also notes that infrastructure and transport servicing has already been addressed through the subdivision consents, and that natural hazard and reverse sensitivity effects have been considered and appropriately managed.
213. In follow up correspondence, I asked Mr Brown to outline whether he considered there to be a realistic chance of further subdivision of the consented lots, given that some lots are over 4,000m² in size, which could theoretically enable further subdivision into two lots as a discretionary activity. Mr Brown prepared a further memo focusing on this question, dated 4 August 2025, which has since been uploaded to the Hearing 15C website. The key points made by Mr Brown in this memo are:
- a. All consented lots will be subject to a consent notice that prevents further subdivision unless minimum lot sizes for the zone are met. Given that no lots within the subdivision exceed 8,000m², further subdivision as a controlled activity is not possible. Mr Brown acknowledges that some limited potential exists for discretionary subdivision of lots over 4,000m², but considers this pathway to be challenging and unlikely to be pursued in practice.
 - b. There are numerous constraints that would limit further subdivision opportunities, including:
 - i. Steep topography and limited building platforms on many lots;
 - ii. Planting covenants and large yard setbacks that restrict available development area;

- iii. Lot shapes that are narrow or irregular, reducing practical subdivision options;
 - iv. Lifestyle-oriented development patterns, including centralised house placement, boundary planting, and on-site wastewater fields, which reduce available land for further subdivision.
 - c. After undertaking a lot-by-lot assessment across Stages 3 to 6 of the subdivision, Mr Brown concludes that only a small number of the 115 lots (estimated at between 3–6) may have realistic subdivision potential. Even then, he considers that discretionary consent would be difficult to obtain and that most purchasers are unlikely to pursue further subdivision given the nature of the development.
214. I concur with the majority of Mr Brown's points, particularly the following with respect to the Rural Zoning Evaluation Framework criteria:
- a. The land was already notified as Rural Lifestyle Zone prior to the gazetting of the NPS-HPL, so does not meet the definition of highly productive land, it is not located within the Horticulture Precinct and does have logical and defensible zone boundaries on all sides in the form of the Rangitane River to the north, Redcliffs Road to the west, Kapiro Road to the south and the coastline to the east. The land adjoins existing areas of both Rural Lifestyle and Rural Residential zoned land, is close to key transport routes and has good access to services in nearby Kerikeri and Waipapa. It is in a location that may transition to urban over time, although it is not in an identified growth area under the KKWSP (largely consistent with Criterion A).
 - b. I agree with Mr Brown that the existing and consented land uses and subdivision pattern are consistent with the purpose of the Rural Residential Zone and that the associated rules and standards are a better fit for the size of the landholdings (consistent with Criterion B).
 - c. I agree with Mr Brown that the previous subdivision consents have comprehensively dealt with the natural hazards and natural environment values present on the site and that, given its elevation, the land is likely to be resilient to the current and future impacts of climate change. The rezoning is generally compatible with surrounding land uses to the north and east and potential reverse sensitivity effects on Horticulture Precinct land to the west and south have been addressed through conditions of the subdivision consent (consistent with Criterion C).
 - d. Taking the position that further subdivision of sites is unlikely (discussed further below), the consented yield from the sites accessed from Blue Penguin Drive, Fernbird Grove, and Kingfisher Drive, plus the 115 recently consented lots on the balance of the site, have been factored into calculations of existing capacity around

Kerikeri and Waipapa. I note that lot sizes in the existing development around Blue Penguin Drive, Fernbird Grove, and Kingfisher Drive range from 3.6 ha to 2,311m², with most being a similar size to those consented under the balance lot subdivision consent for 115 lots. Although some of the sites around Kingfisher Drive are large enough to subdivide further, their location in the Coastal Environment overlay means there is no controlled activity pathway to subdivision and all future applications would also be for a discretionary activity. As such, there is no new controlled activity capacity enabled by the rezoning and therefore, in my view, the growth objectives of the KKWSP are not undermined (consistent with Criterion D).

215. I agree with Mr Brown that there are numerous factors, both physical and statutory (e.g. required setbacks, Coastal Environment overlay), that significantly reduce the likelihood that rezoning the Tubbs Farm land to Rural Residential Zone will result in additional subdivision of lots. The fact that there is no controlled pathway to subdivision (which has been my consistent test for additional yield generated by a zone change) and that only a small portion of lots are both large enough and sufficiently unconstrained to apply for a discretionary activity subdivision satisfies me that rezoning this land is more likely to reinforce the status quo as opposed to enable more development.
216. With respect to the alternative submission from Kapiro Conservation Trust to rezone the largest block that has not been subdivided (but has consent to be subdivided) either Horticulture Zone or Rural Production Zone to protect the highly productive soils within the site, I note that this submission was made in 2022 when the subdivision consent process was still underway. Now that the Environment Court appeal has been finalised, 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.
217. As such, I recommend that the rezoning submission from Neil Construction Limited be accepted and the submission in opposition from Kapiro Conservation Trust be rejected.

Kapiro Conservation Trust – Lot 3 DP 415575, Kurapari Road

218. As no pre-hearing meeting was held with Kapiro Conservation Trust, I have only been able to consider the information contained in their original submission. The site where Kapiro Conservation Trust oppose the Rural Lifestyle zoning on Kurapari Road is shown in Figure 17 below:



Figure 17: Lot 3 DP 415575 on Kurapari Road (black and white)

219. I acknowledge the point made by Kapiro Conservation Trust that under the ODP the land was previously zoned General Coastal, so the proposed change to Rural Lifestyle is an upzoning on a site that contains an area of indigenous biodiversity protected by way of a consent notice. I have discussed this area of upzoning with the internal staff involved at the time and the core reasons for the zone change were:
- a. Providing additional lifestyle capacity in appropriate areas near Kerikeri and Waipapa to compensate for the reduction in rural lifestyle opportunities in the Rural Production Zone and Horticulture Zone.
 - b. Creating a logical continuation of the Rural Lifestyle Zone by connecting the main Rural Lifestyle area in Kerikeri to an isolated pocket of Rural Lifestyle Zone, located to the north of the settlement on Rangitane Loop Road.
220. I can appreciate the concerns of Kapiro Conservation Trust regarding the natural environment values of the site. However, from the information provided with the original submission, it appears that those values are largely protected via existing consent notices and covenants. The original submission

states that the site is subject to a s221 consent notice that protects the native vegetation on the site and prohibits any predators of kiwi. In addition, a covenant protects 97.8% of the part of the site identified as containing significant indigenous biodiversity and only provides for vegetation clearance for a single house site (on 2.2% of the site).

221. I also do not have any information as to the view of the actual owners of this property¹⁵ – there was no information in the original submission as to whether Kapiro Conservation Trust had engaged with and/or obtained the support of the landowner for what would be a downzoning of this property to Rural Production (being the nearest equivalent zone to the ODP General Coastal Zone, which is no longer a zone option under the National Planning Standards) compared to the notified Rural Lifestyle Zone. Kapiro Conservation Trust may wish to bring additional evidence about the position of the landowner and/or surrounding property owners to the hearing.
222. As such, based on the limited information provided to me in the original submission, particularly the lack of engagement or consultation with the landowner or surrounding landowners, I recommend that the submission point from Kapiro Conservation Trust be rejected.

4.4.5 Gray Gilrairie Holdings Limited – S295.001

Overview

Submitter name and submission point	Notified PDP Zoning	Officer Recommendation(s)
Gray Gilrairie Holdings Limited (S295.001) and Okura Trust (FS343.001)	Rural Production Zone	No change

Matters raised in submissions

223. Gray Gilrairie Holdings Ltd (S295.001) is concerned by the lack of additional land zoned for residential purposes around Kerikeri and would like to see more land released for development. Gray Gilrairie Holdings Ltd understands that there are limited options for providing for additional growth around Kerikeri due to the presence of versatile soils but notes that large areas of land around Shepherd Road, Okura Drive and Riddell Road with poor soils have been zoned Rural Production rather than enabling development via the Rural Residential Zone. Gray Gilrairie Holdings Ltd request that land to the south-east of Shepherd Road, including the properties at 99 and 101 Shepherd Road, 19 Okura Drive (Lot 2 DP 555928 and Lot 1 DP 548286) and 27C Riddell Road (Lot 3 DP 156034) are rezoned from Rural Production to Rural Residential.

¹⁵ Shown on the certificate of title as Kurapari Holdings Limited and Markus Wiese

226. The area of land subject to the Gray Gilraine Holdings Ltd submission is shown in Figure 18 below, totalling approximately 100ha:

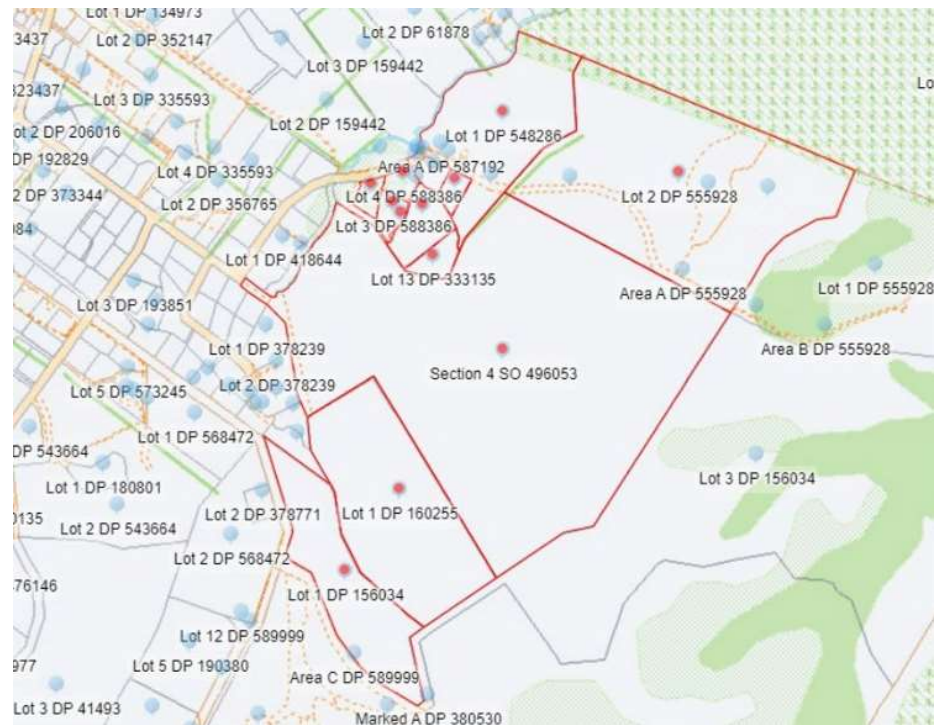


Figure 18: Spatial extent of Rural Residential rezoning request from Gray Gilrairie Holdings Ltd (parcels shown in red)

227. The lay evidence provided by Mr Craig Lee and Ms Toni Monro (trustees of the Okura Trust) confirms that there has been further subdivision of Lot 2 DP 555928 and that the PDP maps do not show the extent of consented titles. Okura Trust have provided an adapted PDP map to show the soon to be created titles, shown in Figure 19 below:



Figure 19: Recently consented lots within the submission area identified in red

228. I had a pre-hearing meeting online with Mr Andrew McPhee on behalf of Gray Gilrairie Holdings Ltd on 19 May 2025. Matters discussed at this meeting included the type of information required to address the Minute 14 criteria, the need for a potential scheme plan/development layout to properly understand feasible development capacity vs plan enabled capacity and timing issues preparing evidence relating to the KKWSP (which had not been adopted at the time of the meeting). Mr McPhee subsequently submitted planning evidence on behalf of Gray Gilrairie Holdings Ltd in support of rezoning the submission area to Rural Residential. I have not had a pre-hearing meeting with Okura Trust as further submitters, but I understand they met with the author of the Hearing 15C urban report (Ms Trinder) to discuss their rezoning proposal on 16th June 2025.
229. The key points made in support of the Rural Residential rezoning in Mr McPhee's evidence are as follows:
- a. Mr McPhee raises concerns about the Council's ability to deliver infrastructure within Kerikeri's urban area, citing underperformance in wastewater upgrades and limited progress on consent renewals. In his view, this uncertainty necessitates a greater reliance on peri-urban land to accommodate growth. In response, Mr McPhee argues that the submission area is a logical place to provide that peri-urban growth around Kerikeri as the land adjoins existing Rural Residential zoned land and is located within 2km of Kerikeri's town centre and schools.

- b. In terms of alignment with higher order documents, Mr McPhee references section 31 of the RMA and the NPS-UD, arguing that the requested rezoning supports responsive planning and addresses the lack of demonstrated development capacity within Kerikeri's urban environment. He also refers to the Northland RPS, citing objectives and policies that promote supporting economic wellbeing, efficiently providing for infrastructure, and executing planned development.
 - c. Mr McPhee critiques the KKWSP, noting that it is non-statutory, unfunded, and lacks certainty around infrastructure delivery. He cautions against relying on the KKWSP's proposed 95% urban / 5% rural growth split as part of justification for rezoning decisions, arguing that it risks sterilising growth in peri-urban areas where demand is historically high.
 - d. The evidence confirms that land in the submission area is not highly productive (classified as LUC class 4 soils) and is generally free of development constraints. Mr McPhee argues that rezoning marginal rural land for higher and better use is consistent with SD-RE-O2, which seeks to protect highly productive land from inappropriate development.
 - e. The evidence concludes that the land is gently contoured, accessible, and free from significant hazards or biodiversity constraints. Mr McPhee estimates a potential yield of 175–350 lots, depending on lot size and activity status, and considers this a meaningful contribution to housing supply.
 - f. Mr McPhee notes support from two further submissions (including Okura Trust) and provides a section 32AA evaluation concluding that the rezoning is efficient, effective, and appropriate. He identifies benefits including the use of marginal land, reduced pressure on highly productive soils, and provision of market-responsive housing. Potential costs include stormwater and wastewater management risks, and increased car dependency.
230. The key points made in support of the Rural Residential rezoning in the lay evidence provided by Mr Lee and Ms Monro on behalf of Okura Trust are as follows:
- a. The Rural Production Zone is no longer appropriate given the existing residential density and ongoing fragmentation through subdivision. The evidence highlights that the submission area has already been substantially subdivided, with 23 titles now consented. Only one title exceeds 40ha (the minimum lot size required for a permitted residential unit under the Rural Production Zone), while the remaining titles range from 4,000m² to 12ha, with the majority under 2ha.
 - b. A comparison of the PDP objectives, policies and rules for the Rural Production and Rural Residential zones demonstrates, in the opinion

of Mr Lee and Ms Monro, that the Rural Residential zone better reflects the current character, amenity, and residential activities within the submission area. They note that the Rural Residential zone anticipates peri-urban living, small-scale farming, and future urban growth, all of which are relevant to the submission area's location and existing development pattern.

- c. The submission area is well-connected to Kerikeri via footpaths and low-traffic roads, and is closer to town than other recently approved subdivisions such as "Tubb's Farm" on Kapiro Road. Mr Lee and Ms Monro note that the Waitangi Forest provides a natural greenbelt boundary and opportunities for recreational linkages, including potential connections to the Far North Trails Plan and Te Araroa walkway.
 - d. Infrastructure is already in place to support Rural Residential development, including a new power distribution network and a sealed public road extension (Okura Drive). The rising main for the Kerikeri Wastewater Treatment Plant passes through the submission area, offering a cost-effective opportunity for future integration into the reticulated wastewater system.
 - e. Mr Lee and Ms Monro cite two recent resource consent decisions (RC 2220225 and RC 2220550) as evidence of Council support for Rural Residential development in the area. These decisions acknowledged the peri-urban character of the area, compatibility with surrounding land uses, and the absence of significant rural production value.
231. I have responded to Mr McPhee's consideration of the Minute 14 matters in **Appendix 1** of this report, but I make the following comments with respect to his key arguments (and those made by Okura Trust) and the Rural Rezoning Evaluation Framework criteria:
- a. As discussed in Section 3.2.2 of this report, previous fragmentation of land into smaller parcels with more limited options to be used for productive purposes does not automatically mean that land should receive a rural residential or rural lifestyle zoning, particularly if the rezoning would enable further fragmentation and intensification of that land. Although some fragmentation has already occurred within the submission area close to the edge of Kerikeri, there is significant further subdivision potential if a Rural Residential Zone is applied.
 - b. Mr McPhee has estimated that the potential subdivision yield from the 100ha submission area could be around 175 lots as a controlled activity, assuming around 30% of the landholding is removed for future roads and reserves. I consider that this estimate is relatively conservative, particularly the assumption of 30% land removal for roads and reserves. Given the scale of the rezoning request, I would have anticipated more supporting information from other technical specialists, including transport, urban design (potentially a

masterplan or structure planning exercise), economic evidence in terms of justification for the added capacity, geotechnical, ecology etc. The only assessment of these matters has been from either a planning or lay person perspective.

- c. I agree with Mr McPhee that the LUC 4 classification of the land does not indicate that it is highly productive land under the NPS-HPL. However, I disagree that the land not meeting the NPS-HPL test is justification for Rural Residential upzoning. LUC class 4 occurs across the Far North district in a variety of locations and much of it is used productively. Insinuating that the land is 'marginal' and therefore should be converted to housing would indicate that housing is the highest and best use of much of the Far North rural environment.
- d. With respect to Criterion A of the Rural Rezoning Evaluation Framework, I have some concerns about whether the extension to the Rural Residential zone would result in a logical or defensible zone boundary. I agree with Mr Lee and Ms Monro that the Waitangi Forest to the north provides a natural boundary of sorts, however there is no such natural boundary to the east or the south. Adding Rural Residential zoning in this location would result in land that is surrounded by Rural Production Zone on three sides, which in my view is a protrusion of the zone further out into the rural environment, as opposed to creating a consolidated and well-functioning urban environment around Kerikeri (inconsistent with Criterion A).
- e. I do not consider that range of lot sizes already approved within the submission area are consistent with the scale of development anticipated for the Rural Residential Zone (inconsistent with Criterion B), rather it represents a significant opportunity for further intensification. As I've mentioned above in response to other submitters, I note that the size and non-productive use of the land parcels may not sit comfortably in the Rural Production Zone, however this is a common occurrence across the Rural Production Zone due to a legacy of permissive subdivision rules in the ODP, which I have discussed in Section 3.2.2 of this report above, and not in of itself a reason to upzone the land. With respect to the two resource consent decisions mentioned in the evidence for Okura Trust, I note that those decisions were made under the decision-making framework of the ODP. The PDP is actively moving away from a permissive approach to allowing small scale fragmentation of Rural Production zoned land and, in my opinion, those same resource consents would not be granted under the PDP decision making framework. As such, those decisions are not evidence that rural residential development is supported by Council in this location.
- f. With respect to Criterion C, I agree with Mr McPhee that the submission area is not subject to any overlays to manage natural environment values, is likely resilient to the current and future effects

of climate change and that, while there are some areas of River Flood Hazard overlay shown around waterbodies, these are very minimal and could likely be designed around at subdivision stage. However, while the rezoning would be compatible with the rural residential land uses to the west, the rezoning would be expanding out this more intensive form of rural residential development eastward towards areas still being used for primary production. In my view, this increases the chances of reverse sensitivity effects occurring on the margins of the submission area and places increasing pressure on adjacent parcels of Rural Production land to also convert to residential activities. As such, I consider that the rezoning proposal is somewhat consistent with Criterion C, except for how the rezoning interacts with adjacent rural production land.

- g. I do not consider that providing substantive rural residential capacity on the eastern edge of Kerikeri (where the majority of the submission area sits outside the KKWSP) is consistent with the objective of the KKWSP to create a compact urban form, noting that Mr McPhee and I disagree as to whether the approach of the KKWSP is achievable and sustainable and the relative weighting to give the KKWSP as a non-statutory document (which I have discussed in Section 4.4.3 above). I disagree with Mr McPhee that the most sustainable option for accommodating growth is peri-urban development – it is an inefficient use of land that continues the sprawl pattern of Kerikeri that the KKWSP was introduced to address. I note that further evidence on the KKWSP and the importance of not allowing additional upzoning of land to Rural Residential will be covered in more detail in the section 42A reports for Hearing 15D. This will include further discussion about development capacity and consistency with the NPS-UD and the Northland RPS. Overall, I consider upzoning the submission area would be inconsistent with Criteria D.
- h. With respect to the other Minute 14 matters, Mr McPhee's commentary on transport matters is limited to the landholding being currently subject to low volume traffic numbers and that there is the potential to upgrade some of the existing roads and establish a connector road out to State Highway 10 near the top of Bulls Gorge. Mr McPhee provides no commentary on the impact of the increased capacity on the surrounding network or any indication from NZTA that they would support a State Highway 10 connection. Mr Collins notes in his memorandum that, based on Mr McPhee's anticipated yield, there would be a significant increase in trip generation along the local roads between the site and Kerikeri, which could impact the timing of when upgrades to Kerikeri roading infrastructure is required, e.g. roundabouts on Cobham Road. No analysis has been provided on the potential for the rezoning request to exacerbate anticipated capacity issues on the key transport corridors through Kerikeri identified in Mr Collins' memorandum.

- i. I do not have any further comments regarding servicing as three waters servicing is anticipated by onsite means in the Rural Residential Zone but I note that information has been provided regarding power connections. I agree in principle with Mr McPhee that there is the potential for increased stormwater runoff if not managed on-site and the potential for cumulative effects from on-site wastewater systems if not properly managed, however I also agree that on-site servicing issues can be managed at subdivision stage provided minimum lot sizes for the Rural Residential zone are complied with.
 - j. Mr McPhee has commented on the further submissions on the Gray Gilrairie original submission but has not undertaken any proactive engagement with adjacent landowners, other than to note the support from Okura Trust and Audrey Campbell-Frear as further submitters. Given the scale of rezoning proposed (100ha) and its potential to impact both the rural land to the north, east and south and the rural residential land to the west (particularly with respect to increased traffic volumes utilising the road network), I would have expected more evidence of engagement with, at a minimum, adjoining landowners.
232. Overall, I find that the reasons to retain the land identified by Gray Gilrairie Holdings Ltd and Okura Trust as Rural Production Zone outweigh the reasons why the land should be upzoned to Rural Residential Zone, particularly considering the conflict with the outcomes sought by the KKWSP and the creation of less defensible zone boundaries compared to the PDP as notified. As such, I recommend that these submissions are rejected.

4.4.6 Ian Diarmid Palmer and Zejia Hu – S244.001, RHL & LM Ferguson Family Trust – S57.001

Overview

Submitter name and submission point	Notified PDP Zoning	Officer Recommendation(s)
Ian Diarmid Palmer and Zejia Hu (S244.001)	Rural Production Zone	No change
RHL & LM Ferguson Family Trust (S57.001)	Rural Production Zone	No change

Matters raised in submissions

233. Ian Diarmid Palmer and Zejia Hu (S244.001) oppose land on the Rangitoto Peninsula being zoned Rural Production and consider this zoning to be inappropriate. Approximately 51ha of the 59ha that make up the Rangitoto Peninsula is privately owned and already fragmented into numerous parcels resulting in 12 properties – of which the submitters own three. Ian Diarmid Palmer and Zejia Hu note that the section 32 Report for the Rural Environment implies that land zoned Rural Production should have capacity

for commercially viable rural production activities, good soils and a sizable site area. Ian Diarmid Palmer and Zejia Hu do not consider the Rangitoto Peninsula fulfils any of these criteria and request that the land is rezoned as Rural Lifestyle.

234. RHL & LM Ferguson Family Trust (S57.001) oppose the proposed zoning of 95 Marchant Road in Hihi 'Butler Point' as Rural Production, which is another property on the Rangitoto Peninsula that consists of six titles. The Fergusons argue that the property is not viable from a rural production standpoint as it features areas of regenerating native bush, clay soils, steep topography and heritage elements, none of which are suited to productive land use. The Rangitoto Peninsula is already highly fragmented, which the Fergusons consider defeats the purpose of Rural Production zoning. The Fergusons note that the property is historic, treasured by locals and tourists alike and meets PDP criteria for the Rural Lifestyle Zone, meaning it should be upzoned.

Analysis

235. The area of land subject to the submission from Ian Diarmid Palmer and Zejia Hu consists of all privately owned land on the Rangitoto Peninsula between the General Residential zoned area of Hihi and the Natural Open Space zoned northern headland of the Peninsula. The spatial extent of the Ferguson's submission is a subset of this land, consisting of the six lots that they own. The total area of land that I address in this section is shown in Figure 20 below, totalling approximately 78ha:



Figure 20: Spatial extent of rezoning submissions on the Rangitoto Peninsula (orange outline)

236. I had a pre-hearing meeting online with Mr Palmer, Ms Hu, Mr and Mrs Ferguson and their planning consultant Mr Thomas Keogh on 21 May 2025. Mr Keogh subsequently submitted planning evidence on behalf of both submitters in support of rezoning the private land on the Rangitoto Peninsula Rural Lifestyle.
237. The key points made in support of the Rural Lifestyle rezoning in Mr Keogh's evidence are as follows:
- a. The submission area comprises 12 titles ranging in size from 6,500m² to nearly 16ha, all of which are used for lifestyle or residential purposes. The land is highly fragmented, lacks coordinated productive use and is characterised by a rural-residential pattern more aligned with lifestyle living than traditional rural production. Mr Keogh notes that all 12 titles are rated as lifestyle or residential, with no primary industry use.
 - b. Land in the submission area is classified as LUC class 6 and is not considered highly productive under the NPS-HPL. Mr Keogh notes that other overlay constraints in the PDP, including heritage, landscape, and hazard overlays, further limit the land's suitability for rural production activities.
 - c. Mr Keogh considers the Rural Lifestyle Zone to be a more appropriate zoning framework, reflecting the existing use and enabling low-density development consistent with the site's physical characteristics. He notes that rezoning would not enable significant additional subdivision, with only one site currently meeting the 8ha threshold for controlled subdivision into 4ha lots, and four others qualifying for discretionary subdivision at 2ha. If the reduced minimum lot sizes that I have recommended for the RLZ in Hearing 9 are adopted, Mr Keogh considers that five sites would meet the 4ha threshold for controlled subdivision into 2ha lots, with two further sites potentially qualifying for discretionary subdivision into 1ha lots.
 - d. Rural Lifestyle zoning would support more active land management, aligning with regional and district objectives promoting stewardship and biodiversity enhancement. Smaller lots encourage more frequent maintenance and ecological care, particularly in areas with regenerating vegetation and conservation covenants.
 - e. Mr Keogh considers that the objectives and policies of the Rural Lifestyle Zone are more closely aligned with the existing characteristics of the submission area. Conversely, the Rural Production Zone objectives and policies are not met, given the absence of productive activity and the fragmented nature of the land. Mr Keogh concludes that the rezoning is consistent with higher order documents, including the RPS and New Zealand Coastal Policy Statement as Rural Lifestyle zoning better supports consolidated

settlement patterns, ecological enhancement, and appropriate use of land in the coastal environment compared to the Rural Production Zone.

- f. The submission area is serviced by existing public roads and relies on on-site three waters infrastructure, with no need for Council reticulated services. The Rural Lifestyle Zone supports self-sufficient, low-impact development, including solar energy systems already in use on existing dwellings.
- g. No further submissions were received, and while no consultation has been undertaken to date, Mr Keogh notes that the submitters acknowledge the importance of engaging with tangata whenua at the appropriate stage of future development.

238. I have responded to Mr Keogh's consideration of the Minute 14 matters in **Appendix 1** of this report, but I make the following comments with respect to his key arguments and the Rural Rezoning Evaluation Framework criteria:

- a. As discussed in Section 3.2.2 of this report, previous fragmentation of land into smaller parcels with more limited options to be used for productive purposes does not automatically mean that land should receive a rural residential or rural lifestyle zoning, particularly if the rezoning would enable further fragmentation and intensification of that land. Although some fragmentation has already occurred within the submission area, there is still further subdivision potential if a Rural Lifestyle Zone is applied. As such, the rezoning request in my view is not simply aligning the zone with the intensity of residential development that exists currently, it is about enabling further intensification.
- b. Mr Keogh has not estimated a specific yield resulting from the requested upzoning, rather he has focused on how many individual lots could be further subdivided under the RLZ provisions in the PDP as notified, and as I have recommended in Hearing 9. However, I consider that approach to be understating the subdivision potential, given that the entire area requesting rezoning is just over 78 ha, with the ownership breakdown as follows:
 - i. Mr Palmer and Ms Hu: 3 titles, totalling 15.51ha
 - ii. The Fergusons: 6 titles, totalling 31.14ha
 - iii. Three other titles owned by other parties, being 4.19ha, 16.65ha and 11.50ha respectively.
- c. As many of the titles are owned by the same party, it is more accurate to look at the yield enabled across the entire landholding, as opposed to the yield from each lot individually. Based on this, the PEC from the land owned by Mr Palmer and Ms Hu would be three lots as a controlled activity and six lots as a discretionary activity.

The PEC from the land owned by the Fergusons would be seven lots as a controlled activity and fourteen lots as a discretionary activity. The yields achievable from the other three properties would allow for an additional six lots as a controlled activity or twelve lots as a discretionary activity, bringing the total PEC to 16 lots controlled and 32 lots discretionary. I note that this yield would double if my Hearing 9 recommendations are adopted.

- d. While I agree with Mr Keogh that the various overlays applying to the Rangitoto Peninsula would make it unlikely that a subdivision would have a controlled activity pathway, if the underlying zone is Rural Lifestyle then the expectation for small lots is set by the PDP and it would be difficult for a Council planner to decline a subdivision proposal if the controlled activity density is achieved and overlay matters dealt with appropriately. As such, the rezoning request could result in a yield between 16 and 32 lots under the PDP provisions as notified.
- e. Given the scale of the rezoning request (78ha) and the potential yield increase in a relatively sensitive environment, I would have anticipated more supporting information from other technical specialists to properly address the Minute 14 matters, including transport, landscape, heritage, economic evidence in terms of justification for the added capacity, geotechnical, ecology etc. The only assessment of these matters has been from an expert planning perspective.
- f. I disagree with Mr Keogh that these properties being rated as a mixture of lifestyle and residential properties is a relevant factor when considering the most appropriate zone under the RMA framework. The rating framework is for allocating a predominant land use to apply 'rates' based on the value of a site, it provides no context for what the development potential of that site should be – if the rating database was used as the basis for allocating district plan zones then a large portion of the rural environment would convert to ad hoc patches of Rural Lifestyle Zone. The purpose of the PDP, as stated in Section 3.2.2 above, is to send a clear signal as to what land use and subdivision opportunities should be afforded to that property looking ahead for the next ten years, not simply reflect locations where fragmentation has historically been allowed to occur.
- g. With respect to Criterion A, I consider that the rezoning proposal does largely meet the location criteria in that the land is not HPL or Horticulture Precinct and the location of the land on a peninsula means that the boundaries of the zone would effectively be finite – there is no adjacent land that would be put under pressure to develop or upzone in the future. The land is in close proximity to services in Hihi, however there has been no consideration of how the

increase in subdivision potential could affect the transport network through Hihi, which is a gap in information.

- h. I do not consider that the extent of fragmentation on the Rangitoto Peninsula is consistent with the scale of development anticipated for the Rural Lifestyle Zone (inconsistent with Criterion B), rather it represents a significant opportunity for further intensification. As I've mentioned above in response to other submitters, I note that the size and non-productive use of the land parcels may not sit comfortably in the Rural Production Zone, however this is a common occurrence across the Rural Production Zone due to a legacy of permissive subdivision rules in the ODP, which I have discussed in Section 3.2.2 of this report above, and not in of itself a reason to upzone the land.
- i. With respect to Criterion C, I am not convinced (based on the evidence provided) that the rezoning would have little impact on natural environment values, particularly the landscape values of the Peninsula protected by the Outstanding Natural Landscape and High Natural Character overlays. In my view, relying on the resource consent process to address potential impacts on these values is not sufficient, particularly when the upzoning enables significant subdivision potential. I do not agree with Mr Keogh placing weight on the fact that rural lifestyle properties are often associated with more active land stewardship – I consider it a significant assumption to assume that natural environmental values will be better managed through allowing more intensive land use and fragmented land ownership. Further, no mechanisms or provisions have been offered to ensure that any benefit can be achieved.
- j. As per the economic assessment in **Appendix 3**, there is no clear need for additional Rural Lifestyle capacity in this location. My preference is for land that is already zoned Rural Lifestyle around the edge of Butler's Bay to the south of Hihi to be further subdivided and used more efficiently than to upzone more land. Mr Keogh's evidence does not provide any information on growth pressure/insufficient development capacity around Hihi that the requested rezoning would address. I also consider that, if further rural lifestyle capacity was required around Hihi in the future, the Rangitoto Peninsula would not be the first logical location to provide that additional capacity given its sensitive location with respect to natural environment values and heritage values.
- k. Given the history of extensive Māori occupation of the Rangitoto Peninsula (as mentioned in Mr Keogh's evidence) I would have expected evidence of engagement with tangata whenua as part of this rezoning request. Mr Keogh's evidence assumes that the Rural Lifestyle Zone is preferable to the Rural Production Zone from a tangata whenua perspective as it will enable a 'lower intensity form of land use'. I would argue that, firstly, it is inappropriate to make

this assumption without engagement and secondly, that enabling significant further subdivision and use of the land for residential purposes is not a lower intensity form of land use. I note that there is no evidence of other engagement with the three other affected landowners subject to this rezoning request.

239. Overall, I find that the reasons to retain the private land on the Rangitoto Peninsula as Rural Production Zone outweigh the reasons why the land should be upzoned to Rural Lifestyle Zone, particularly the existing capacity provided by the notified Rural Lifestyle zoning around Butler Bay and the lack of information provided with respect to landscape effects, transport, impacts on cultural values or engagement with other affected landowners or tangata whenua. As such, I recommend that these submissions are rejected.

4.4.7 Nigel Ross Surveyor Ltd – S367.001 and S381.001

Overview

Submitter name and submission point	Notified PDP Zoning	Officer Recommendation(s)
Nigel Ross Surveyor Ltd (S367.001)	Rural Production Zone	No change
Nigel Ross Surveyor Ltd (S381.001)	Rural Production Zone	Amend to fix split zoning and apply Rural Lifestyle Zone to all parts of these properties

Matters raised in submissions

240. Nigel Ross Surveyor Ltd (S367.001) requests that an area of land surrounding the Omapere Settlement is rezoned from Rural Production to Rural Residential. Mr Ross notes that many of these properties are between 0.5 and 2ha in size and have not been used for rural productive purposes for years, making the Rural Production zoning inappropriate. Mr Ross considers that the existing and future land uses within the area identified are more consistent with the Rural Residential Zone.
241. Nigel Ross Surveyor Ltd (S381.001) also opposes the partial Rural Production zoning of the properties at 98A-110, and 109-115 State Highway 12, Opononi (Lots 1-5, 8, and 10-13 of DP 32412, Lot 2 DP 92721, and Part Lot 1 DP 84442). Mr Ross sees no reason for any part of these properties to be within the Rural Production zone (potentially an error) and requests that each is rezoned to be fully within the Rural Lifestyle Zone.

Analysis

242. I had a pre-hearing meeting with Mr Ross on 14 May 2025 to discuss both rezoning requests. With respect to the first request for Rural Residential upzoning around Omapere, Mr Ross confirmed that his key rationale for the request is that, in his opinion, the land he's identified is not very productive and the people who live there are part of the Omapere community so should have a rural residential zoning to reflect that. Mr Ross also confirmed that he is open to the Rural Lifestyle zone as alternative relief if that is a better fit. The land that Mr Ross considers should be upzoned to either Rural Lifestyle or Rural Residential Zone is shown in Figure 21 below:

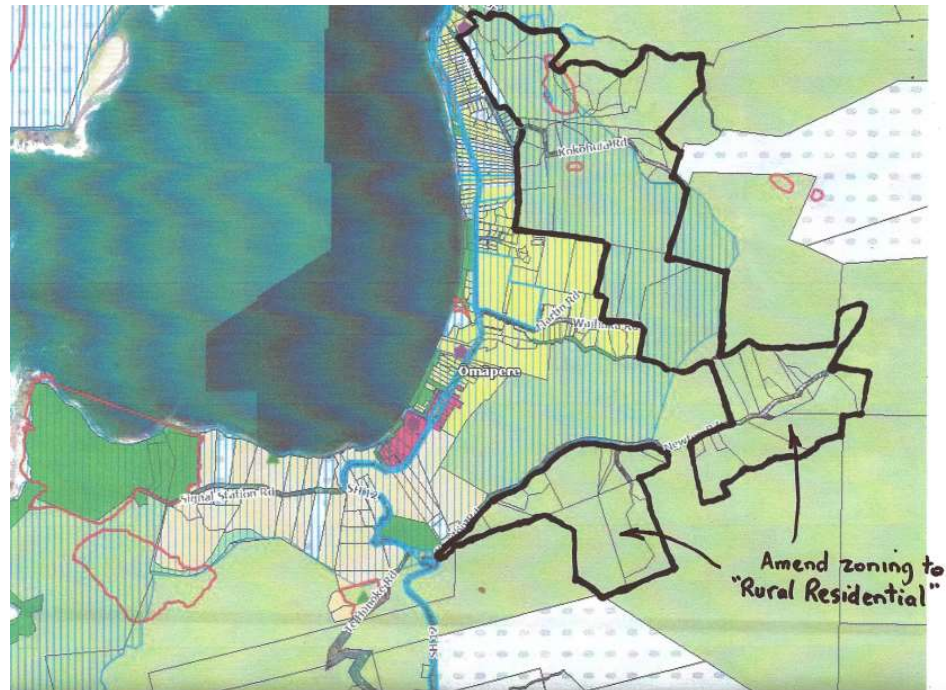


Figure 21: Nigel Ross Surveyor Limited rezoning request around Omapere

243. I do not support rezoning the land identified in Figure 21 as either Rural Lifestyle or Rural Residential Zone for the following reasons:
- Mr Ross has not prepared evidence in support of his rezoning request that addresses the matters listed in Minute 14.
 - I can confirm that the areas identified by Mr Ross are a combination of LUC classes 4, 6 and 7 soils, which are not considered to be highly productive in the context of the NPS-HPL. However, I consider that the Rural Residential Zone is inappropriate as none of these areas are intended to transition to an urban or settlement zone over time. In terms of Rural Lifestyle Zone, I consider that the southern areas of land do not form a logical or defensible zone boundary, particularly as there would be land zoned Rural Production separating these areas from the Omapere township. The more northern areas are at least contiguous with the General Residential Zone but represent a

significant upzoning of this land in terms of potential lot yield, which (as per the economic assessment) is not considered necessary in this location. I also note that there are numerous larger lots zoned General Residential to the east of Hokianga Harbour Drive, indicating some latent residential capacity in the area. My preference would be to use this land more efficiently for residential development as opposed to upzoning more land (inconsistent with Criteria A and D).

- c. I note that some of the land identified by Mr Ross is subject to natural hazards (River Flood Hazard Zone – 10 year and 100 year ARI Event) and is also subject to a High Natural Character Area. Mr Ross has not provided any evidence as to why land subject to these overlays should be upzoned. I also disagree that the identified land parcels are consistent with the outcomes anticipated for the Rural Residential Zone with respect to subdivision pattern. While lot sizes between 0.5-2ha are more akin to the Rural Lifestyle zone, the fragmentation of these areas is a legacy of the permissive pathways for subdivision in the ODP and upzoning to Rural Lifestyle would allow this fragmentation to continue, with potential reverse sensitivity effects on adjacent land being used for productive purposes (inconsistent with Criteria B and C).

- 244. As such, I recommend that Mr Ross' submission point S367.001 be rejected.
- 245. With respect to Mr Ross' second rezoning request, I agree that the properties from 98A to 110, and 109 to 115 State Highway 12 in Opononi appear to have been split zoned in error. The properties in question are shown in Figure 22 below, as shown in Mr Ross' original submission:



Figure 22: Split zoned properties at 98A to 110, and 109 to 115 State Highway 12

246. This appears to be a GIS mapping error carried over from the ODP, which shows the same split zone issue, but also other mapping errors as shown in Figure 23 below:



Figure 23: GIS mapping issues from ODP

247. I consider that the intent of these maps is to show the entirety of the properties at 98A to 110, and 109 to 115 State Highway 12 in Opononi as Rural Lifestyle Zone as opposed to creating a split zone situation for these sites and surrounding properties. As this is clearly an error, I recommend that Mr Ross' submission S381.001 in relation to these properties be accepted.

4.4.8 Robert Shaun Clarke – S531.001

Overview

Submitter name and submission point	Notified PDP Zoning	Officer Recommendation(s)
Robert Shaun Clarke (S531.001)	Rural Lifestyle Zone	No change

Matters raised in submission

248. Robert Shaun Clarke (S531.001) opposes the 16 properties located on Koutu Terrace being zoned Rural Lifestyle and requests the land is rezoned to Rural Residential to future proof Koutu with respect to housing supply. Mr Clarke has expressed concern over the lack of land zoned for housing in Koutu and considers the lack of available housing as restricting Te Kura Kaupapa Māori o Hokianga students and teachers from residing near the school. Mr Clarke notes that much of the existing built environment around Koutu is within either the River Flooding or Coastal Hazard Zone and considers Koutu Terrace as a favourable place to encourage more housing options.

Analysis

249. The spatial extent of Mr Clarke's submission is shown in Figure 24 below:

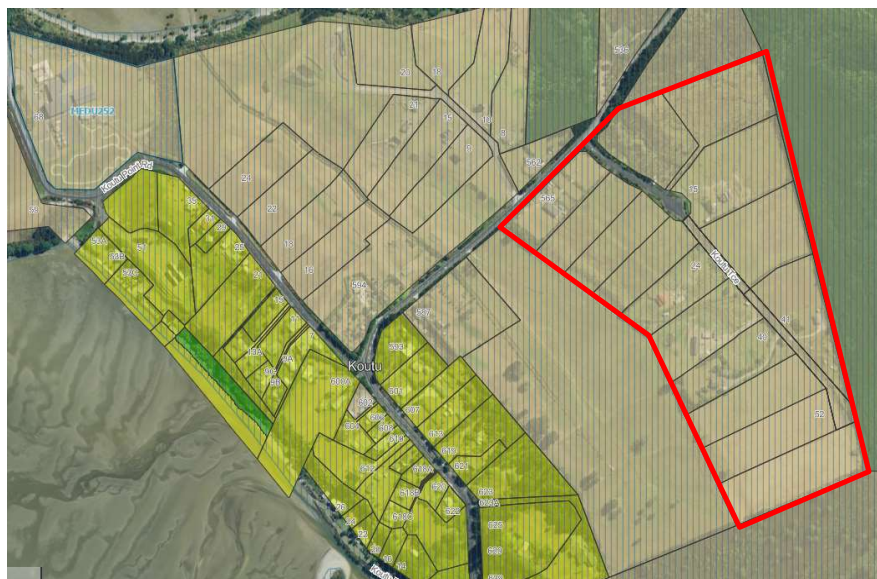


Figure 24: Spatial extent of Robert Shaun Clarke's rezoning submission (in red)

250. I had a pre-hearing discussion via phone with Mr Clarke on 16 May 2025 to discuss his concerns about the lack of housing available in Koutu and how that was impacting on the ability of students and teachers at the kura (located at the end of Koutu Point Road) to find accommodation. Mr Clarke remains concerned that the Rural Lifestyle Zone surrounding the Settlement Zone in Koutu does not provide sufficient housing development opportunities and that a Rural Residential Zone for the properties along Koutu Terrace would help address the perceived shortfall. Mr Clarke did not submit any evidence or additional information to support his original submission.
251. I have sympathy for Mr Clarke's position and agree in principle that the kura is a valuable community resource for the southern Hokianga area. However, I do not have enough information to determine whether there is in fact a housing shortage in Koutu as the only information that has been provided is anecdotal. With the information that I have available, (and a lack of evidence or specific assessment of the Minute 14 matters) I do not support rezoning Koutu Terrace to Rural Residential Zone for the following reasons:
- a. If I accepted that there was in fact an issue with available residential capacity on Koutu (which is not supported by Mr McIlrath's economic evidence), I am not convinced that Koutu Terrace would be the most appropriate place to upzone land. It does not physically adjoin the Settlement Zone land in Koutu and it would not create a logical or defensible zone boundary, given that there would be Rural Lifestyle zoned land separating Koutu Terrace from Koutu settlement. It also would not assist with creating a future 'cluster' of housing adjacent to the settlement and is not signalled to transition to a Settlement zone over time. In my view, more logical locations for upzoning prior to considering Koutu Terrace if there was a demonstrated development capacity shortfall would be the areas of land adjoining the kura to the east and west (inconsistent with Criterion A).
 - b. As the lots on Koutu Terrace are around 1ha in size, the land use and subdivision pattern along this road is more consistent with the purpose of the Rural Lifestyle Zone compared to the Rural Residential Zone (inconsistent with Criterion B).
 - c. I agree with Mr Clarke that the properties on Koutu Terrace do not have identified significant natural hazard risks, there will be no effects on natural environment values, are not likely to be impacted by the current or future impacts of climate change. Given that the properties are largely surrounded by bush and steep topography to the west and south, I consider that the rezoning is generally compatible with surrounding land uses and reverse sensitivity effects can be appropriately managed (consistent with Criterion C).
 - d. As discussed above, no evidence other than anecdotal comments has been provided to demonstrate that there is growth pressure/insufficient development capacity that upzoning to Rural Residential would address (inconsistent with Criterion D).

252. A potential alternative for the landowners on Koutu Terrace to provide additional residential capacity could be constructing minor residential units on their properties, as this is a permitted activity for sites over 1ha in area (with a discretionary activity pathway available for undersized sites). There may also be the opportunity for the Koutu community to engage in the upcoming District Wide Spatial Strategy work to determine how future growth around Koutu should be provided for, as discussed in Section 3.4 above.
253. For the reasons outlined above, I recommend that the rezoning submission from Robert Shaun Clarke be rejected.

4.4.9 Willowridge Developments Limited – S250.031

Overview

Submitter name and submission point	Notified PDP Zoning	Officer Recommendation(s)
Willowridge Developments Limited (S250.031)	Rural Production Zone Rural Lifestyle Zone	No change

Matters raised in submission

254. Willowridge Developments Limited (S250.031 – Willowridge) request that all Rural Lifestyle zoned land between the Settlement Zone around Lichen Grove and Toi Track to the north and 97 Aucks Road to the southwest is rezoned to Settlement Zone. Figure 4 in Willowridge Developments Limited's original submission shows the extent of the rezoning sought, reproduced in Figure 25 below:

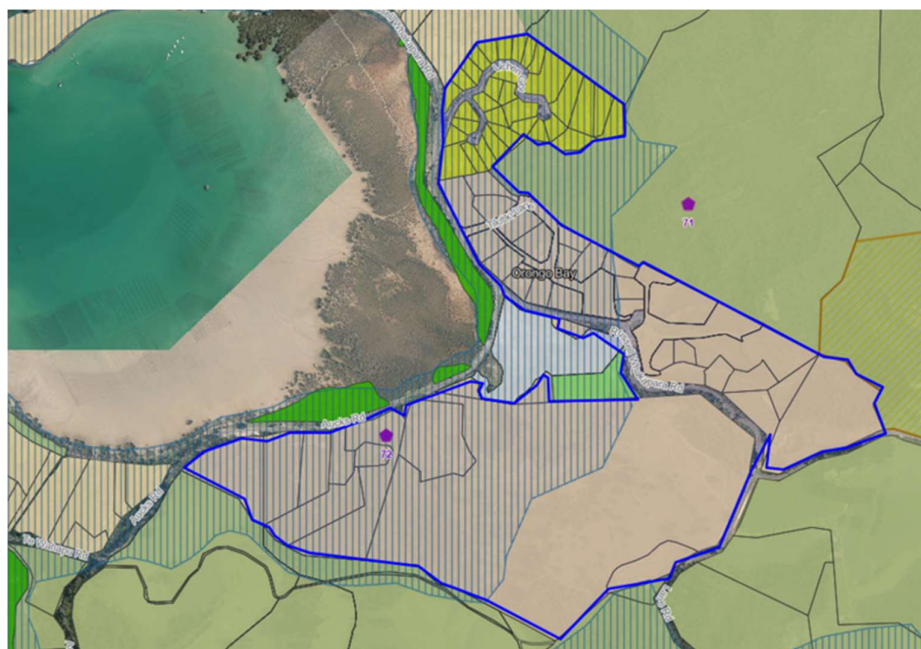


Figure 25: Figure 4 from Willowridge Development Limited's submission (blue)

255. Willowridge submits that the Settlement Zone should be extended across the area identified to better provide for a range of existing commercial, industrial, residential and recreational activities. Willowridge consider that rezoning as requested will achieve a coherent and coordinated management approach for the Orongo Bay area.

Analysis

256. Willowridge indicated that they wished to opt in to the Minute 14 process and planner Mr David Badham submitted evidence in accordance with the evidence exchange deadline. However, Mr Badham confirmed in an email dated 10 July 2025 that:
- a. Willowridge wish to withdraw Mr Badham's planning evidence dated 9 June 2025.
 - b. Willowridge will no longer be attending Hearing 15C.
 - c. While the evidence is withdrawn and hearing attendance is no longer required, Willowridge still wishes for its original submission and further submission to remain.
257. As Willowridge still want their original submission to be considered, I have assessed their rezoning request based on the content of their submission, as opposed to the withdrawn evidence from Mr Badham. I note that since the original submission was prepared in 2022, a resource consent¹⁶ for Willowridge was granted in 2025 to subdivide a 43.28ha site at 39 Aucks Road into 65 residential lots via a management plan subdivision pathway. I have also taken this recent change in the consented environment into account in this assessment.
258. I do not agree that all Rural Lifestyle zoned land around Orongo Bay should be rezoned Settlement Zone for the following reasons:
- a. I do not consider that this land forms a 'cluster' of houses around a central point, rather the land is a continuous band of large land parcels and some rural lifestyle sized parcels (1-4ha range) that stretches around Orongo Bay. The recently approved subdivision at 39 Aucks Road provides for a range of lot sizes between 1,160m² and 3.3ha. While some of these lots are a scale that would be consistent with the Settlement Zone, over half of the land is being retained in larger lots between 1-3ha, which is more consistent with the Rural Lifestyle Zone (inconsistent with Criterion A).
 - b. I do not agree that the existing land uses and subdivision pattern are consistent with the purpose of the Settlement Zone, particularly the direction that the Settlement Zone is for clusters of residential,

¹⁶ Consent reference is 2250266-RMACOM

commercial, light industrial and/or community activities. Although some of these activities occur in Orongo Bay (particularly in the Orongo Bay Special Purpose Zone), most of the land in my view fits the character of the Rural Lifestyle Zone in terms of land use and subdivision pattern. I do not agree that a single zone framework is appropriate for this area given the wide range of activities and lot sizes within the area proposed to be rezoned (inconsistent with Criterion B).

- c. Some of the land, particularly the parcels around 39 Aucks Road, is subject to significant coastal flooding (Zones 1, 2 and 3) and is therefore subject to natural hazards and at risk from the current and future effects of climate change (inconsistent with Criterion C).
 - d. The rezoning request would enable controlled activity subdivision down to 3,000m² lots, which would equate to approximately 260 lots across the approximately 81ha proposed for rezoning. As per the economic assessment, there is no clear need for additional Settlement capacity in this location.
259. Overall, I consider that the PDP zone framework as notified, being a combination of Settlement, Orongo Bay Special Purpose Zone, Sport and Active Recreation Zone and Rural Lifestyle Zone more accurately reflects the wide range of land uses and lot sizes occurring around Orongo Bay. I note that there is a lack of evidence supporting an increase in residential or commercial capacity in this location and consider that further intensification in this area is inappropriate given the significant hazards some of the land is subject to. The recently approved management plan subdivision provides for a modest amount of development that has been specifically designed to manage adverse impacts in terms of natural hazards and natural environment values, which, in my view, is a more appropriate way to enable development in this location compared to widespread upzoning around Orongo Bay.
260. As such, I recommend that the rezoning submission from Willowridge Developments Limited be rejected.

4.4.10 Musson Family Trust – S404.001

Overview

Submitter name and submission point	Notified PDP Zoning	Officer Recommendation(s)
Musson Family Trust (S404.001)	Settlement Zone	No change

Matters raised in submission

261. Musson Family Trust (S404.001) oppose the Rural Lifestyle Zone being applied to land at 30 Houhora Heads Road (Lot 4 DP 530683) and

surrounding properties in Raio. The extent of land subject to this submission is outlined in Figure 4 of the submission document and includes 21 titles to the southeast of Raio. Musson Family Trust consider that the Rural Lifestyle Zone effectively 'downzones' the site compared to the ODP (which provided for a discretionary lot size of 5,000m² in the Coastal Living Zone). Musson Family Trust consider that more land zoned Settlement in this location is necessary as some of the land already notified as Settlement Zone to the northwest is subject to wetlands, which reduces its development potential. Musson Family Trust also consider that there is a high demand for housing in the area at a scale more akin to that provided by the Settlement Zone, as opposed to the larger lots enabled by the Rural Lifestyle Zone.

Analysis

262. Mr Joseph Henahan has provided planning evidence in support of the Musson Family Trust submission to rezone 21 lots southeast of Raio from Rural Lifestyle Zone to Settlement Zone. The spatial extent of the submission is shown in Figure 26 below, as shown in Mr Henahan's evidence:

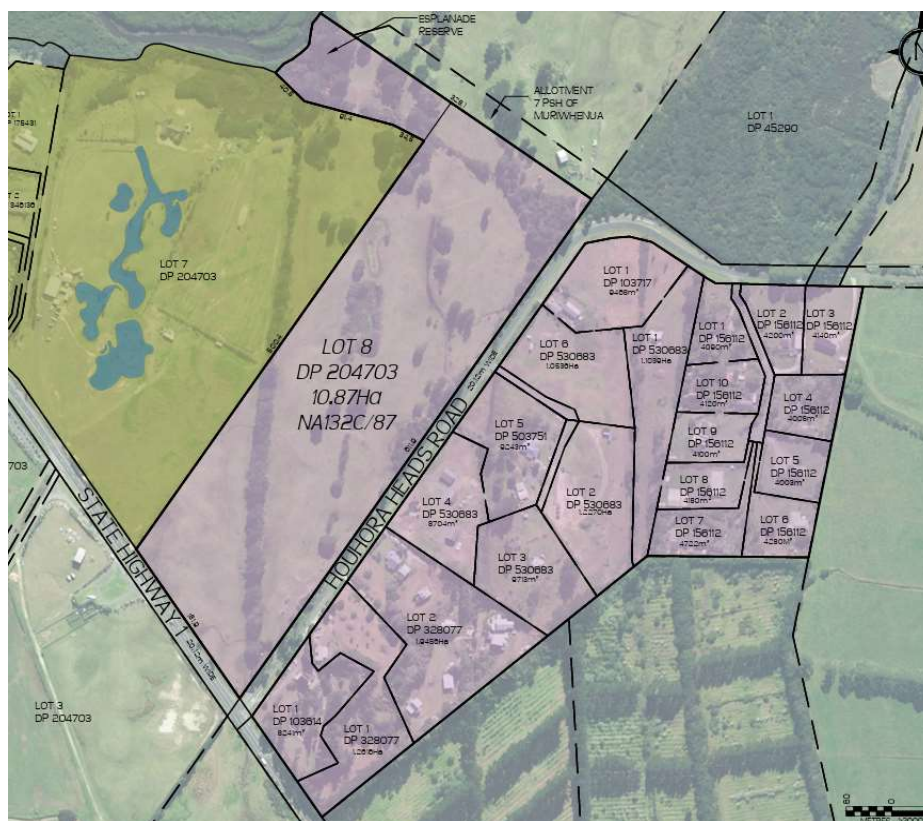


Figure 26: Lots requested to be zoned Settlement (shown in purple)

263. I held a pre-hearing meeting with Mr Henahan to discuss the submission on 21 May 2025. The core reasons why Mr Henahan considers that the subject land should be rezoned Settlement are:

- a. There is a demand for smaller sections around Raio/Houhora Heads/Pukenui, with supply constrained by limited residential zoning and longterm land retention by local families. Mr Henehan has supplied as evidence two letters from local real estate agents to confirm that there is strong demand for more residential sections. From my perspective, I prefer the economic evidence provided by Mr McIlrath that indicates there is sufficient land zoned Settlement in the Far North without further upzoning.
- b. The 'down zoning' of this area compared to the ODP with respect to a discretionary activity pathway is constraining supply and limits the ability of the area to respond to additional demand (8,000m² restricted discretionary pathway and 5,000m² discretionary pathway in the ODP for the Coastal Living Zone compared to 2ha discretionary pathway as notified in the PDP). Mr Henehan has not commented on my Hearing 9 recommendation to reduce the minimum lot sizes in the Rural Lifestyle Zone to 2ha controlled and 1ha discretionary, which is more closely aligned with the ODP subdivision pathways, albeit still slightly more restrictive. I do not consider that a significant down zoning has occurred, particularly if my recommendation for a 2ha controlled minimum lot size is adopted, which is the same as the controlled minimum lot size for the Coastal Living Zone in the ODP.
- c. The areas around Raio/Houhora Heads/Pukenui that are already zoned Settlement are constrained by wetlands, archaeological sites and poor roading infrastructure, whereas the area subject to the requested upzoning is unconstrained. I note that Mr Henehan has not recognised that almost all of the 21 lots requested to be rezoned are also subject to the River Flood Hazard Zone (both 10 and 100 Year ARI events), so I disagree with Mr Henehan's characterisation of the land as being 'unconstrained'. No assessment has been provided as to how these hazards would be managed.
- d. Mr Henehan considers that the range of lot sizes for 20 of the 21 lots more closely align with the Settlement Zone compared to the Rural Lifestyle Zone, ranging between 4,000m² and 1.9ha (plus one larger 10.84ha lot). Although some of these lots are smaller, I consider that the majority are more akin to the Rural Lifestyle Zone, particularly if my recommendations to reduce the minimum lot size in the Rural Lifestyle Zone in Hearing 9 are adopted.
- e. Mr Henehan considers the location of the land adjacent to State Highway 1 is well located in terms of accessibility, noting that any deficiencies with the intersection between State Highway 1 and Houhora Heads Road can be addressed at subdivision stage. Notably, I disagree with Mr Henehan's assertion that a lack of further submission from sport in opposition to the proposed rezoning can be taken as NZTA having no major concerns with the access arrangements.

264. Mr Henehan also confirmed that Musson Family Trust have not engaged with or obtained approval from any of the other owners of land subject to their submission and have not engaged with iwi or hapu. Mr Henehan appears to have placed weight on the fact that there were no further submissions in opposition to the rezoning.
265. I disagree that the 21 lots identified by Musson Family Trust should be rezoned from Rural Lifestyle Zone to Settlement Zone for the following reasons:
- a. I do not consider that sufficient evaluation of all relevant Minute 14 matters has been completed, particularly with respect to engagement with other landowners impacted by the rezoning request and transport matters. I am unable to ascertain from the evidence provided whether any of the other 20 landowners are supportive of the proposal. I do not consider the fact that there are no further submissions to be evidence of support from impacted landowners.
 - b. With respect to transport, Mr Collins has reviewed the rezoning proposal and estimated that around 83 lots could be created if the land is upzoned to Settlement. Based on this yield, Mr Collins agrees with Mr Henehan that an upgrade to the intersection of State Highway 1 and Houhora Heads Road may be required but disagrees that this is a consideration that should be left to the resource consent process (refer to his memorandum in **Appendix 3**). I agree with Mr Collins that cumulative transport effects are challenging to address at resource consent stage, particularly from a funding perspective when multiple landowners benefit from the upgrade but there is no mechanism in place to fairly allocate costs or coordinate the provision of the upgrade. Mr Henehan confirms that the submitter has not contacted NZTA directly to discuss the rezoning proposal.
 - c. The land is in a location that could be considered 'next in line' if there was sufficient evidence that an expansion of the settlement around Raio/Houhora Heads was necessary, as it adjoins land already zoned Settlement. Although including the land would result in the settlement beginning to stretch down State Highway 1, it could still be considered as part of a 'cluster' of houses as opposed to ribbon development (consistent with Criterion A).
 - d. I disagree that the existing land uses and subdivision pattern are consistent with the purpose of the Settlement Zone. In my view, the size, layout and rural lifestyle character of the 21 lots is more consistent with the Rural Lifestyle Zone, particularly if my recommended reduction in minimum lot sizes from Hearing 9 is adopted (inconsistent with Criterion B).
 - e. I consider that many of the 21 lots are subject to natural hazards, although Mr Henehan has characterised these as being '*confined to*

areas near small watercourses. I also do not agree that site specific geotechnical reports for 30 Houhora Heads Road are indicative of the ground conditions across the 21 lots proposed for rezoning (inconsistent with Criterion C).

- f. As per the economic assessment, there is no clear need for additional Settlement capacity in this location. My preference is for land that is already zoned Settlement to be further subdivided and used more efficiently around Raio, Houhora Heads and Pukenui than to upzone more land. Although Mr Henahan has characterised much of the land already zoned Settlement as being constrained due to hazards, it is my view that there are multiple large land holdings zoned Settlement that are less constrained in terms of natural hazards than the land identified for rezoning by Musson Family Trust, particularly the large blocks of land along Waterfront Road (inconsistent with Criterion D).

266. Overall, although some criteria for rezoning have been met, I recommend that the rezoning request from Musson Family Trust be rejected, predominantly due to lack of evidence that additional capacity is needed, the presence of natural hazards, lack of engagement with surrounding landowners and lack of information on transport matters. However, there may also be the opportunity for the Houhora Heads community to engage in the upcoming District Wide Spatial Strategy work to determine how future growth around Houhora Heads should be provided for, as discussed in Section 3.4 above.

4.4.11 Kingheim Limited – S461.001

Overview

Submitter name and submission point	Notified PDP Zoning	Officer Recommendation(s)
Kingheim Limited (S461.001)	Rural Production Zone	No change

Matters raised in submission

267. Kingheim Limited (S461.001) oppose the Rural Production zoning of the property at 44 Gillies Road on Karikari Peninsula, legally described as Lot 1 DP 149495, which contains a range of visitor accommodation and residential activities, known collectively as Reef Lodge. Kingheim Limited consider that the Rural Production zoning is inappropriate given the size of the property, existing buildings, non-productive soils and proximity to the coast. Kingheim Limited consider that Rural Production zoning is not an effective or efficient use of resources and they request that the land is rezoned to Settlement or an alternative zone with similar effect, noting the evidence provided by Mr Henahan below recommends a precinct framework as an alternative to the Settlement Zone.

Analysis

268. Mr Joseph Henehan has provided planning evidence in support of the Kingheim Limited submission to rezone 44 Gillies Road on the Karikari Peninsula from Rural Production Zone to Settlement Zone, or as an alternative, a 'Reef Lodge Precinct' to better align with the existing and proposed activities occurring on the site. I held a pre-hearing meeting with Mr Henehan to discuss the submission on 21 May 2025. Figure 27 below shows the site that is the subject of the rezoning request:



Figure 27: 44 Gillies Road, Karikari Peninsula (red)

269. Mr Henehan now proposes a bespoke precinct over the underlying Rural Production Zone to recognise and enable the continued operation of a long-established combination of mixed-use visitor accommodation, rural tourism and residential activity on the 1.17ha site, currently operating as Reef Lodge. This includes motel accommodation, residential units, and a self-contained motorhome campsite, as well as provision for local tourism events such as fishing competitions. Mr Henehan's evidence acknowledges that rezoning the site as Settlement is not the most appropriate option as it would enable a level of development that exceeds Kingheim Limited's intentions for the site, which is a position that I agree with.
270. Based on the pre-hearing meeting with Mr Henehan, I understand that the key driver for pursuing a rezoning and/or a precinct approach is to limit the circumstances where Kingheim Limited are required to obtain a resource consent or vary the conditions of their existing resource consents. I also note

that the precinct provisions proposed by Mr Henehan would effectively negate the current consented situation, which precludes both the consent residential activity and motel activity occurring on the site at the same time. The proposed precinct provisions would enable three residential units, 14 motor home campsites and eight motel units to operate concurrently on the site as a permitted activity, which is a level of development not considered or approved by the combination of existing resource consents for the site.

271. While I appreciate that Kingheim Limited may find the resource consent process inefficient and limiting, I do not consider that the proposed precinct approach is appropriate for the following reasons:
- a. My reading of the resource consent documentation indicates that the scale of consented development on the site is likely reaching capacity given the significant coastal hazards that the property is subject to (includes Zones 1, 2 and 3), its coastal location and the surrounding rural character. As such, I consider it inappropriate to circumnavigate the resource consent process via a precinct that would enable much more intensive use of the site as a permitted activity compared to what has already been consented (under a Settlement Zone).
 - b. I agree that the existing use of the site is an anomaly in the context of the Rural Production Zone and the Coastal Environment overlay but I find that Kingheim Limited are entitled to rely on their existing resource consents to continue to operate within the confines of what those consents allow. I consider that the combination of the Rural Production Zone and Coastal Environment overlay best reflect the zoning of the site under the ODP (being General Coastal) and that any future development proposals should be assessed in the context of that surrounding rural and coastal environment, as opposed to a more permissive precinct or Settlement Zone.
 - c. In my view, the precinct tool should be used sparingly and only in situations where a large area of land requires a different planning framework to an underlying zone. I disagree that a precinct is required for development on a singular 1ha site – this is a scenario where the resource consent process is sufficient to consider future development proposals. In my view, if Kingheim Limited require more flexibility from their resource consents then this should be applied for and factored into future consent applications as opposed to using the precinct tool.
272. As such, I recommend that the rezoning request from Kingheim Limited for both the Settlement Zone and the alternative precinct approach is rejected.

4.4.12 Murray and Sandra Wilson – S406.001

Overview

Submitter name and submission point	Notified PDP Zoning	Officer Recommendation(s)
Murray and Sandra Wilson (S406.001)	Rural Production Zone	No change

Matters raised in submission

273. Murray and Sandra Wilson (S406.001) oppose the Rural Production zoning of around 30 properties on the western coastline of the Karikari Peninsula, from approximately 300 to 699 Rangiputa Road¹⁷. The Wilsons have lived in Rangiputa for over 30 years and over that time the land identified for rezoning has been subdivided from 10 properties into around 30 properties. The Wilsons outline that these properties range in size from 6,500m² to 14 ha, but most are between 3-4 ha in size. As there is a history of fragmentation along this coastline, the Wilsons consider that the Rural Lifestyle Zone is a better fit for the area compared to Rural Production Zone.

Analysis

274. I had a pre-hearing meeting with the Wilsons online on 16 May 2025. The land that is subject to their rezoning request is outlined in Figure 28 below (noting that the extent of rezoning to the north is clear (starting with lot adjacent to the reserve at 699 Rangiputa Road) but as there is no property listed as 300 Rangiputa Road, the southern extent of the rezoning has been inferred as including 275 Rangiputa Road):

¹⁷ There is no address noted as 300 Rangiputa Road. It has been assumed that the rezoning request extends as far as 321 Rangiputa Road and potentially as far as 275 Rangiputa Road.

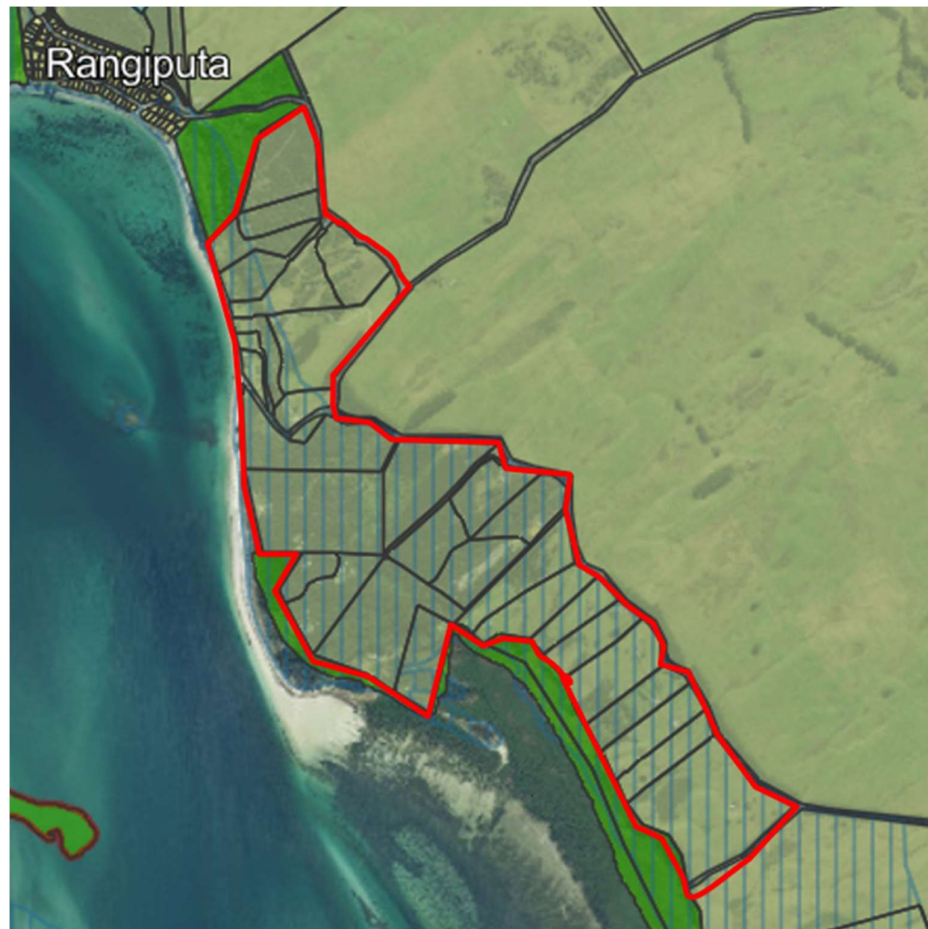


Figure 28: Inferred extent of rezoning request of Murray and Sandra Wilson (red)

275. Subsequent to the pre-hearing meeting, the Wilsons sent a follow up email outlining additional reasons why they considered it appropriate to rezone the 30 lots to Rural Lifestyle zoning, including:
- a. The rezoning would provide additional capacity in a well-defined, small area that is already fragmented.
 - b. Most of the properties are elevated (4m or more) above sea level or protected by sand dunes or seawalls, which mitigates the risks of coastal erosion caused by sea level rise and storm surges.
 - c. Most other coastal settlements like Rangiputa have a coastal living type zone to allow for growth over time.
276. I raised the possibility with the Wilsons at the pre-hearing meeting that my Hearing 9 recommendation to amend the minimum lot size for the Rural Lifestyle Zone may increase the potential capacity of the land they had identified for rezoning, particularly for lots that are 4ha and above. The Wilsons were not aware of this recommendation and were unsure as to

whether they would support fragmentation of the coastline down to 1-2ha lots, as their original request only considered 2-4ha sized lots provided for in the Rural Lifestyle Zone as notified. Their follow up email has not clarified for me whether they only support Rural Lifestyle zoning with the notified subdivision provisions or whether they would also support rezoning should my Hearing 9 recommendations be adopted.

277. Regardless, I do not support the Wilsons' requested rezoning of the west coast of the Karikari Peninsula to Rural Lifestyle Zone for the following reasons:

- a. No specific evidence has been provided with respect to the Minute 14 matters.
- b. I note that the land is LUC class 4, so the NPS-HPL is not a barrier to rezoning. However, the land does not adjoin any other area of Rural Lifestyle Zone, Rural Residential Zone or Settlement Zone and is physically separated from the township of Rangiputa by a large block of land zoned Natural Open Space, which creates a logical and defensible zoning boundary between Rangiputa and the rural area to the south. (inconsistent with Criterion A).
- c. Although there has been some fragmentation of land between Rangiputa Road and the coastline, I do not agree that the resulting lots are consistent with the outcomes expected from the Rural Lifestyle Zone, particularly given the coastal location of the land, the presence of the Coastal Environment overlay and the extensive fragmentation that could result from upzoning. I find that most of these lots would be able to subdivide into at least two lots, with larger blocks yielding between 5-7 lots, which would significantly alter the coastal character of this coastline and create a tension between the Rural Lifestyle Zone and the Coastal Environment overlay in terms of development expectations (inconsistent with Criterion B).
- d. I agree with the Wilsons that many of the properties they have identified for rezoning have parts that are elevated and contain land that is clear of natural hazards, however approximately half of the properties are impacted by coastal and/or river flooding overlays to some extent. Many of the properties are also subject to High Natural Character and Outstanding Natural Character overlays. No assessment has been provided of how either natural hazard risk or natural environment values would be managed if the land was to be upzoned. It is also not clear whether the significant upzoning of this area would be supported by other surrounding owners or nearby rural properties to the east of Rangiputa Road and how potential reverse sensitivity effects on this rural land would be managed (inconsistent with Criterion C).

- e. As per the economic assessment, there is no clear need for additional Rural Lifestyle capacity in this location (inconsistent with Criterion D).

278. As such, I recommend that the Wilson's request to rezone 30 properties along the west coast of the Karikari Peninsula be rejected.

4.4.13 Lucklaw Farm Ltd – S551.001, Trustees of the Taranaki Trust – S552.001

Overview

Submitter name and submission point	Notified PDP Zoning	Officer Recommendation(s)
Lucklaw Farm Ltd (S551.001)	Rural Production Zone	No change
Trustees of the Taranaki Trust (S552.001)	Rural Production Zone	No change
Grace Anne Sturgess (S553.001, (S166.001, S553.002) – not an opt in submitter	Rural Production Zone	No change

Matters raised in submissions

279. Lucklaw Farm Ltd (S551.001) partially support the selection of zones in and around Rangiputa on the Karikari Peninsula. There are three requests made by Lucklaw Farm Ltd relating to the properties at 690 and 700 Rangiputa Road (Lot 2 DP 446414, Sections 3 and 4 Block III Karikari Survey District) surrounding Rangiputa, Lake Rotokawau and Puheke Beach. These are as follows:
 - a. Rezone area 'A' (as marked in Schedule 2 of the submission document) from Rural Production to a mixture of Mixed Use and General Residential to enable future urban growth and development around Rangiputa. Lucklaw Farm Ltd considers that expansion of the urban area of Rangiputa could result in better funding for, and the eventual replacement of, the existing wastewater ponds.
 - b. Rezone area 'B' (as marked in Schedule 2) from Rural Production to Rural Lifestyle Zone.
 - c. Retain area 'C' within the Rural Production Zone (as marked in Schedule 2) as the land use is compatible with the purpose, character and amenity of zone as notified.
280. The original submission from Lucklaw Farm Ltd indicated that future development could proceed in accordance with a masterplan but provided no details as to what that masterplan might contain.

281. Trustees of the Taranaki Trust (S552.001) have made a submission that is very similar to that made by Lucklaw Farm Ltd and requests the same relief. Trustees of the Taranaki Trust provide further information relating to the 52ha property at 700 Rangiputa Road, which is located within the area 'B' shown in the Lucklaw Farm Ltd submission. This property is legally described as Lot 2 DP 446414 and is noted as containing a mix of lifestyle activities and other uses, with several primary dwellings, batches and sheds. The Trustees of the Taranaki Trust consider that the area marked 'B' (refer Schedule 2 of the submission) does not feature land use that is compatible with the purpose, character and amenity of the Rural Production Zone. In lieu of the primary relief not being granted (being the full rezoning of areas 'A' and 'B'), Trustees of the Taranaki Trust request that Rural Lifestyle or Settlement zoning be applied to the property at 700 Rangiputa Road.
282. I note that submitter Grace Anne Sturgess (S553.001, S553.02, S166.001) has not formally opted into the Minute 14 evidence exchange process but the evidence provided by Lucklaw Farm Ltd and Trustees of the Taranaki Trust states that it has also been prepared on behalf of Ms Sturgess. Ms Sturgess requests the same primary relief as Lucklaw Farm Ltd and Trustees of the Taranaki Trust, with the only difference being that, as alternative relief, Ms Sturgess requests that the property at 2B Motutara Drive¹⁸ be rezoned from Rural Production to Rural Residential, which she considers is more consistent with the intent of the previously approved two lot subdivision of the property.

¹⁸ It appears that Ms Sturgess may also want the property at 2C Motutara Drive zoned Rural Residential, as this was also one of the two lots created by the previous subdivision application, although this is not stated explicitly in her original submission.

Analysis

283. The rezoning requests from Lucklaw Farm Ltd and Trustees of the Taranaki Trust are based on the map shown in Figure 29 below, with area 'A' to be zoned General Residential/Mixed Use, area 'B' to be zoned Rural Lifestyle and area 'C' to remain as Rural Production Zone.



Figure 29: Proposed rezoning areas – Lucklaw Farm Ltd and Trustees of the Taranaki Trust

284. I have had several pre-hearing meetings¹⁹ with Mr John Sturgess (key contact for Lucklaw Farm Limited and Trustees of the Taranaki Trust) and members of his consultant team to discuss the rezoning proposal for Lucklaw Farm. These meetings occurred both before and after evidence was submitted in support of the rezoning proposal. The purpose of these meetings was to understand how Mr Sturgess' thinking had evolved since the original submission was lodged in 2022 and what sort of development outcomes Mr Sturgess envisages for this land. At these meetings it became clear that Mr Sturgess' key objectives are to:
- a. Obtain the ability to develop areas of the site for both urban and rural lifestyle purposes to fund the protection of the most environmentally important areas of the site and to fund the necessary wastewater upgrades necessary to justify additional urban zoned land.
 - b. Undertake development in accordance with a masterplan to manage the sensitive landscape and ecological values of the site as well as manage potential adverse impacts on water quality.

¹⁹ Pre-hearing meetings held on 23 May 2025, 23 June 2025 and 9 July 2025

285. After reviewing the evidence supplied by Mr Sturgess and his team, and having that evidence peer reviewed from a landscape and ecology perspective, I provided the following feedback outlining my concerns with the rezoning proposal put forward in evidence (in addition to my consideration of the proposal against the Minute 14 criteria in **Appendix 1**):

- a. The rezoning request (based on the areas A-C) as set out in Mr Marcus Langman's planning evidence does not align with the Preliminary Spatial Strategy (PSS), prepared by landscape architect Ms Bridget Gilbert. The PSS is appended to Ms Gilbert's evidence as Appendix D and has been developed from a constraints-based perspective to avoid the most sensitive parts of the site from a natural hazards, landscape, ecology and water quality perspective. However, paragraph 50 of Mr Langman's evidence confirms that (my emphasis added):

*"The masterplan is included in the evidence of Ms Gilbert. **Given the long term nature of the masterplan, it is not proposed to have this included in the district plan at this stage.** The submitters acknowledge that the entirety of the masterplan is not facilitated by the proposed rezoning as sought in its submission, however the rezoning is fundamental for providing for the future development of the site."*

- b. The disconnect between the rezoning request (based on areas A-C being pursued in the planning evidence) and the supporting evidence being predicated on the masterplan being implemented has resulted, in my view, with the landscape, ecology, wastewater and hydrology evidence provided not supporting the rezoning request. My position has been reinforced by the peer review memos from a landscape and ecology perspective that have been provided by Ms Melean Absolum and Ms Elizabeth Morrison (refer to **Appendix 3B**). Both Ms Absolum and Ms Morrison are unable to support the rezoning proposal in its current form given that there is no mechanism proposed through the rezoning request to ensure that the masterplan will be implemented.
- c. I have raised concerns with the level of engagement with the community and interested iwi/hapu groups given the scale of rezoning proposed. The original submissions from Lucklaw Farm Ltd and Grace Anne Sturgess attracted submissions from Michael Morse in opposition, with another further submission from Ross Morely in opposition to the Lucklaw Farm Ltd submission only. These further submitters raise concerns regarding development pressure on the wetlands, issues with increased stormwater runoff and sewage, impacts on areas with high and outstanding natural character, loss of significant habitat for a wide variety of endangered fauna & flora (fernbirds, rails, geckos, native orchids), impacts on rate payers and impacts on available parking in Rangiputa. The evidence from Mr Langman indicates that the Lucklaw Farm team have attempted to

engage with a range of adjacent landowners but that their position at the time of submitting evidence is unknown. The evidence does not detail any attempts to engage with tangata whenua.

- d. I am not persuaded that the wider Rangiputa community are fully aware of what is now being proposed, or that a reasonable person reading the original submissions from Lucklaw Farm Ltd, Trustees of the Taranaki Trust and Grace Anne Sturgess would have anticipated the evolution of the proposal from the initial areas A-C through to the masterplan provided in evidence. I have raised this question of scope with the Lucklaw team during pre-hearing meetings and I understand a response will be provided as rebuttal evidence.
 - e. Based on the feedback from the Far North District Council infrastructure team, additional urban zoning in Rangiputa is unlikely to be supported from a servicing perspective, even if an additional wastewater treatment plant was proposed, funded and constructed on the Lucklaw Farm site. For efficiency reasons, Council infrastructure investment is being prioritised around larger urban centres that are better connected to transport routes and provide a greater range of services and residential/commercial opportunities to a broader range of people. Rangiputa is not a location where Council infrastructure funding would support the ongoing operation or maintenance of a new or larger wastewater treatment plant as it is not a strategic location for future urban growth. It is assumed that the intent of Mr Sturgess is that any new wastewater assets would be taken on by the Council, with ratepayers being responsible for ongoing operation and maintenance costs.
 - f. No specific transport evidence was provided in support of the proposal, however I asked Mr Collins to provide some initial comments (see **Appendix 3**), noting that the masterplan has not been incorporated into the rezoning request. Mr Collins notes that the masterplan requires further assessment from a transport perspective if it was to be incorporated into the PDP and that he disagrees with leaving a consideration of upgrades to existing transport infrastructure and potential cumulative transport effects to the resource consent stage.
286. For these reasons I do not support the rezoning requests for the Lucklaw Farm property. However, I understand from discussions with Mr Langman and his team that Mr Sturgess may consider a precinct approach to provide the mechanism for the masterplan to be incorporated into the PDP and that the details of this alternative approach would be provided as rebuttal evidence prior to the hearing. I reserve my position on any alternative proposal put forward as rebuttal evidence until myself and the other expert peer reviewers have had an opportunity to review this detail.

4.4.14 Michael Winch – S67.019

Overview

Submitter name and submission point	Notified PDP Zoning	Officer Recommendation(s)
Michael John Winch (S67.019)	Rural Production Zone	No change

Matters raised in submission

287. Michael Winch (S67.019) opposes the Rural Production zoning of 31 properties at Hendersons Bay. In particular, Michael Winch requests that land along Otaipango Road and the eastern end of Henderson Bay Road is rezoned from Rural Production to Rural Lifestyle Zone. Mr Winch notes that the properties listed are approximately 4-6 ha in size, feature native and exotic vegetation, and many have residential units.
288. Mr Winch considers that the existing land use, character and amenity of the Henderson Bay blocks are more consistent with the Rural Lifestyle zone. He notes that the land is not highly productive and that the current zoning effectively prohibits subdivision, despite the land being unsuitable for economic farming or forestry. He supports the Rural Lifestyle zone rules as more appropriate for managing amenity, stormwater, and land use effects in this context. He also considers that the requested rezoning would better align with the Proposed District Plan's strategic direction and higher order policy documents, including the NZCPS and NPS-HPL. He notes that the land is not mapped as highly productive and that rezoning would not compromise natural character or coastal values, which are already managed through the Coastal Overlay.

Analysis

289. Mr Winch has provided lay evidence in support of his submission seeking to rezone 31 lifestyle blocks at Henderson Bay from Rural Production to Rural Lifestyle Zone. The spatial extent of his request, as per his original submission, is shown in Figure 30 below:



Figure 30: Spatial extent of Mr Winch's rezoning request at Henderson Bay

290. I had a pre-hearing meeting with Mr Winch via phone on 23 June 2025 after his lay evidence had been received and reviewed to discuss some of the key matters. At that pre-hearing meeting, Mr Winch confirmed in response to my questions that:
- a. Some of the owners of properties that Mr Winch has included in his rezoning request are opposed to his requested zone change, namely further submissions in opposition from Dr Lynn Kincla, Mark Spaans, Warren McKay and Antionette Pott, although I also understand that another landowner Mary Stanners is also opposed. I note that these landowners have also prepared original submissions requesting that the land in Henderson Bay is afforded a special purpose zone to better manage the unique coastal environment of the area (which are being addressed as part of Hearing 15B). Mr Winch acknowledges this opposition but considers that the Rural Lifestyle zone would better manage potential adverse effects than the current Rural Production zoning as it would better prevent rural production activities. He also notes that the rezoning would enable limited subdivision, which could help meet demand for coastal lifestyle living without placing pressure on more productive rural land elsewhere in the district. Mr Winch has not undertaken any engagement with iwi or hapu.
 - b. Mr Winch is not concerned with the minimum lot size in the Rural Lifestyle zone potentially reducing to 1-2ha (as per my recommendation from Hearing 9) although he acknowledges at the time he made his original submission he had assumed that all further subdivision would be a discretionary activity and had not anticipated a 2ha controlled activity pathway. He notes that 21 of the 31 lots are

not subject to the Coastal Environment overlay so could subdivide down to 2ha lots as a controlled activity. He maintains that 4ha lots are unmanageable for most people and an inefficient use of land.

- c. The quality of road access to these sites is poor but Mr Winch sees more development as a positive as it may incentivise Council to invest and seal the road. Mr Winch considers that the current cost of maintaining the steep gravel road is inefficient as grading the road is not enough to maintain the aggregate. Mr Winch's suggested solution to the poor road access is for Council to utilise a development contributions policy as a tool to fund targeted infrastructure.
291. After considering Mr Winch's arguments, I disagree that the properties he has identified in Henderson Bay should be zoned Rural Lifestyle. This would result in the controlled subdivision potential of the area effectively doubling or tripling for the 21 lots located outside of the Coastal Environment overlay in a location that is not strategically desirable for more intensive development. In particular:
- a. Mr Winch has provided an assessment of his proposal against the criteria in Minute 14, which I have responded to in **Appendix 1** of this report. However, I do not consider that sufficient evidence has been provided with respect to matters engagement/consultation and transport effects, as set out below.
 - b. Regarding transport effects, Mr Collins has reviewed Mr Winch's evidence in **Appendix 3** and considers that rezoning the site could create challenges for Council, where increased vehicle movements may negatively affect rural roads and intersections that aren't designed to support higher vehicle movements, increasing negative safety outcomes and asset degradation. The increased turning movements at the SH1/Henderson Bay Road intersection may require a right turning bay on SH1, depending on the number of traffic movements at the intersection. Mr Collins considers that this intersection should be assessed, and NZTA consulted, before any rezoning was approved.
 - c. I agree with Mr Winch that the land is not highly productive land (being a mix of LUC 4, LUC 6 and LUC 8 land). However, I disagree with Mr Winch that the area is close to key transport routes, has good access to services in nearby urban areas or settlements and is therefore an area where prioritising further rural lifestyle development is to be encouraged. The land is not adjacent to any other land zoned urban, settlement or rural lifestyle and Pukenui (being the closest location with any local services or shops) is not sufficiently close to justify additional intensification in this area (inconsistent with Criterion A).

- d. The land use and subdivision pattern of the land (being 4-6ha lots) is somewhat consistent with that anticipated by the Rural Lifestyle objectives and policies (consistent with Criterion B).
 - e. A number of the lots are subject to the River Flood Hazard Zone (both 10 and 100 Year ARI event), namely the 10 properties to the south of Henderson Bay Road. Many of the properties also contain significant areas of indigenous biodiversity. Mr Winch argues that zoning the properties Rural Lifestyle would better protect the bush when compared to productive land uses. I would argue that due to the size of the sites, conversion to productive land use is very unlikely, whereas the clearance of vegetation to provide additional house sites and access routes under a zone with more permissive subdivision regime is more likely. As such, I find that the sites are subject to natural hazard risks and there may be adverse effects on natural environment values (inconsistent with Criterion C).
 - f. As per the economic assessment, there is no clear need for additional Rural Lifestyle capacity in this location. My preference is for land that is already zoned Rural Lifestyle to be further subdivided and used more efficiently in locations that are better located with respect to roads and services than recommend upzoning of land in more isolated locations (inconsistent with Criterion D).
292. With respect to Mr Winch's comments about using development contributions to upgrade Henderson Bay Road, I note that a development contributions policy is currently being developed, as discussed in Section 3.6.2 of the Overview Rezoning report. However, the details of this policy are not finalised and, as at the date of writing this report, are currently the subject of public consultation. I would not support upzoning land in a location with poor roading infrastructure on the basis of a potential development contributions policy coming into effect and assuming that any contribution taken from subdivision would be able to fund the sealing of Henderson Bay Road for approximately 5-6km to its intersection with State Highway 1. I agree with the comment from Mr Collins in **Appendix 3** that any development contributions taken would not be able to be ring fenced to specifically fund this upgrade.
293. As such, I recommend that Mr Winch's request to upzone land at Henderson Bay to Rural Lifestyle Zone be rejected.

4.4.15 Roman Catholic Bishop of the Diocese of Auckland – S382.001

Overview

Submitter name and submission point	Notified PDP Zoning	Officer Recommendation(s)
Roman Catholic Bishop of the Diocese of Auckland (S382.001)	Rural Production Zone	Amend to resolve split zoning and include entire site in Settlement Zone

Matters raised in submission

294. Roman Catholic Bishop of the Diocese of Auckland (S382.001) oppose the zoning of church land in Moerewa as Rural Production. The Catholic Church site is comprised of one site (Lot 1 DP 583834) with two property addresses at 17A and 17B Snowdon Avenue, Moerewa, which has been split-zoned as Rural Production and Settlement. The Roman Catholic Bishop of the Diocese of Auckland request that, as that the part of the property at 17B Snowdon Avenue contains church-related activities, it be rezoned from Rural Production to Settlement to achieve a consistent zone across the entire church site.

Analysis

295. I attended a pre-hearing meeting with Mr Leonard Dissanyake on behalf of the Roman Catholic Bishop of the Diocese of Auckland on 16 May 2025 to discuss the church property containing two zones – 17A Snowdon Avenue being zoned Settlement and 17B Snowdon Avenue being zoned Rural Production. Mr Dissanyake has submitted a letter containing additional information to support submission S382.001, dated 5 June 2025. Figure 31 below shows the PDP zoning of these properties, including the location of the church buildings:



Figure 31: Notified PDP zoning of 17A and 17B Snowdon Avenue (red)

296. I note that, at the time the PDP was notified, there was a cadastral boundary between 17A and 17B Snowdon Avenue, which formed the zone boundary between the Residential Zone and the Rural Production Zone in the ODP. This zone boundary was rolled over and formed the zone boundary between the Settlement Zone and the Rural Production Zone in the PDP. However, as there has been a boundary adjustment since the PDP was notified (new titles issued on 12 September 2024), 17A and 17B Snowdon Avenue are legally a

single 5,509m² site that has become split zoned between Settlement Zone and Rural Production Zone.

297. Rather than characterise this as an error, I consider this is an issue of timing between when the boundary adjustment process occurred and when the PDP was notified and that, had the boundary adjustment occurred prior to the PDP being notified, the entire site would likely have been zoned Settlement to avoid creating a split zoned site and excluding part of the church property from the Settlement Zone. I agree with Mr Dissanyake that it is logical to include both 17A and 17B Snowdon Avenue (contained within Lot 1 DP 583834) in the Settlement Zone as:
- a. The land is LUC class 6 so is not highly productive land under the NPS-HPL, it is not in the Horticulture Precinct, it forms part of the existing settlement of Moerewa and contains existing community infrastructure (church buildings). Removing the split zone would create a logical and defensible boundary between the Settlement and Rural Production zones (consistent with Criterion A).
 - b. The existing land use (church buildings) is consistent with the purpose of the Settlement Zone (consistent with Criterion B).
 - c. While a portion of the rear of the site is subject to River Flood Hazard Zone (10 and 100 Year ARI Event), this area is not occupied by buildings and the balance of the site has already been developed for church purposes, with other types of residential or commercial development unlikely. Rezoning the land to Settlement is compatible with surrounding land uses and there will be no reverse sensitivity effects associated with including an established church within the Moerewa settlement (consistent with Criterion C).
 - d. In the case of church land, it is not necessary to prove that the rezoning is required to address a growth need. There is no ability to subdivide the site as a controlled activity given that it's 5,509m² and the minimum controlled lot size in the Settlement Zone is 3,000m². It is considered that an application for discretionary subdivision down to 1,500m² sized lots is unlikely as the land is already developed and is unlikely to be able to be developed further given the layout of established church buildings. Rather, it is more about ensuring that the settlement of Moerewa extends out to include all land used by the local church as opposed to rezoning land to enable growth (consistent with Criterion D).
298. As such, I recommend that the site at 17B Snowdon Avenue is rezoned Settlement Zone to ensure that all of Lot 1 DP 533343 is contained within the same zone.

4.4.16 Ian Ray (Joe) Carr – S397.006 and S397.007

Overview

Submitter name and submission point	Notified PDP Zoning	Officer Recommendation(s)
Ian Ray (Joe) Carr (S397.006, S397.007)	Settlement Zone	No change

Matters raised in submission

299. Ian Ray (Joe) Carr (S397.006 and S397.007) supports the Settlement Zone as it applies to part of his property on Horeke Road, but requests that the split zoning is removed so the entire property (legally described as Lot 2 DP 336924) is zoned Settlement, as opposed to part Settlement, part Rural Production Zone. Mr Carr considers that Settlement zoning across the entire property will enable provision for future housing around Okaihau.

Analysis

300. As Mr Carr is an 'opt in' submitter, I contacted him via email on 16 May 2025 to offer a pre-hearing meeting to discuss his submission. I did not receive a response from Mr Carr, so the analysis below is based on his lay statement in support of his rezoning request, which elaborates on the information provided in his original submission. He has also provided a series of photographs from around the property and a soil report from Mr Bob Cathcart.
301. To summarise the evidence received, Mr Carr considers that his split zoned property should be zoned fully Settlement Zone, which would add 7ha of land currently zoned Rural Production to the 1.6ha of the property already zoned Settlement Zone. Mr Carr mentions setting aside a 1ha 'reverse sensitivity buffer' that should remain Rural Production Zone, which I have assumed to be the portion of land in the northwestern corner of the site shown in his original submission, although this area of land appears to be much larger than 1ha (Figure 32 below). This area of land seems to align with the area noted as Area 4 on Mr Cathcart's map of LUC classes and contains an area of bush and pasture.



Figure 32: Excerpt from S397.006 – Ian Ray (Joe) Carr

302. Mr Cathcart's report notes that 28% of the property is shown on the NZLRI maps as being highly productive land under the NPS-HPL (class 2s1). In reality, Mr Cathcart considers that only 11% of the property can be considered highly productive land under the current definition in the NPS-HPL and that it is, in fact, LUC class 3s2. It is Mr Cathcart's opinion that rezoning the land Settlement Zone would meet the tests under clause 3.10 of the NPS-HPL based on permanent, long term constraints including lack of groundwater, shallow bouldery soils, existing fragmentation and reverse sensitivity from adjoining neighbours. Mr Cathcart also considers that the small fragment of class 3s2 land would not form part of a large or geographically cohesive area of HPL were it to be mapped by NRC and that the loss of such a small spatial area is not significant, particularly in the context of being so close to Okaihau.
303. Dr Hill has provided a peer review of Mr Cathcart's assessment (refer to **Appendix 3**) and agrees with Mr Cathcart's conclusion that the size of the area available for cultivation, combined with the lack of groundwater constitute permanent or long-term constraints. I also note that, with respect to the NPS-HPL clause 3.10 tests, the size of the land parcel and its lack of connectivity to other larger parcels of productive HPL make it unlikely that the land could be irrigated and leased/amalgamated with another site to the point it could be used productively. Finally, although Mr Cathcart and Dr Hill consider that the land is more likely to be LUC class 3s2, the NZLRI classification of the land as class 2s1 would mean that a future amended

definition of HPL to exclude LUC 3 land would not change the HPL status of Mr Carr's land. However, I do agree with Mr Cathcart that it is unlikely that NRC would consider this land parcel as part of a large and geographically cohesive area of HPL in any future mapping exercise.

304. Mr Carr also considers that the proposal aligns with the NPS-UD as the intention of the NPS-UD is to *"remove overly restrictive barriers to development to allow growth 'up' and 'out' in locations that have good access to existing services, public transport networks and infrastructure"*, which Mr Carr considers applies to Okaihau.
305. I understand Mr Carr's desire to allow for further expansion of the Okaihau Settlement. However, there are several key areas where I am not satisfied that I have sufficient information to support a rezoning – firstly whether a sufficient case has been made as to why Okaihau needs to expand, and secondly whether the balance of Mr Carr's property is the most appropriate location for that expansion. Mr Carr's original submission asserts that there is a need for additional residential land in Okaihau but the only information provided in either the original submission or evidence is that Mr Carr is not aware of any sections available house development.
306. To summarise, I do not support rezoning Lot 2 DP 336924 on Horeke Road to Settlement Zone for the following reasons:
 - a. Mr Carr has not provided an explicit assessment of his rezoning proposal against the matters listed in Minute 14, although his evidence indirectly addresses some of these matters. I have assessed these more fully in **Appendix 1** of this report, but I note that Mr Carr has not provided any indication of whether adjacent landowners or the Okaihau community support the rezoning proposal.
 - b. The rezoning would not remedy the split zoning situation as the zone boundary indicated by Mr Carr would still create a split zone, albeit one that Mr Carr proposes to remedy through a future boundary adjustment. It would also create an isolated pocket of Rural Production Zone on the property containing St Catherine's Church, which Mr Carr considers should remain Rural Production to ensure that a 10m setback remains around the church site. In my view, the zone boundary proposed by Mr Carr is not in a defensible or logical location and would still result in a split zoned site. I am also not convinced that Mr Carr's property would be the most appropriate location for a future expansion of Okaihau as it would continue the pattern of ribbon development down Horeke Road, as opposed to prioritising rezoning land closer to the centre of Okaihau nearer to the school and sports fields to create more of a central development cluster (inconsistent with Criterion A).

- c. The existing land uses and subdivision pattern of Mr Carr's property are not consistent with the purpose of the Settlement Zone as they currently have a rural character (inconsistent with Criterion B).
 - d. I agree with Mr Carr that the site has no identified significant natural hazard risks, is resilient to the current and future effects of climate change and that the rezoning is generally compatible with surrounding land uses to the east, being the boundary with the Settlement Zone. However, I note that adverse effects on the bush and management of reverse sensitivity effects to the west are proposed to be managed through future subdivision processes as opposed to through this rezoning request (inconsistent with parts of Criterion C).
 - e. As per the economic assessment, there is no clear need for additional Settlement capacity in this location. The rezoning would result in a marked increase in the PEC of Okaihau, as the developable 6ha portion of the site (excluding the 1ha buffer and the 1ha bush area next to the church) could be subdivided into around 20 lots as a controlled activity (based on a minimum controlled lot size of 3,000m²) (inconsistent with Criterion D).
307. Mr Carr notes that several potential issues associated with developing the site could be addressed at subdivision stage. These include:
- a. Protecting the significant area of bush by St Catherine's Church.
 - b. Undertaking a boundary adjustment to move the 1ha 'reverse sensitivity buffer' into an adjoining lot, also owned by Mr Carr.
 - c. Servicing and plans for effluent disposal.
308. I am not clear on the ultimate development plans that Mr Carr has for this property in terms of lot yield. However, as some of the key aspects of his justification for this rezoning are linked to this future subdivision, there is no guarantee that elements such as covenanting the bush and creating a reverse sensitivity buffer will occur. It may be more appropriate for Mr Carr's development aspirations to be pursued via a management plan or environmental benefit subdivision pathway as opposed to a full rezoning.
309. As such, I recommend that Mr Carr's request to rezone part of his property at Lot 2 DP 336924 be rejected. However, there may also be the opportunity for the Okaihau community to engage in the upcoming District Wide Spatial Strategy work to determine how future growth around Okaihau should be provided for, as discussed in Section 3.4 above.

Recommendations for 'opt in' submitters

310. I recommend that the following submissions be accepted and the identified properties rezoned accordingly:

- a. The properties known as 'Tubbs Farm', as shown in **Appendix 1.17** are rezoned from Rural Lifestyle to Rural Residential Zone – Neil Construction Ltd (S349.001).
 - b. The site at 17B Snowdon Avenue is rezoned Settlement Zone to ensure that all of Lot 1 DP 533343 is contained within the same zone – Roman Catholic Bishop of the Diocese of Auckland (S382.001).
 - c. The properties at 98A to 110, and 109 to 115 State Highway 12 in Opononi are fully zoned Rural Lifestyle Zone (as opposed to split zoned Rural Lifestyle and Rural Production). As a consequential amendment, the adjacent lot to the north be fully zoned Rural Production to remove the small areas of Rural Lifestyle Zone applied to the property in error – Nigel Ross Surveyor Ltd (S381.001).
311. I recommend that all other submissions from 'opt in' submitters addressed in this section of the report are rejected.

Section 32AA evaluation

312. I agree with the section 32AA evaluation prepared by Mr Brown in paragraphs 35 to 42 of his evidence on behalf of Neil Construction Limited, particularly that it is more efficient to apply the Rural Residential zone provisions to the Tubbs Farm land given the recently approved subdivision consent and associated range of lot sizes. I agree that there will likely be fewer resource consents required due to setback infringements if the Rural Residential zone is applied and that the Rural Residential Zone better reflects the scale of development and range of land uses approved by the subdivision consent.
313. With respect to removing the split zoning of the Catholic Church property in Moerewa, I consider it a more efficient and effective outcome for all of the site occupied by church buildings and used for church activities to have a single zone of Settlement, as opposed to the split zone situation as notified. The amalgamation of the two properties at 17A and 17B Snowdon Avenue has created a single site that clearly forms part of the existing settlement of Moerewa and does not add additional development capacity given the existing church buildings occupying the site. I consider that the outcome is the most appropriate way to give effect to the objectives of the Settlement Zone with respect to section 32AA of the RMA.
314. I consider that the split zoning of the properties along State Highway 12 in Opononi to be a clear GIS mapping error. As such, no further evaluation under section 32AA of the RMA is required.

4.5 Other Rezoning Submissions

315. I have structured my responses to non 'opt in' submitters by the type of request (i.e. supporting notified zone, correcting errors or requesting a particular type of zone) and have also grouped submitters geographically where it made sense to do so for efficient analysis.

316. I note the onus is on submitters to provide the evidence to support and justify their rezoning request (as per Minute 14). The submissions addressed in this section may have addressed some of the Minute 14 criteria by default in the material included in their original submission but none of these submitters have comprehensively responded to the Minute 14 matters.
317. For some submissions, not electing to 'opt in' to the Minute 14 process means that, at the time of writing this report, I have insufficient information to make a fully informed recommendation. As a result, I have recommended rejecting the submission and retaining the zoning as notified. In other cases, I may not have a full analysis of the Minute 14 matters from the submitter, but I still have sufficient information in my view to make a clear recommendation. I may reconsider my position if submitters provide additional evidence to support and justify their rezoning request in accordance with the Minute 14 criteria at the hearing.

4.5.1 Requests to retain notified zoning

Overview

Submitter name and submission point	Notified Zoning	PDP	Officer Recommendation(s)
Yvonne Steinemann (S455.001)	Rural Lifestyle Zone		No change
Lynley Newport (S135.001)	Rural Lifestyle Zone		No change
Timothy and Dion Spicer (S213.001)	Rural Production Zone		No change
NFS Farms Limited (S151.001)	Rural Lifestyle Zone		No change
Amanda Kennedy, Julia Kennedy Till and Simon Till (S353.003)	Rural Production Zone		No change
Mary Stanners (S141.001)	Rural Production Zone		No change
IDF Developments Limited (S253.001)	Rural Production Zone		No change
Richard Dunsheath (S10.001)	Rural Residential Zone		No change
Elizabeth Irvine (S39.001)	Rural Residential Zone		No change
Jim Longhurst (S224.001)	Rural Residential Zone		No change
JL and AR Matthewson	Rural Residential Zone		No change

Partnership (S245.001)		
Reuben Wright (S178.001)	Rural Residential Zone	No change
Brady Wild (S369.001)	Rural Residential Zone	No change
Selwyn Garton (S306.001)	Rural Residential Zone	No change

Matters raised in submissions

318. Yvonne Steinemann (S455.001) is generally supportive of the Rural Lifestyle Zone as notified, especially when it is appropriately situated near established roads between towns and more rural areas. This submitter does not consider larger blocks of land in more remote areas should be subdivided.
319. Lynley Newport (S135.001) considers the Rural Lifestyle Zone to be a sound concept and requests that additional areas across the Far North District suitable of being rezoned Rural Lifestyle are identified.
320. Te Waka Pupuri Putea Trust (S477.019) support the property at 202 Okahu Road, Kaitaia (Part Lot 1 DP 50012) being zoned Rural Lifestyle Zone and request Rural Lifestyle zoning is retained for those properties where it is appropriate.
321. Timothy and Dion Spicer (S213.001) support the Rural Production zoning of their property adjacent to Cable Bay Block Road near Coopers Beach, legally described as Lot 2 DP 203376, and request it is retained.
322. NFS Farms Limited (S151.001) seek that the Rural Production zoning of 123 and 127 Rangitane Road, Kerikeri (Lot 3 DP 184505, Lots 1 and 3 DP 502469) is retained. This submitter considers the Rural Production Zone effectively balances production, conservation and rural living.
323. Mary Stanners (S141.001) requests that the Rural Production Zone is retained at Hendersons Bay as the Zone can protect the coastal environment.
324. IDF Developments Limited (S253.001) support the Rural Production Zoning of properties at Pureru Road in Te Tii (Specifically; Lot 2 DP 550435, Lot 11 DP 72578, Lot 12 DP 72578, and Section 7 Block V Kerikeri SD) and request it is retained.
325. Amanda Kennedy and others (S353.003) support the Rural Production Zone and request it is retained for the properties described as Lot 1 DP 197131 and Lot 1 DP 189675 near Tauranga Bay.
326. Several submitters support the Rural Residential zoning of properties around Kerikeri and Waipapa. These submitters include Richard Dunsheath (S10.001), Elizabeth Irvine (S39.001), JL and AR Matthewson Partnership

(S245.001) and Jim Longhurst (S224.001). The more general of these submissions are as follows:

- a. Richard Dunsheath who requests that Rural Residential zoning is retained on the northern side of Waipapa between State Highway 10 and the Waipapa Stream; and
 - b. The JL and AR Matthewson Partnership's request for Rural Residential zoning of The Ridge in Kerikeri to be retained.
- 327. More specifically, the following submitters request their respective properties remain within the Rural Residential Zone:
 - a. Elizabeth Irvine at 70 Shepherds Road, Kerikeri (Lots 4 and 5 DP 335593; and
 - b. Jim Longhurst at 184 Kerikeri Inlet Road, Kerikeri (Lots 1 and 2 DP 606615, Lot 3 DP 504751).
- 328. Similarly, there are multiple submitters who support the Rural Residential zoning of both general areas and specific properties in Kaitaia. These submissions are as follows:
 - a. Brady Wild (S369.001) requests that properties on Okahu Road legally described as Lot 10 DP 554104 and Pt Lot 8 DP 135828 are retained within the Rural Residential Zone.
 - b. Reuben Wright (S178.001) requests that Section 1 SO 65376 and Lot 9 DP554104 on Kaitaia-Awaroa Road and the general area enclosed by Okahu and Pukepoto Roads are retained within the Rural Residential Zone.
 - c. Selwyn Garton (S306.001) requests that the proposed Rural Residential zoning of rural land adjacent to existing residential land in Kaitaia is retained. In particular, the land within the loop created by Okahu Road.

Analysis

- 329. I support the requests from the following submitters to retain the zoning of land as notified in the PDP:
 - a. **Yvonne Steinman** – agree that the spatial extent of the Rural Lifestyle Zone as notified is generally appropriate and that, as per my response to Criterion D in Section 3.2.4 of this report above, there is no capacity reason to convert more of the rural environment into Rural Lifestyle Zone.
 - b. **Lynley Newport** – as per my response to Yvonne Steinman above, except that I do not support new areas of Rural Lifestyle Zone being included in the PDP where there are existing enclaves of rural land

already in blocks of less than 8ha (Ms Newport has not spatially explained where additional Rural Lifestyle zoned areas should be). I do not support this outcome for the reasons set out in Sections 3.3.2 and 3.3.4 of my report with respect to existing fragmentation of land and sufficient rural capacity.

- c. **Timothy and Dion Spicer, NFS Farms, IDF Developments Limited, Amanda Kennedy and others** – agree that these properties are appropriately zoned Rural Production and that this zone should be retained.
- d. **Mary Stanners** – I note that the request to retain the Rural Production Zone in Henderson Bay has been addressed in Section 4.4.14 above with respect to the submission from Michael Winch. For the reasons set out in this section I support retention of the Rural Production Zone in Henderson Bay as notified.
- e. **Te Waka Pupuri Putea Trust** – agree that this property is appropriately zoned Rural Lifestyle and that this zone should be retained.
- f. **Richard Dunsheath, Elizabeth Irvine, JL and AR Matthewson Partnership, Jim Longhurt, Brady Wild, Reuben Wright, Selwyn Garton** – agree that these properties are appropriately zoned Rural Residential and that this zone should be retained.

330. I recommend that these submission points be accepted and accepted in part as set out above. As I support the retention of the notified PDP zoning for these sites, I have not included specific figures showing the locations of these properties.

4.5.2 Requests to correct errors

Overview

Submitter name and submission point	Notified Zoning	PDP	Officer Recommendation(s)
Seeka Limited (S34.001)	Rural Residential Zone		Remove split zone and rezone entire site Horticultural Processing Facilities Zone
Seeka Limited (S34.002)	Horticulture Processing Facilities Zone		No change (except correct notation for the Horticulture Processing Facilities Zone has been applied)
Ngamaia Farms Ltd (S3.001)	Natural Open Space Zone		Rezone Rural Production Zone

Matters raised in submissions

331. Seeka Limited (S34.001, S34.002) consider that there has been an error regarding the zoning of their horticulture processing facilities as follows:
 - a. Rezone 153 Waipapa Road, Kerikeri (Lot 3 DP 196433) from Rural Residential Zone to Horticulture Processing Facilities Zone; and
 - b. Rezone 311 Kapiro Road, Kerikeri (Lot 1 DP 347737) from Rural Production to Horticultural Processing Facilities Zone.
332. The property at 153 Waipapa Road has been partly zoned Horticulture Processing Facilities Zone, with the remainder zoned Rural Residential. Seeka Limited note, however, that PDP mapping shows the whole as being within the Rural Residential Zone and oppose this. The submitter requests that, as a minimum, the existing portion of the site within the Horticulture Processing Facilities Zone is retained but would prefer the entirety of Lot 3 DP 196433 to be zoned Horticulture Processing.
333. The property at 311 Kapiro Road is owned by Northland Horticulture Limited, a subsidiary of Seeka Limited, and contains a kiwifruit packhouse and coolstores (with future coolstores proposed). Seeka Limited request this site is rezoned from Rural Production to Horticulture Processing Facilities to more appropriately reflect existing and proposed land use.
334. Ngamaia Farms Ltd (S3.001) oppose the Natural Open Space zoning of the following properties, all of which make up an operational beef farm in Takahue:
 - a. NA48C/1396 (Section 60 Block X Takahue Survey District);
 - b. NA30A/294 (Section 52 and Part Section 32 Block X Takahue Survey District);
 - c. NA1034/213 (Section 36 Block X Takahue Survey District); and
 - d. NA26A/1387 (Section 35 and Section 40 Block X Takahue Survey District).
335. Ngamaia Farms Ltd suggests that the Natural Open Space Zone has been applied in error and notes there is no apparent justification for the increase in its extent. Ngamaia Farms Ltd requests that the landholdings listed above are rezoned to Rural Production.

Analysis

Seeka Limited

336. I was contacted by Mr Shae Crossan on behalf of Seeka Limited in April 2025 to discuss the apparent zoning errors relating to the two Seeka sites at 153 Waipapa Road and 311 Kapiro Road in Kerikeri. I agreed with Mr Crossan that the PDP maps as notified were misleading and that my understanding was that the original intention of the PDP was to zone these sites Horticulture Processing Facilities Zone.

337. In reviewing these potential errors, I discovered that part of the confusion stems from both the Rural Residential and Horticulture Processing zones being allocated the same mapping notation on the GIS maps (grey background, darker grey diamond). This has resulted in both sites appearing to be zoned Rural Residential when the information bar shows them as Horticulture Processing Facilities Zone. A clause 16 memo to address this error was published on 8 August 2025 and the notation issue is now corrected online for all land notified as Horticulture Processing Facilities Zone, including the two Seeka sites. As an example of the new notation and the split zoning of the site at 153 Waipapa Road, refer to Figure 33:



Figure 33: 153 Waipapa Road (blue) showing split zoning between Horticulture Processing Facilities Zone (now grey circles) and the Rural Residential Zone (grey diamonds)

338. With respect to the split zoning of 153 Waipapa Road, I see no reason why this split zoning has occurred and agree with Seeka Limited that the entirety of Lot 3 DP 196433 should be zoned Horticulture Processing Facilities Zone. Even if parts of this lot are not currently used actively for processing, given that the site is surrounded by Rural Residential zoned land, the inclusion of the entire land parcel will provide an additional buffer around the processing activities and better manage reverse sensitivity effects. I find this outcome to be consistent with Criteria A-D.

Ngamaia Farms Ltd

339. I agree with Ngamaia Farms that the Natural Open Space Zone appears to have been applied in error to the listed properties in Takahue – the land is clearly in private ownership and is being actively used for productive rural activities. Figures 34 and 35 show the comparison between the extent of the Conservation Zone in the ODP compared to the extent of the Natural Open Space Zone in the PDP with respect to the Ngamaia Farms properties:

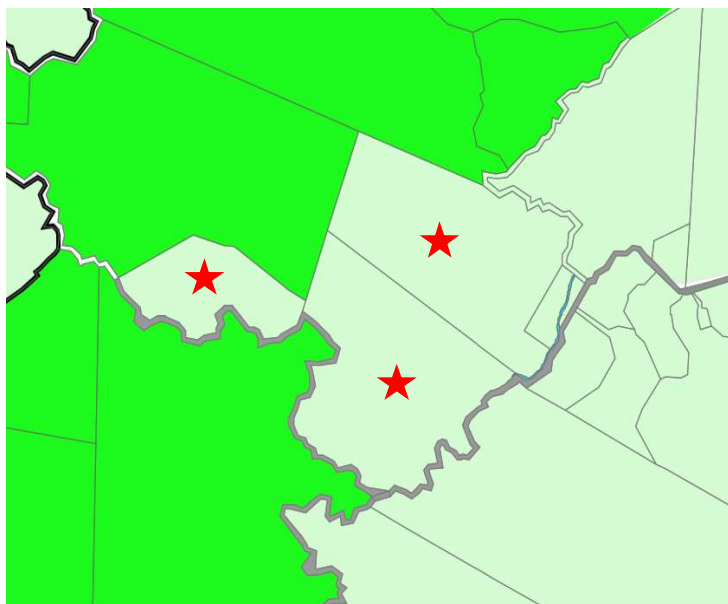


Figure 34: Operative District Plan - Ngamaia Farms properties of concern (red stars) shown as Rural Production (light green) with adjacent Conservation Zone (bright green)

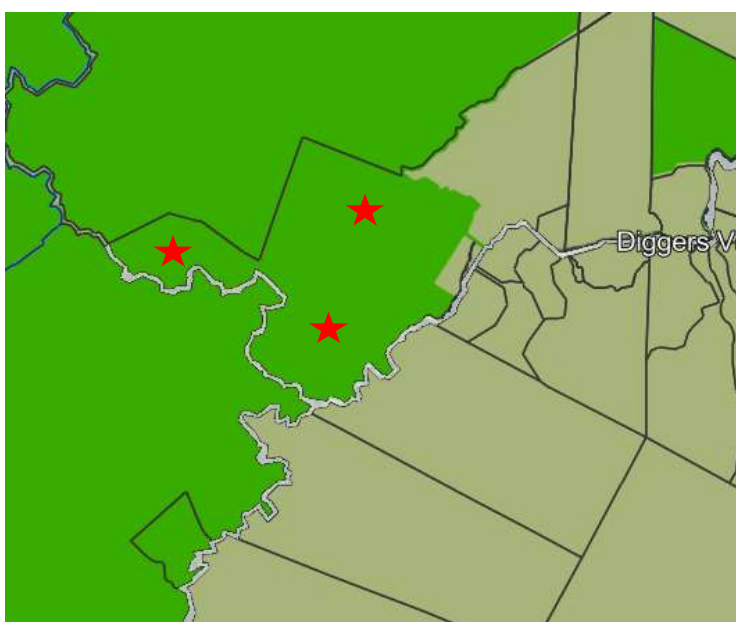


Figure 35: Proposed District Plan - Ngamaia Farms properties of concern (red stars) shown as Natural Open Space Zone (bright green) adjacent to Rural Production Zone (khaki)

340. It appears that the adjacent Conservation Zone in the ODP may have inadvertently been extended to cover the Ngamaia Farms land on the PDP maps, resulting in the notified zoning of Natural Open Space. I agree with Ngamaia Farms Ltd that I cannot see any justification for this change of zone – although there is some vegetation shown on aerial photographs on some parts of these lots, it is evident that the majority of this land is in pasture, consistent with its use as a beef farm. The largest area of vegetation on these properties is identified as part of an Outstanding Natural Landscape, so is afforded protection by those associated provisions. I agree with the point made in Ngamaia Farms Ltd's original submission that the overview of the Natural Open Space chapter explains that *"The Natural Open Space zone generally applies to public land that is administered by government agencies and includes a variety of parks and historic reserves"*, which is not applicable to this site. As such, I recommend that these land parcels be rezoned Rural Production Zone.

4.5.3 Requests for an Operative District Plan zone

Overview

Submitter name and submission point	Notified Zoning	PDP	Officer Recommendation(s)
Kathleen Courtenay and Luke Hale (S298.001)	Rural Residential Zone		No change

Matters raised in submissions

341. Kathleen Courtenay and Luke Hale (S298.001) request that their property at 372 Cable Bay Block Road in Cable Bay, legally described as Lot 1 DP 361189, remains zoned Rural Living, as per the ODP, as opposed to Rural Residential zone as notified in the PDP. These submitters are concerned that being able to subdivide into lots less than 4,000m² (as provided for in the Rural Residential zone) will result in a loss of rural character and they do not wish for their land, or the surrounding land, to be intensified.

Analysis

342. The property owned by Ms Courtenay and Mr Hale is shown in Figure 36 below:

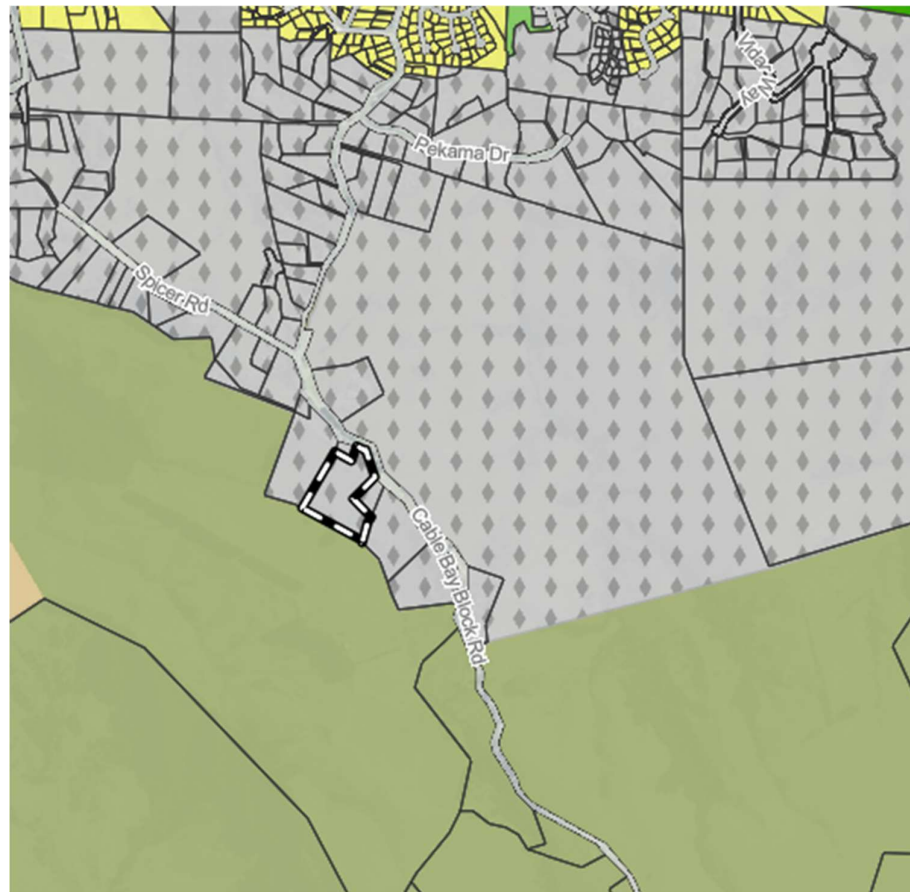


Figure 36: 372 Cable Bay Block Road (black and white)

343. I contacted Mr Hale via email on 28 January 2025 to clarify the legal description and property address of the land subject to their submission. Mr Hale confirmed the legal description and address via email, but also reiterated that they do not consent to the zoning being changed and that their submission is not a request for a zone change – effectively they would like the status quo Rural Living Zone to remain as opposed to the PDP zone of Rural Residential.
344. Further correspondence was received from Mr Hale on 9 April 2025 in response to the communications from Council about the information requirements in Minute 14 and the opportunity to 'opt in'. Mr Hale again reiterated that they have not requested a rezoning under the PDP, they are simply asking for no zoning changes to their land and a continuation of the ODP for their property. Their main concerns relate to the ability to further subdivide lots smaller than 4,000m² under the Rural Residential subdivision rules.
345. I have attempted to communicate to Mr Hale that the PDP process applies to every property in the Far North District, as the ODP is being replaced in its entirety. This is a statutory requirement for district councils under the RMA and must occur once every ten years. As such, all properties in the Far North

district have been allocated one of the new zones under the PDP and, in most cases, the PDP zone has been chosen that most closely matches the current ODP zone. All land across the district that is currently zoned Rural Living in the ODP is proposed to change to Rural Residential in the PDP, including the property owned by Ms Courtenay and Mr Hale.

346. I appreciate the concerns of Ms Courtenay and Mr Hale that the Rural Residential subdivision provisions in the PDP are different to those in the Rural Living Zone in the ODP. The Rural Living Zone in the ODP has a controlled minimum lot size of 4,000m², which is the same as proposed in the Rural Residential Zone in the PDP, so from that perspective there is no change. The key difference is that the discretionary minimum lot size in the ODP is 3,000m², while the discretionary minimum lot size in the PDP is 2,000m². This allows existing properties sized between 4,000-6,000m² the opportunity to subdivide an additional lot as a discretionary activity, which was not an opportunity available under the ODP.
347. While I appreciate that any change to the status quo is unlikely to satisfy these submitters, I disagree that the change in discretionary minimum lot size compared to the ODP is a significant change in terms of the development enabled in their area. I note that there is no change in the spatial extent of the Rural Residential Zone compared to the Rural Living Zone in the ODP in Cable Bay and Ms Courtenay and Mr Hale's property will remain bordered to the rear by a large block of land zoned Rural Production, which will retain their rural outlook. I note that there are already at least two lots that are 4,000m² or smaller along Cable Bay Block Road adjoining Ms Courtenay and Mr Hale's property and that the balance of properties along the western side of the road are between 2-3ha in size. All of these 2-3ha blocks already have the potential to subdivide into 4,000m² lots as a controlled activity under the ODP, so the potential for the existing rural character to change along Cable Bay Block Road already exists and is only slightly elevated through a full discretionary consent pathway under the PDP.
348. As such, I recommend that Ms Courtenay and Mr Hale's request to retain the ODP zone for their property is rejected.

4.5.4 Requests for Settlement Zone

Overview

Submitter name and submission point	Notified Zoning	PDP	Officer Recommendation(s)
James William Rogers and Sara Rogers (S504.001)	Rural Production Zone		No change

Matters raised in submissions

349. James William Rogers and Sara Rogers (S504.001) oppose the Rural Production zoning of the following properties on and serviced from Arawhata

Road and Mangatete Heights near Kaingaroa and instead request a Settlement Zone:

- a. 51, 53, 61, 71, 71A, 73, 81, 85, 87, 99, 101, 103, 113 Arawhata Road;²⁰
 - b. 28, 42, 58, 86, 100, 110, 120 Mangatete Heights;²¹
 - c. Lots 18 and 26 DP 377680;
 - d. 7, 27, 31, 43 Bobs Way (Lots 14-17 DP 377680)
 - e. 6, 20 Bobs Way (Lots 23 and 25 DP 377680); and
 - f. 5, 22, 23, 24, 25 Ronas Place (Lots 19-22 and 24 DP 377680).
350. The Rogers submission argues that the current and proposed Rural Production zoning is inappropriate given the existing land use, lot sizes, and physical characteristics of the area. The submission notes that the requested rezoning area contains 44 lots, with 38 of these being smaller than the 4ha "absolute minimum lot size" identified in the Section 32 report for productive rural land. The majority of lots are used for residential purposes, and the area lacks the soil quality, water access, and scale necessary to support rural production activities. The Rogers also note that the land is predominantly LUC class 6 and class 4 soils, and that no lots exceed 6ha in size.
351. The Rogers argue that the area meets the criteria for Settlement Zone as outlined in the section 32 report for the Rural Environment. Specifically, the area contains more than 15 houses clustered around a central point and is not serviced by reticulated wastewater, with community infrastructure, including a school and hall, located within 2km of the area.

Analysis

352. I do not consider that the original submission from the Rogers contains sufficient information to justify a new Settlement Zone around Arawhata Road and Mangatete Heights. This would be a new stand-alone, approximately 65ha area of Settlement Zone (inconsistent with Criterion A as the land does not adjoin an existing area of Settlement Zone) and would enable significant upzoning of these properties, the effects of which have not been assessed in accordance with the Minute 14 criteria.
353. From the map provided in the original submission, (shown in Figure 37 below) it appears that the spatial extent of the submission includes 33 properties (noting that the submission references 44 properties):

²⁰ These Arawhata Road properties are legally described as follows (in order of listing): Lot 1 DP 370981, Lots 1 and 2 DP 320788, Lot 1 DP 187780, Lots 1, 2 and 5 DP 199591, Lot 2 DP 199650, Section 4 Block XI Rangaunu Survey District, Lot 1 DP 146559, Lots 1 and 2 DP 206538, Lot 1 DP 194422, Section 28 Block XI Rangaunu Survey District.

²¹ The Mangatete Heights properties are legally described as Lot 2 Deposited Plan 370981, Lots 3 and 4 DP 199591, Lot 3 DP 199650, Lots 1 and 2 DP 180619.

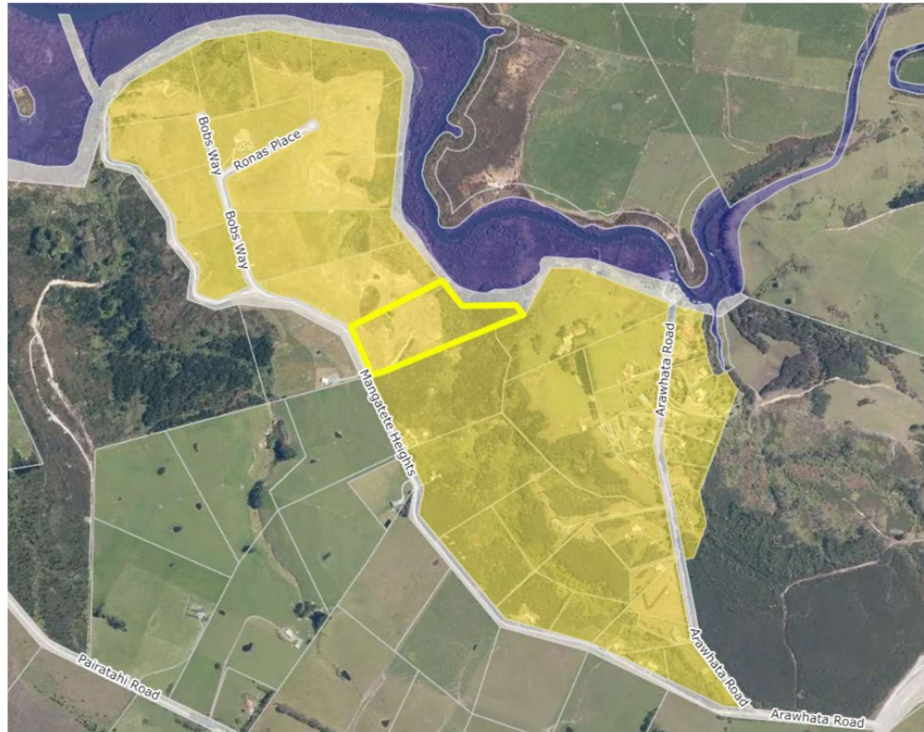


Figure 37: Image 3 from the Rogers' submission (the Rogers' site outlined in yellow, extent of rezoning requested shaded yellow)

354. Out of the 33 properties that I have reviewed, 25 out of the 33 are over 6,000m² in size, which would enable further controlled activity subdivision and a PEC of around 160 additional lots. I disagree that the scale of existing development (where only five lots are in the 3,000m²-4,000m² range) aligns with the outcomes anticipated by the Settlement Zone (inconsistent with Criterion B). The original submission does not consider whether this level of further intensification is justified or desirable in this location, given that the upzoning could result in a settlement of potentially close to 200 houses (inconsistent with Criteria D). I am also unclear as to whether the other landowners affected by this rezoning request are in support or opposition as the submission is silent on the matter and there are no further submitters. Overall, insufficient information has been provided in accordance with Minute 14 to justify the scale of rezoning being requested.
355. Based on the current information available, I recommend that this submission is rejected.

4.5.5 Requests for Rural Lifestyle Zone

Overview

Submitter name and submission point	Notified Zoning	PDP	Officer Recommendation(s)
Kerikeri			
Chris and Nicola Robertson (S78.001)	Rural Production Zone		No change
Shirley Dryden (S221.001)	Rural Production Zone		No change
Kerry Ludbrook (S327.001)	Rural Production Zone		No change
Braedon & Cook Limited (S401.001)	Rural Production Zone		No change
Russell Peninsula			
Omata Estate (S548.001)	Rural Production Zone		No change
Omata Estate (S548.002)	Rural Production Zone		No change
Sarah Ballantyne and Dean Agnew (S386.028)	Rural Production Zone		No change
Other locations			
Kylie Stewart (S8.001)	Rural Production Zone		No change
The Shooting Box Limited (S187.096)	Rural Production Zone		No change
P S Yates Family Trust (S333.109)	Rural Production Zone		No change
Setar Thirty Six Limited (S168.149, S168.150 and S168.151)	Rural Production Zone		No change
Miles Valentine (S265.001)	Rural Production Zone		No change

Matters raised in submissions

Kerikeri

356. Chris and Nicola Robertson (S78.001) oppose the Rural Production zoning of land at Redcliffs Road, Te Kowhai Point and Rangitane Roads in Kerikeri and request the area is rezoned to Rural Lifestyle. Chris and Nicola Robertson do not consider this land suitable for intensive farming owing to a lack of soil quality and land contour. The Robertsons note that a high percentage of land

on the peninsula is already used for lifestyle living. It is submitted that the Rural Lifestyle Zone is more appropriate and will protect coastlines while still providing future growth opportunities for the community.

357. Shirley Dryden (S221.001) and Kerry Ludbrook (S327.001) request that the property on Rangitane Road in Kerikeri, legally described as Lot 12 DP 431913, is rezoned from Rural Production to Rural Lifestyle. Shirley Dryden and Kerry Ludbrook oppose the property's Rural Production zoning on the basis it is too small to farm (8.8ha) with wet soil and only suitable for lifestyle purposes. Moreover, the submitters note it is surrounded by subdivision and a spectacular outlook.
358. Braedon & Cook Limited (S401.001) request that 121 Redcliffs Road, legally described as Lot 3 DP 108139, is also rezoned from Rural Production to Rural Lifestyle. Braedon & Cook Limited request this rezoning on the basis of the soil not being suitable for productive purposes, i.e., a thin layer of topsoil underlaid by heavy clay and brown rock with areas of volcanic rocks, and the use of fertiliser on poor soils would mean inevitable run off into the bordering Rangitane River. The submitter also notes an approved subdivision on a neighbouring site and the proximity to Kerikeri among other services make the site well placed for low-intensity development.

Russell Peninsula

359. Omata Estate (S548.001) request that its land at 212 and 212B Aucks Road, legally described as Lots 1 and 2 DP 391936, is rezoned from Rural Production to Rural Lifestyle. Omata Estate land is predominantly used as a vineyard and restaurant, with these activities taking up approximately 5ha of the landholding and the remaining area comprising of native vegetation. Omata Estate considers that the size of existing allotments, areas of native vegetation, undulating topography and existing use ultimately limits the land from being used for rural production activities. Omata Estate also note that surrounding properties contain rural residential development and thus production activities would not be conducive. Omata Estate notes that the land is LUC class 6 non-arable soils, which are not very productive. It is the view of the submitter that the site and its locality is inherently rural lifestyle in character and that zoning should reflect this.
360. Omata Estate (S548.002) also seeks that the land between Okiato and Te Wahapu settlements is rezoned from Rural Production to Rural Lifestyle in order to achieve a more succinct zoning pattern to better align with existing land use.
361. Sarah Ballantyne and Dean Agnew (S386.028) oppose their property at 249 Aucks Road in Okiato (Lot 1 DP 445352) being zoned Rural Production for several reasons, including; adjoining sites to the west and north are more appropriately zoned Rural Settlement Zone and Rural Lifestyle Zone, the site contains only Class 6 soils, and the Section 32 evaluation does not provide analysis on how mapping decisions have been made. The submitters make specific note of sites across the road to their property being zoned Rural

Lifestyle and extending beyond the subject site by more than 300m, thus creating a “mismatch” in development potential within the area. Sarah Ballantyne and Dean Agnew request that their site is rezoned to Rural Lifestyle and consider this will assist in creating a defensible boundary for the Okaito Settlement.

Other Locations

362. Kylie Stewart (S8.001) opposes the Rural Production zoning of 5770 State Highway 10, Awanui (Lot 2, DP 556502 and Lot 1, DP 415104) and requests it is rezoned Rural Lifestyle. The submitter explains that the land was a large farm which has since been subdivided and can no longer be classed as productive. Kylie Stewart understands productivity is not the sole consideration for zoning decisions but, in this case, believes it should be determinative given the housing shortage across the Far North. There is a portion of native bush on the property and the submission states this can be protected and still provide options for landowners to develop their own land.
363. The Shooting Box Limited (S187.096) and P S Yates Family Trust (S333.109) both request property on Kokinga Point Road, Rawhiti is rezoned from Rural production to Rural Lifestyle. These properties are as follows:
 - a. 20 Kokinga Point Road, Rawhiti (Part Lot 1 DP 53930, Lot 1 Deposited Plan 97835 and Lot 1 Deposited Plan 71896); and
 - b. 1 and 23 Kokinga Point Road, Rawhiti (Lot 3 DP 71896 and Part Te Kokinga Block).
364. The Shooting Box Limited and P S Yates Family Trust note that the PDP describes the Rural Lifestyle Zone as being characterised by open space and vegetated landscapes, interspersed by farm buildings, structures and residential units. The Shooting Box Limited and P S Yates Family Trust consider the properties listed above meet this description, as well as Rural Lifestyle Zone objectives and that these properties are suitable for rural lifestyle living as they are already fragmented with residential land use, have low value soils or approved applications undertake more dense living than anticipated in the Rural Production Zone. There are no rural production activities in close proximity to the properties and it is submitted that the Rural Production Zone fails to recognise existing and future rural residential opportunities for these properties not otherwise suitable for productive purposes.
365. Setar Thirty Six Limited (S168.149, S168.150, S168.151) oppose the Rural Production zoning of property on Moturua Island (Lot 1 DP 36233, Lots 1 and 2 DP 57873) and request the properties are rezoned to Rural Lifestyle for the same reasons provided by The Shooting Box Limited and P S Yates Family Trust as set out above. In addition to these reasons, Setar Thirty Six Limited note that there is no risk of incompatible activities at or around the properties as they are located on an island with no productive land uses.

366. Miles Valentine (S265.001) opposes the western side of Rangiputa Road on Karikari Peninsula being zoned Rural Production and requests it is rezoned to Rural Lifestyle. Miles Valentine considers this submission is justified as there are approximately 30 existing lifestyle lots along the western side of Rangiputa Road, none of which are used for rural production or exceed 10ha. Many of these properties are less than 4ha already so the minimum lot size for subdivision within the Rural Production Zone being 4ha does not make sense to this submitter. Miles Valentine submits that the area fits the definition for 'Rural lifestyle' and is also unsuitable for horticultural use owing to a sandstone pan just below the topsoil.

Analysis

Kerikeri

367. Figure 38 shows the two properties specifically requesting upzoning, as well as indicating the general area where the Robertsons are requesting upzoning:

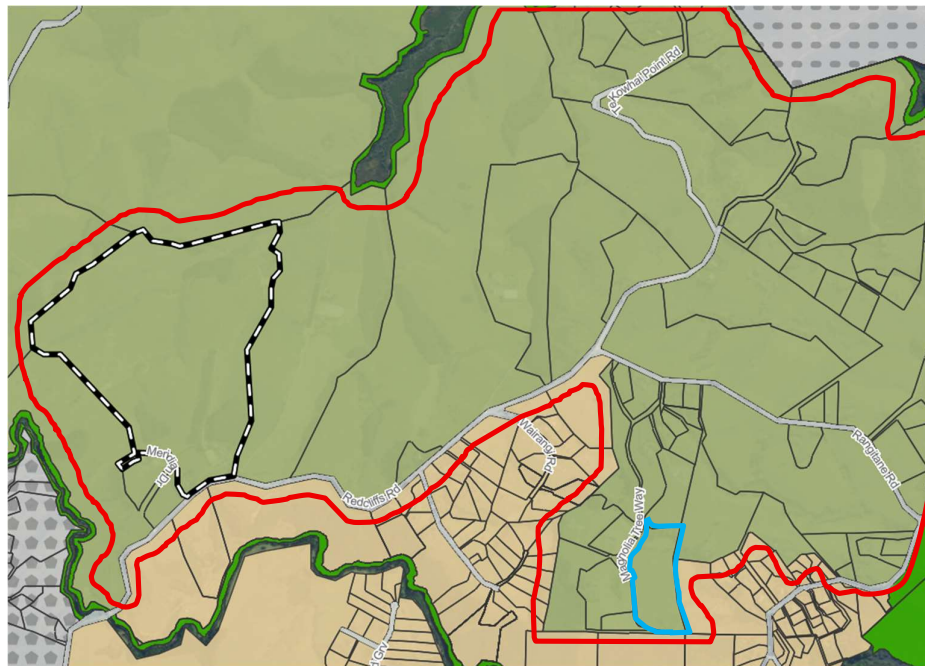


Figure 38: 121 Redcliffs Road (Braedon & Cook - black and white), Lot 12 DP 431913 (Ms Dryden and Mr Ludbrook - blue) and the assumed general area of the Robertson's submission (outlined red)

368. With respect to the submission from Braedon & Cook Limited, I have addressed very similar issues regarding requests for Rural Lifestyle Zone along Redcliffs Road in response to the evidence provided by Meridian Farm Ltd in Section 4.4.3 of this report, noting that this property adjoins the Meridian Farm site. My rationale for retaining 121 Redcliffs Road as Rural Production Zone is the same as that outlined in Section 4.4.3 and I consider

the analysis equally applicable to the submission from Braedon & Cook Limited and I do not support the upzoning of this site.

369. The Robertsons, Shirley Dryden and Kerry Ludbrook all request the upzoning of land to Rural Lifestyle around Redcliffs Road, Te Kowhai Point and Rangitane Road – the Robertsons do not specify the spatial extent of how many properties they wish to see upzoned, while Ms Dryden and Mr Ludbrook’s request relates to a single site on Rangitane Road. For similar reasons to those expressed in response to the Meridian Farm submission in Section 4.4.3 above, I do not support additional upzoning of Rural Lifestyle land around Kerikeri, particularly in locations where additional development capacity would be enabled and no evidence has been provided in accordance with Minute 14 to support the request.

Russell Peninsula

370. The specific parcels where Omata Estate have requested upzoning are shown in Figure 39 below. I have not identified the general area between Okiato and Te Wahapu settlements on a map as the spatial extent of the submission is not clear enough to be mapped.

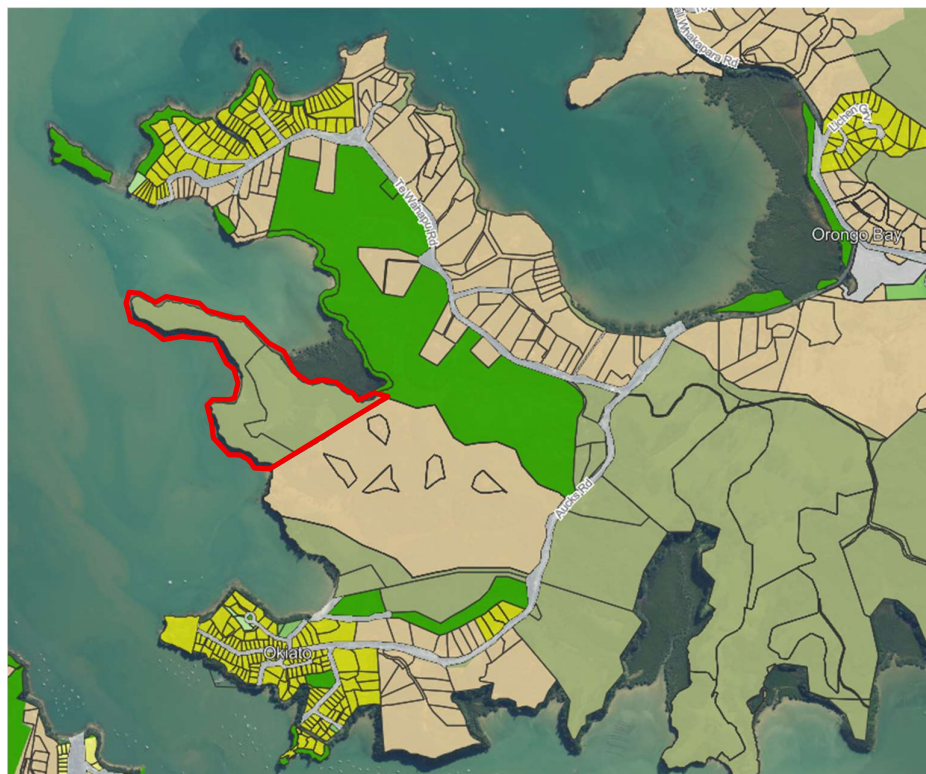


Figure 39: Land identified for upzoning by Omata Estate (red)

371. With respect to the submission from Omata Estate, I consider that the correct zoning from the ODP has been rolled over, given that the ODP zoning was General Coastal and this has been replaced by a combination of Rural

Production Zone and Coastal Environment overlay, which is consistent with how all other ODP General Coastal land has been treated.

372. Although I appreciate that the Rural Production Zone may not reflect the vineyard and restaurant activities on the site, neither do I consider that Rural Lifestyle Zone with its considerable subdivision potential is appropriate, particularly when considering the extent of indigenous vegetation and areas of High Natural Character on the site (no landscape assessment has been provided). There are many instances across the Rural Production Zone where non-productive activities have been granted resource consent to operate and activities that are lawfully established or have existing use rights are entitled to rely on those for their continued operation. Finally, I note that no additional supporting information was provided regarding the requested upzoning of all land between Okiato and Te Wahapu settlements from Rural Production to Rural Lifestyle other than to say it would better align with existing activities. I also note that there is a further submission in opposition to the upzoning from the Russell Protection Society as they consider that the correct PDP zone has been applied.
373. The property at 249 Aucks Road is shown in Figure 40 below:



Figure 40: 249 Aucks Road (black and white)

374. This property, owned by Ms Ballantyne and Mr Agnew, faces the same issues as the properties owned by Omata Estate, namely the property was zoned General Coastal in the ODP, so the PDP Rural Production Zone with Coastal Environment overlay has effectively rolled this zoning over. The site is also subject to areas of High Natural Character and no evidence has been provided as to why additional rural lifestyle capacity is necessary in this location or how the natural character of this site would be managed.

375. I note that none of these submitters have provided any clear justification for the upzoning of their land with respect to the Minute 14 matters. It appears that there are already extensive areas of Rural Lifestyle zoned land along the western coast of the Russell Peninsula between Kororāreka Russell and Orongo Bay that have not been subdivided to the potential enabled under the PDP. I consider that it would be a more efficient use of land to utilise this capacity first before any additional areas of land are upzoned, particularly given the economic memo in **Appendix 3** that considers there is sufficient rural lifestyle capacity in the rural environment. As such, based on the information I have to date, I do not recommend any upzoning of land to Rural Lifestyle on the Russell Peninsula.

Other locations

376. With respect to the submission from Ms Stewart regarding 5770 State Highway 10 in Awanui, I note that this is a small, isolated parcel of Rural Production zoned land between Kaingaroa and Awanui that is completely surrounded on all sides by Rural Production zoned land, as shown in Figure 41:



Figure 41: 5770 State Highway 10 (black and white)

377. Upzoning this land to Rural Lifestyle would be inconsistent with Criteria A-D, particularly as it would not create a logical or defensible zone boundary, rather it would create an ad hoc spot zone in an otherwise productive rural environment. I recommend that this submission is rejected.

378. I received an email from Mr Peter Hall on 23 August 2025 confirming that neither The Shooting Box Limited nor P S Yates Family Trust are intended to appear at Hearing 15C but that they both wish their rezoning submission points to remain live. The parcels where rezoning is sought by The Shooting Box Limited and P S Yates Family Trust are shown in Figure 42 below:

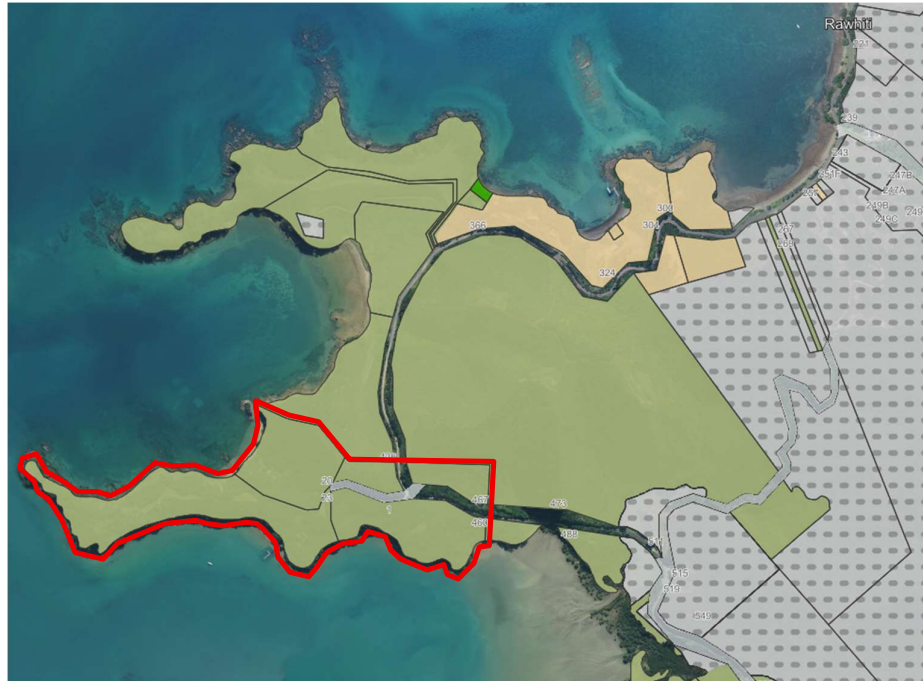


Figure 42: 1, 20 and 23 Kokinga Point Road (red)

379. I consider that the properties on Kohinga Point Road in Rawhiti have the correct zoning applied, given that the ODP zoning was General Coastal and this has been replaced by a combination of Rural Production Zone and Coastal Environment overlay, which is consistent with how all other ODP General Coastal land has been treated. No landscape evidence has been provided to demonstrate how the Outstanding Natural Landscape and High Natural Character values of the properties would be managed in a scenario where more intensive subdivision was enabled. The properties are not adjacent to any other Rural Lifestyle zoned land and, in my opinion, would create an ad hoc spot zone of Rural Lifestyle zone without a logical or defensible zone boundary. Finally, I note that there is some rural lifestyle development capacity provided around Rawhiti, with the Rural Lifestyle Zone and Māori Purpose Rural Zone further to the north. I consider that it would be a more efficient use of land to utilise this capacity first before any additional areas of land are upzoned, particularly given the economic memo in **Appendix 3** that considers there is sufficient rural lifestyle capacity in the rural environment. As such, based on the information I have to date, I do not recommend any upzoning of land to Rural Lifestyle around Rawhiti.
380. Mr Hall also confirmed that Setar Thirty Six Limited will not appear at Hearing 15C but request that their rezoning submission point remains live. Setar

Thirty Six Limited request Rural Lifestyle zoning of three properties on Moturua Island, as shown in Figure 43 below:



Figure 43: Lot 1 DP 36233, Lots 1 and 2 DP 57873 (red)

381. Setar Thirty Six request rezoning to Rural Lifestyle for very similar reasons to The Shooting Box Limited and P S Yates Family Trust, given that the properties are also zoned Rural Production and are subject to both Outstanding Natural Landscape and High Natural Character overlays. For the same reasons as I do not support the upzoning of properties on Kohinga Point Road in Rawhiti above, I also do not support the upzoning of properties on Moturua Island.
382. With respect to the submission from Miles Valentine, I have already responded to a similar request from Murray and Sandra Wilson in relation to the western coastline of the Rangiputa Peninsula in Section 4.4.12 above and it is assumed, from Mr Valentine's description, that it applies to the same spatial area as the Wilson's request. For the same reasons as I have outlined in response to the Wilsons, I do not support upzoning additional land on the Rangiputa Peninsula to Rural Lifestyle Zone.

4.5.6 Requests for Rural Residential Zone

Overview

Submitter name and submission point	Notified Zoning	PDP	Officer Recommendation(s)
General submissions requesting Rural Residential Zone			
Trent Simpkin (S24.001), Tristan Simpkin (S286.001)	Rural Lifestyle Zone		No change
Kerikeri and Waipapa			
Trent Simpkin (S22.003, S284.004), Tristan Simpkin (S288.004)	Rural Lifestyle Zone		Rezone properties that are part of Tubbs Farm Rural Residential Zone
Trent Simpkin (S22.002, S284.002), Tristan Simpkin (S288.002)	Rural Production Zone		No change
Ernie Cottle (S92.002)	Rural Production Zone		No change
Borders Real Estate Northland (S212.001)	Rural Production Zone		No change
Brian and Katherine Susan Hutching (S70.001)	Rural Production Zone		No change
James Guy Ellingham and Deborah Ellingham (S84.001)	Rural Production Zone		No change
Hokianga			
Nina Naera (S152.001)	Rural Lifestyle Zone		No change
Shane Allen (S176.001)	Rural Lifestyle Zone		No change
Karl Todd (S314.001)	Rural Lifestyle Zone		No change
Alistair Kenneth Lambie (S332.001)	Rural Production Zone		No change
Ahipara			
Trent Simpkin (S284.009), Tristan Simpkin (S288.009)	Rural Lifestyle Zone		No change

Trent Simpkin (S284.011), Tristan Simpkin (S288.011)	Rural Lifestyle Zone and Rural Production Zone	No change
Northland Planning and Development 2020 Limited (S502.105)	Rural Production Zone	No change
Kaitaia		
Trent Simpkin (S284.003), Tristan Simpkin (S288.003)	Rural Production Zone	No change
Northland Planning and Development 2020 Limited (S502.106)	Rural Production Zone	No change
John and Rachel Stewart (S81.001)	Rural Production Zone	No change
Karikari Peninsula		
Trent Simpkin (S284.014), Tristan Simpkin (S288.014)	Rural Lifestyle Zone and Rural Production Zone	No change
Trent Simpkin (S284.006), Tristan Simpkin (S288.006)	Rural Production Zone	No change
Simon Ulrich (S308.001)	General Residential Zone	No change
Simon Ulrich (S308.002)	Rural Production Zone	No change
Hihi		
Christopher Thomas Kaye (S56.001)	Rural Lifestyle Zone	No change
Dandy Developments Limited (S142.001)	Rural Lifestyle Zone	No change
Haruru		
Trent Simpkin (S284.013), Tristan Simpkin (S288.013)	Rural Production Zone	No change
Taipa Heights/Cable Bay		
Trent Simpkin (S284.008), Tristan Simpkin (S288.008)	Rural Lifestyle Zone	No change

Matters raised in submissions

General submissions requesting Rural Residential Zone

383. Trent Simpkin (S24.001) and Tristan Simpkin (S286.001) request that all coastal Rural Lifestyle zoned land across the Far North District is rezoned to Rural Residential subject to Coastal Environment provisions, or that the Rural Lifestyle Zone discretionary minimum lot size is reduced to 5,000m². Attachments to the Simpkins' submission provide examples of where this rezoning might occur and includes areas such as Taipa, Kerikeri Inlet, Opua and Orongo Bay.

Kerikeri and Waipapa

384. Trent and Tristan Simpkin have made two groups of submissions regarding rezoning land around Kerikeri and Waipapa to Rural Residential Zone. The first (Trent Simpkin (S22.003, S284.004), Tristan Simpkin (S288.004)) requests that all land accessed from Blue Penguin Drive and Fernbird Grove, as well as land toward Redcliffs Road²² is rezoned from Rural Lifestyle to Rural Residential Zone. The second request (Trent Simpkin (S22.002, S284.002), Tristan Simpkin (S288.002)) is that all land located off Waitotara Drive²³ is rezoned from Rural Production to Rural Residential Zone. The Simpkins consider that this upzoning is necessary to accommodate growth in and around Kerikeri.
385. Ernie Cottle (S92.002) opposes the Rural Production zoning of land located along Waitotara Drive in Waipapa. Specifically, properties at 45, 51, 52, 55, 60, 65, 66, 74, 81, 86, 90, 99, 104, 107, 108, 109, 114, 119, 120, 121, 137, 145 and 147 Waitotara Drive.²⁴ Mr Cottle points out that sites to the north of Waipapa Road are within the Rural Residential Zone and that there is no difference between these properties and those on Waitotara Drive. The land along Waitotara Drive is not highly productive and, subject to flood mitigation measures, can be used for rural residential activities.
386. Borders Real Estate Northland (S212.001), Brian and Katherine Susan Hutching (S70.001) and James Guy Ellingham and Deborah Ellingham (S84.001) oppose the notified zoning of land on the south side of Waipapa Road, between Kerikeri River and Mixed Use Zone land, and request it is rezoned from Rural Production to Rural Residential. Borders Real Estate Northland considers west side of Waipapa Road should be consistent with the north side to enable development between Kerikeri and Waipapa. The Hutchings and Ellinghams note that many properties within this locality are

²² Including properties at 1-33 Blue Penguin Drive, 1-24 Fernbird Grove, 1-4 Spoonbill Drive, 15 Skudders Beach Road, 11, 29, 37, 43, 44, 48, 53, 55, 65A, 65B, 65C, 65D Kingfisher Road, Lot 1 and Lot 2 Kingfisher Drive, and Lot 1001 Kapiro Road.

²³ Including properties at 45 - 147 Waitotara Drive, 279, 289, 291, 293, 299, 305, 309, 317, 331B, 331C, 331D, 331, 361 and 363 Waipapa Road, and land identified as Lot 2 Waipapa Road, Lots 1, 6 and 17 Waitotara Drive.

²⁴ The properties referred to in the submission are legally described as Lots 1 and 2 DP 528209, Lots 2-16 DP 333643, and Lots 1-7 DP 353240.

no larger than 2ha and there are no rural production activities which warrant the proposed zoning.

Hokianga

387. Nina Naera (S152.001), Shane Allen (S176.001) and Karl Todd (S314.001) oppose Rural Lifestyle zoning for all 16 properties on Koutu Terrace in Opononi. These submitters are concerned with the lack of land zoned for housing in Koutu and consider this restricts Te Kura Kaupapa Māori o Hokianga students and teachers from residing near the school. It is pointed out at much of the existing built environment around Koutu is within either the River Flooding or Coastal Hazard Zone and the Terrace is a favourable place to encourage development away from this. Karl Todd further notes that very few of the 16 properties along Koutu Terrace have been developed over the last 12 years and attributes this to a stalemate of lot sizes being 8,000m² and containing infertile soils. As such, the submitters request that Koutu is future-proofed through rezoning land along the Terrace to Rural Residential or similar to enable low-density residential development.
388. Alistair Kenneth Lambie (S332.001) supports Rural Production zoning in part but does not consider it reflects the changing character of a developing village on Treaty Settlement land at 211 Creamery Road, Kohukohu (Lot 1 DP 115172). Alistair Kenneth Lambie requests that the site is rezoned to Rural Residential and that further spot or strip Rural Residential zoning is considered, to enable non-productive land use and smaller lot sizes.

Ahipara

389. Trent Simpkin (S284.009, S284.011) and Tristan Simpkin (S288.009 S288.0011) oppose the following properties being zoned a mix of Rural Lifestyle and Rural Production:
- a. 1 Kotare Street
 - b. 1 and 2 Kaka Street
 - c. 166-182 Takahe Road
 - d. 1A-C Moa Street
 - e. 42 and 65 Kiwi Street
 - f. 230 - 1418 Sandhills Road
 - g. Lot 5 Sandhills Road, Ahipara
 - h. 1-25 Weka Street
 - i. 2-15 Albatross Alley and Lot 1, Albatross Alley

390. The Simpkins request the properties listed above are rezoned Rural Residential. The submissions note that the land behind Ahipara village was previously zoned Coastal Living, with a minimum lot size of 5,000m². However, the proposed Rural Lifestyle Zone alone has a minimum lot size of 2ha. The Simpkins do not consider that any thought has been given to Ahipara's future growth plans and are concerned that complete reliance on projected population statistics will only result in a lack of development and, subsequently, fail to drive population growth.
391. Northland Planning and Development 2020 Limited (S502.105) oppose the Rural Production Zone as it applies to the following properties on Foreshore Road and Gumfields Road at the western end of Ahipara:
- a. 320, 322, 334, 336A, 336B, 359, 361, 371, 375, Lot 1, Lot 2, 362, 366, 370, 380 Foreshore Road²⁵
 - b. 85 Gumfields Road (Lots 1-4 DP 114764); and
 - c. Land on Wreck Bay Road legally described as Pt Ahipara No. 72 Blk.
392. The properties listed above range from 2,200m² to 1ha and it is submitted that either Rural Residential or Rural Lifestyle zoning would better fit the existing lot sizes and achieve consistency with neighbouring allotments on Panorama Lane. Northland Planning and Development 2020 Limited request that the land identified is rezoned to either Rural Residential or Rural Lifestyle.

Kaitaia

393. Trent Simpkin (S284.003) and Tristan Simpkin (S288.003) support the zoning of land Rural Residential within the loop formed by Okahu Road but request a further extension of the zone. The Simpkins request that the properties at 465, 449, 481A, 481B, 481C and 483 Kaitaia-Awaroa Road, and 499, 501, 509 and 521 and 521A Okahu Road²⁶ are rezoned from Rural Production Rural Residential as this pocket of land is not used for rural production activities.
394. Northland Planning and Development 2020 Limited (S502.106) also oppose the notified zoning of land to the southwest of Okahu Road. The lot sizes in this area range from 6,000m² to 1.4ha, which the submitter considers are too small to be productive. Northland Planning and Development 2020 Limited point to larger lots within the vicinity that have been zoned Rural Residential and, on this basis, requests that the area identified is rezoned from Rural Production to Rural Residential.

²⁵ These properties on Foreshore Road are legally described as Ahipara 73B1 Block and Lot 1 DP 150883, Lot 2 DP 197045, Lot 3 DP 326664, Lots 6 and 7 DP 391856, Lot 1 DP 326177, Lot 4-5 DP 180108, Lot 2 DP 326177, Lot 1 DP 411685, Lot 3 DP 210535, Waimahutahuta Block, and Lot 4 DP 210535.

²⁶ The properties on Kaitaia-Awaroa Road are legally described as Lot 1 DP 438534, Lot 1 DP 36880, Lots 1 and 2 DP 151010, Lot 1 DP 165569, Lot 2 DP 35253. The properties on Okahu Road are legally described as Lots 1 and 2 DP 211222, Lot 2 DP 369504, Lot 2 DP 514475, Lot 1 DP 603775.

395. John and Rachel Stewart (S81.001) oppose the Rural Production Zone as it applies to the property at 481A Kaitaia-Awaroa Road (Lot 1 DP 151010) and request the land is rezoned Rural Residential. The Stewarts point out the site is not used for rural production and that larger properties on the other side of Okahu Road are within the proposed Rural Residential Zone. It is submitted that additional residential zoning will combat the lack of available housing in the area, especially as developments in a rural setting can be self-sufficient with onsite sewerage and water tank systems.

Karikari Peninsula

396. Trent Simpkin (S284.006) and Tristan Simpkin (S288.006) oppose the extent of Rural Production zoned land surrounding Rangiputa and raise concerns over an apparent lack of expansion planning. The land zoned Residential is already used for residential activities and then land immediately becomes Rural Production. Trent and Tristan Simpkin request that a band of Rural Production land is rezoned to Rural Residential and/or Rural Lifestyle, thus enabling self-sufficient 2,000m² and 2 Ha lots.
397. Simon Ulrich (S308.001, S308.002) opposes the proposed Rural Production zoning of the following properties at Tokerau Beach and requests each is rezoned Rural Residential:
- a. 15 Melissa Road, Tokerau Beach (Lots and 2 1 DP 486193)
 - b. 11 Simon Ulrich Road (Lot 1 DP 69650)
 - c. 26 Simon Ulrich Road (Section 19 Block III Rangaunu Survey District and Part Section 18 Block III Rangaunu Survey District and Part Lot 1-2 Deposited Plan 43296)
398. Simon Ulrich considers the Rural Residential Zone is a better fit to accommodate existing dwellings and achieve the aspiration of subdividing the 54ha site into sections between 2,000m² and 4,000m², with some larger balance lots.
399. Trent Simpkin (S284.014) and Tristan Simpkin (S288.014) oppose the extent of Rural Production zoning around Tokerau. The Simpkins consider that townships need to grow in order to drive development and a transition zone between residential and rural production activities improve the feel of a township. For this reason, Trent and Tristan Simpkin request that land between Inland Road, Simon Ulrich Road and Tokerau Beach Road is rezoned from Rural Production to Rural Residential.

Hihi

400. Christopher Thomas Kaye (S56.001) opposes the Rural Lifestyle zoning of 478 Hihi Road, Hihi (Lot 1 DP 492201) as the current use of the site (olive oil production) is no longer compatible with the surrounding residential development and would be better used for rural residential activity. Mr Kaye requests that the property be rezoned to Rural Residential as this is more

akin to the ODP zoning of Coastal Living and aligns with the Rural Residential zoning indicated in the early stages of the PDP development.

401. Dandy Developments Limited (S142.001) oppose the Rural Lifestyle zoning of 458A Hihi Road, legally described as Lot 2 DP 195378. The submitter considers that the Rural Residential Zone better reflects the existing environment, which contains rural residential development and requests the property is rezoned.

Haruru

402. Trent Simpkin (S284.013) and Tristan Simpkin (S288.013) oppose the extent of Rural Production zoning around Haruru. More specifically, the Simpkins request that properties on Puketona Road, Sharyn Nelson Drive, Retreat Road, Jameson Esplanade, Tui Glen Road and Haruru Falls Road are rezoned to Rural Residential as per the map in their original submission. The Simpkins suggest that the land identified is not suitable for productive purposes and is already being used for lifestyle blocks and houses. The Simpkins also note that many of the sites are self-serviced and therefore no infrastructure would be needed to accommodate Rural Residential zoning. Finally, the Simpkins consider that although there are some large blocks already zoned Rural Residential around Haruru, the landowners are not currently developing these so their potential capacity may not be realised.

Taipa Heights/Cable Bay

403. Trent and Tristan Simpkin (S284.008, S288.008) oppose the Rural Lifestyle zoning of Taipa Heights and Cable Bay as the ODP Coastal Living Zone was more permissive of subdivision, allowing 5,000m² lots as a discretionary activity. The Rural Lifestyle Zone has a minimum discretionary lot size of 2ha and the Simpkins do not consider that there is a logical reason for the increase in lot size. The Simpkins consider that subdivision in this area should be encouraged to stimulate growth and the Far North's economy and request that all land currently zoned Rural Lifestyle within the Taipa Heights and Cable Bay area is rezoned to Rural Residential Zone. This rezoning request includes all Rural Lifestyle zoned properties accessed from Taipa Heights Drive, Olive View Heights Drive and Stratford Drive.

Analysis

General submissions requesting Rural Residential Zone

404. With respect to the Simpkins general submission requesting that all coastal Rural Lifestyle zoned land across the Far North District is rezoned to Rural Residential, I disagree with the scale of that upzoning, noting that no economic evidence (or any other evidence) has been provided to justify upzoning of this scale across the Far North district. However, I do agree with the point that it is important to use land efficiently, which is one of the reasons that I recommended amending the minimum lot sizes in the Rural

Lifestyle Zone to 2ha controlled and 1ha discretionary in Hearing 9, effectively doubling the subdivision yield for the Rural Lifestyle Zone.

405. Although this is not quite as small as the 5,000m² discretionary minimum lot size suggested as alternative relief by the Simpkins, I consider it to be an appropriate level of development that balances the need to efficiently use Rural Lifestyle zoned land, while also ensuring the zone retains the rural and coastal character valued by those living in these locations. I consider that, on the basis of my Hearing 9 recommendations, that these submission points from the Simpkins should be accepted in part.

Kerikeri and Waipapa

406. With respect to the Simpkins requests for upzoning of Rural Lifestyle land to Rural Residential land around Tubbs Farm and further along Redcliffs Road, I have addressed some of this land in response to the 'opt in' submission from Neil Construction Ltd in Section 4.4.4 of this report and have recommended that it be upzoned to Rural Residential Zone. However, I disagree with extending this upzoning further to properties along Skudders Beach Road, Redcliffs Road and Kapiro Road for the reasons discussed in response to the submission from Meridian Farm Ltd in Section 4.4.3 of this report. As such, I recommend that these submissions are accepted in part.
407. The submissions from Ernie Cottle and the Simpkins focus on upzoning Rural Production zoned land to Rural Residential along Waitotara Drive. The submissions from Borders Real Estate Northland, the Hutchings and the Ellinghams focus on a slightly larger area of land that includes the properties fronting Waipapa Road, as well as Waitotara Drive. I have addressed this issue in response to the 'opt in' submissions from Douglas Percy, Theodora Symes and Jeff and Robby Kemp in Section 4.4.2 of this report. For the same reasons I set out in that section, I recommend that these submissions be rejected.

Hokianga

408. The submissions from Nina Naera, Shane Allen and Karl Todd request the same relief as 'opt in' submitter Robert Shaun Clarke, which I have responded to in Section 4.4.8 of this report. For the same reasons I set out in that section, I recommend that these submissions be rejected.

409. Mr Lambie's submission requests Rural Residential zoning for 211 Creamery Road (and other spot or strip Rural Residential zoning as required around Kohukohu). The location of 211 Creamery Road is shown in Figure 44 below:



Figure 44: 211 Creamery Road (black and white)

410. I disagree that additional Rural Residential scale development is needed around Kohukohu, or that 211 Creamery Road is an appropriate location for upzoning. The site is surrounded by other land zoned Rural Production, is not adjacent to the settlement of Kohukohu and there is already Rural Lifestyle zoned land around Kohukohu to provide for more intensive growth. There is also Māori Purpose Rural zoned land between 211 Creamery Road and Kohukohu that would be a more appropriate location for additional residential growth compared to Mr Lambie's land. Spot or strip zoning, as suggested by Mr Lambie, is not in my view an appropriate or sustainable response to managing residential growth. It creates an ad hoc, fragmented zoning pattern that places more pressure on productive land uses due to increased reverse sensitivity effects. I recommend that this submission point is rejected.

Ahipara

411. The Simpkins are requesting upzoning of two blocks of land behind Ahipara, shown in Figure 45:

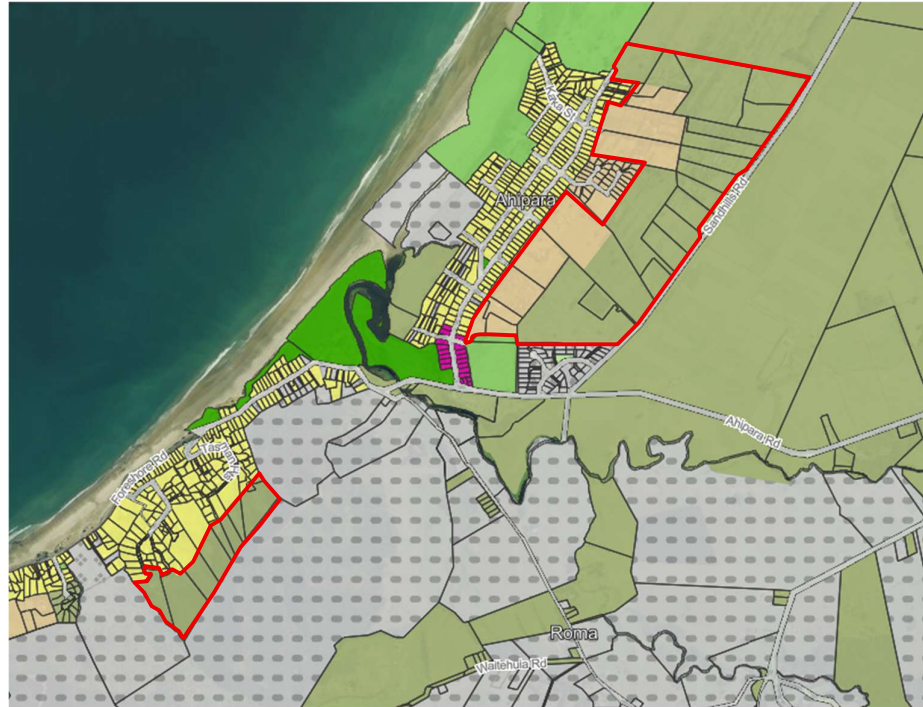


Figure 45: Land subject to the Simpkins' submission (red)

412. I appreciate that the Simpkins consider that swapping the ODP Coastal Living Zone with the PDP Rural Lifestyle Zone is a 'down-zoning' given the removal of the 5,000m² lot discretionary pathway. I note that I have recommended partially addressing this by amending the controlled and discretionary minimum lot sizes in the Rural Lifestyle Zone, so that there would be a 1ha discretionary subdivision pathway. I do not agree that upzoning of the Rural Production zoned land along Sandhills Road or further to the south behind Reef View Road and Tasman Heights is required as no evidence has been provided regarding the need for additional PEC in this location (inconsistent with Criterion D). I also note that most of the properties along Sandhills Road are subject to River Flood Hazard Zone, both 10 and 100 Year ARI events (inconsistent with Criterion C). Finally, I note that the properties fronting Sandhills Road contain LUC class 3 land according to the NZLRI database. Notably the boundary between the Rural Production Zone and Rural Lifestyle Zone as notified reflects the land classification boundary between LUC 3 and LUC 6 land to some extent. No assessment of the proposed upzoning has been provided with respect to the loss of HPL under the NPS-HPL (inconsistent with Criterion A), noting that LUC 3 may be removed from the definition of HPL prior to decisions being made.

413. I consider that some of the requests for upzoning from Northland Planning and Development 2020 Ltd may have arisen from how the OPD zoning has been translated into PDP zoning. The introduction of the Māori Purpose Rural Zone onto land that was previously zoned General Coastal under the ODP has resulted in what appear to be more isolated pockets of Rural Production zoned land where there was general title land, which can be seen on Figure 46:



Figure 46: Pockets of Rural Production Zone land in Ahipara (circled in red)

414. Converting General Coastal zoned land to Rural Production Zone combined with a Coastal Environment overlay is consistent with how all ODP General Coastal land has been treated under the PDP. Although the pattern of Rural Production zoned land along Foreshore Road and Gumfields Road dispersed among Māori Purpose Rural land may appear ad hoc, in my view it is more consistent from a zoning perspective than providing for pockets of Rural Lifestyle or Rural Residential zoned land dispersed among Māori Purpose Rural land. All subdivision in either of the Māori Purpose zones is a discretionary activity and it is rarely subdivided, so in my view it is more appropriate for the pockets of general title land to be Rural Production Zone as a signal that no further fragmentation or intensification is envisaged.
415. I note that neither the Simpkins or Northland Planning and Development 2020 Ltd have provided any supporting information in their submissions to justify why additional development capacity is needed around Ahipara and none of the Minute 14 information requirements have been addressed. I also note that, as I have discussed in Section 3.4 above, the District Wide Spatial Strategy process may be a more appropriate process to engage with the community and strategically plan for growth in Ahipara, if it is demonstrated

that it is needed. As such, based on the information that I currently have, I recommend that these submissions are rejected.

Kaitaia

416. The submissions from the Simpkins, the Stewarts and Northland Planning and Development 2020 Limited all focus on a fragmented area of the Rural Production Zone to the southwest of Okahu Road, shown in Figure 47:

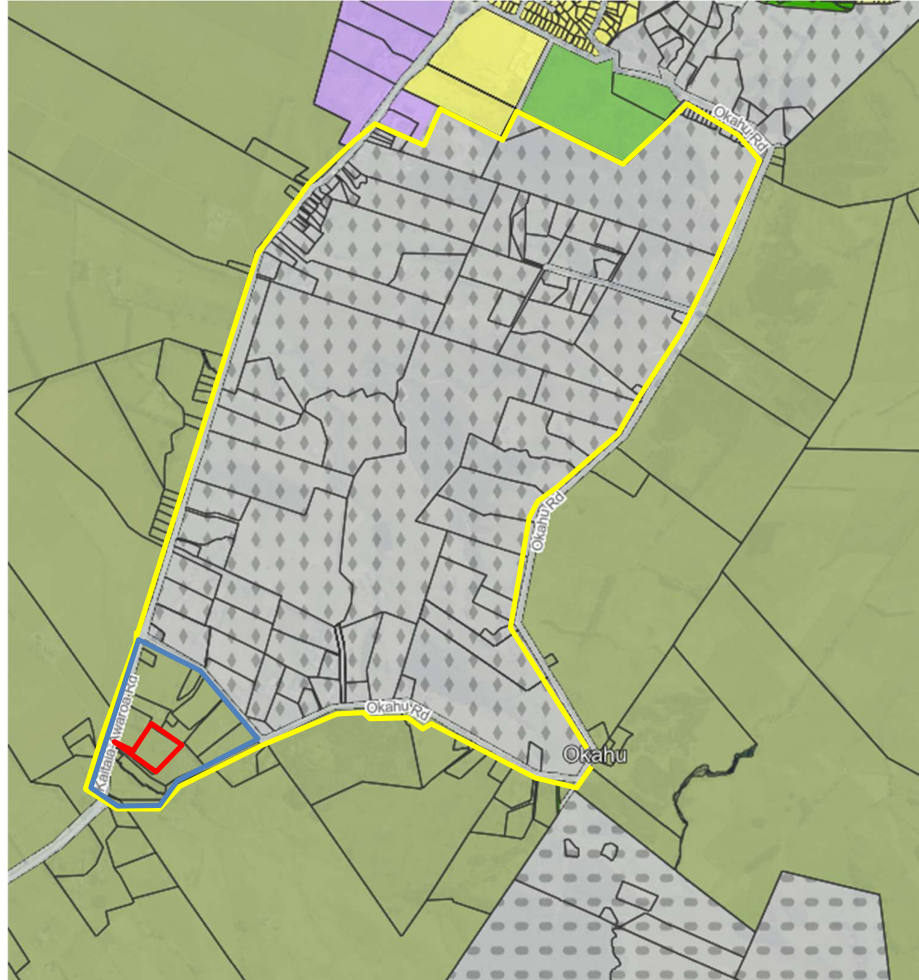


Figure 47: The Stewart's land (red), area referred to in Northland Planning and Development 2020 Limited's submission (blue) and the Simpkins' (yellow).

417. The submitters correctly point out that a large amount of land within the loop of Okahu Road was upzoned from Rural Production in the ODP to Rural Residential in the PDP to provide for additional residential growth south of Kaitaia and that, from a fragmentation perspective, the pocket of land between Okahu Road and Kaitaia-Awaroa Road has similar lot sizes to the land within the Okahu Road loop that has been upzoned. However, in accordance with Criterion A, I consider it important for zone boundaries to

have logical and defensible boundaries and, in my view, Okahu Road provides the ideal boundary to ringfence the Rural Residential zone.

418. Extending the zone out further than Okahu Road increases the likelihood that fragmentation will spread further into the rural environment, increasing pressure on productive rural activities from reverse sensitivity effects (inconsistent with Criterion C). As there are some larger blocks within the Okahu Road loop, I consider there are further opportunities to subdivide and intensify the land already zoned Rural Residential and that there is no clear justification for releasing more Rural Residential zoned land around Kaitaia at this time (inconsistent with Criterion D). I also note that some of the properties at the south-western end of the block requesting rezoning contain LUC class 2 land according to the NZLRI database. No assessment of the proposed upzoning has been provided with respect to the loss of HPL under the NPS-HPL (inconsistent with Criterion A), noting that LUC 2 is not a LUC class signalled to be removed from the definition of HPL in the future.
419. I note that none of these submitters have provided any supporting information in their submissions to justify why additional development capacity is needed around Kerikeri and none of the Minute 14 information requirements have been addressed. I also note that, as I have discussed in Section 3.4 above, the District Wide Spatial Strategy process may be a more appropriate process to engage with the community and strategically plan for further growth around Kaitaia, if it is demonstrated that this is needed. As such, based on the information that I currently have, I recommend that these submissions are rejected.

Karikari Peninsula

420. With respect to the Simpkin's submission on Rangiputa, I note that their submissions have not identified any specific locations around Rangiputa where they consider that Rural Lifestyle or Rural Residential zoning would be appropriate, just that there should be more upzoned land available. I have responded to a similar request from Murray and Sandra Wilson in Section 4.4.12 of this report and, for the same reasons, I recommend that these submissions be rejected.
421. The Simpkins and Simon Urlich are both requesting additional Rural Residential zoned land around Tokerau Beach on the opposite side of the Karikari Peninsula to Rangiputa. Firstly, Mr Urlich has requested that the properties at 15 Melissa Road and 11 Simon Urlich Road be rezoned Rural Residential, however these properties are already zoned General Residential. As I assume Mr Urlich does not wish for these properties to be downzoned I recommend that this part of the submission is rejected.

422. Mr Ulrich and the Simpkins are requesting that different areas of land are upzoned behind the Tokerau Beach settlement, with Mr Ulrich preferring the 54ha block of land that he owns to the south of Simon Ulrich Road and the Simpkins preferring a larger area of land to the north of Simon Ulrich Road between Inland Road and Tokerau Beach Road as the best location for additional Rural Residential zoning, with both locations shown on Figure 48 below:



Figure 48: Land subject to Mr Ulrich's submission (black and white), land subject to the Simpkins' submission (red). Natural hazard layers also shown.

423. I note that, in the case of both these options, the land is subject to extensive natural hazard risks, with all land at risk from both coastal and river flooding (including Zones 1-3 for coastal flooding and both 10 and 100 Year ARI events for river flooding). I am unable to support upzoning of any of this land without further information about how these hazards would be appropriately managed (inconsistent with Criterion C). I also have no evidence that further upzoning is required around Tokerau Beach to address existing growth pressures or provide sufficient development capacity (inconsistent with Criterion D). No supporting information has been provided with either submission to address the matters outlined in Minute 14. Finally, I note that both blocks identified by the Simpkins and Mr Ulrich contain LUC 3 class land

according to the NZLRI database. No assessment of the proposed upzoning has been provided with respect to the loss of HPL under the NPS-HPL (inconsistent with Criterion A), noting that LUC 3 may be removed from the definition of HPL prior to decisions being made.

424. I note that, as I have discussed in Section 3.4 above, the District Wide Spatial Strategy process may be a more appropriate process to engage with the community and strategically plan for further growth around Tokerau Beach, if it is demonstrated that this is needed. As such, based on the information that I currently have, I recommend that these submissions are rejected.

Hihi

425. Mr Kaye and Dandy Developments Ltd are both requesting upzoning of two adjoining parcels near the settlement of Hihi from Rural Lifestyle Zone to Rural Residential Zone, shown in Figure 49:

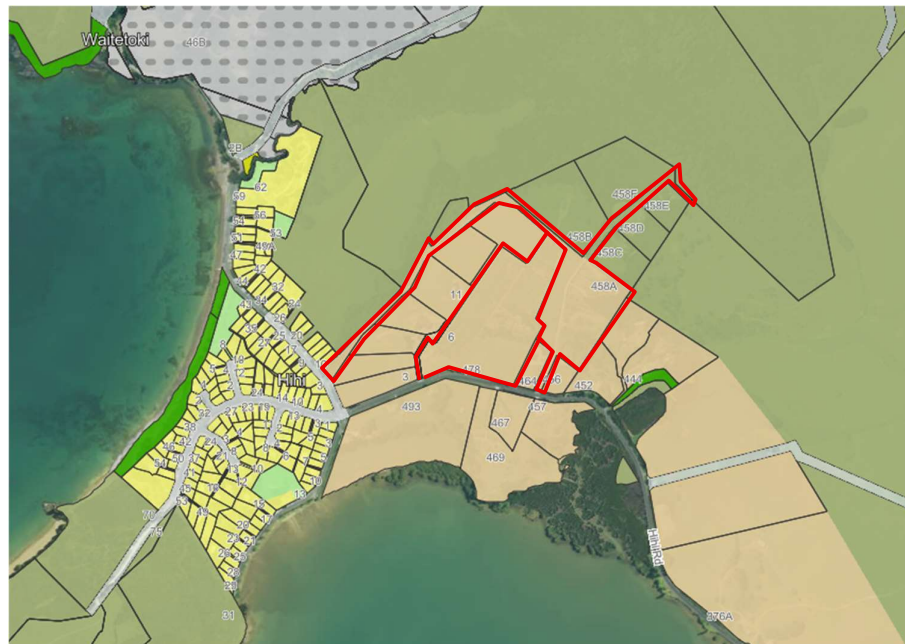


Figure 49: 478 and 458A Hihi Road (red)

426. Although both submitters note that earlier drafts of the PDP showed these properties as being zoned Rural Residential, the approach in the PDP as notified is to zone all ODP Coastal Living zone as Rural Lifestyle, as the minimum controlled lot size of 4ha is the same in both the ODP and the PDP. This approach has been applied consistently to all ODP Coastal Living zoned land.
427. I acknowledge that the PDP Rural Lifestyle Zone as notified does not have the 8,000m² restricted discretionary and 5,000m² discretionary subdivision pathways from the ODP Coastal Living Zone. In response, and in the interests of using Rural Lifestyle zoned land more efficiently and aligning the minimum lot sizes with the residential intensity rules, I recommended lowering the

minimum lot sizes for the Rural Lifestyle Zone in Hearing 9 to 2ha as a controlled activity and 1ha as a discretionary activity. Although this is not quite as small as the 5,000m² discretionary minimum lot size in the ODP Coastal Living Zone, I consider it to be an appropriate level of development that balances the need to efficiently use Rural Lifestyle zoned land, while also ensuring the zone retains the rural and coastal character valued by those living in these locations. I also note that the controlled subdivision pathway for 2ha lots (if my Hearing 9 recommendations are adopted) would be more permissive than the 4ha controlled subdivision pathway under the ODP.

428. I consider that applying the Rural Residential Zone to these properties would not create a logical or defensible zone boundary as it would be a pocket of Rural Residential Zone surrounded by Rural Lifestyle Zone that is not connected to the Hihi settlement (inconsistent with Criterion A). I also consider that neither submission has provided any evidence that there is growth pressure/insufficient development capacity issue that the requested rezoning would address (inconsistent with Criterion D). Neither submitter has provided information to address the Minute 14 criteria. As such, based on the information that I currently have, I recommend that these submissions are rejected.

Haruru

429. The requested upzoning of land along Puketona Road, Sharyn Nelson Drive, Retreat Road, Jameson Esplanade, Tui Glen Road and Haruru Falls Road by the Simpkins would release a significant amount of land for development around Haruru, as shown on Figure 50:

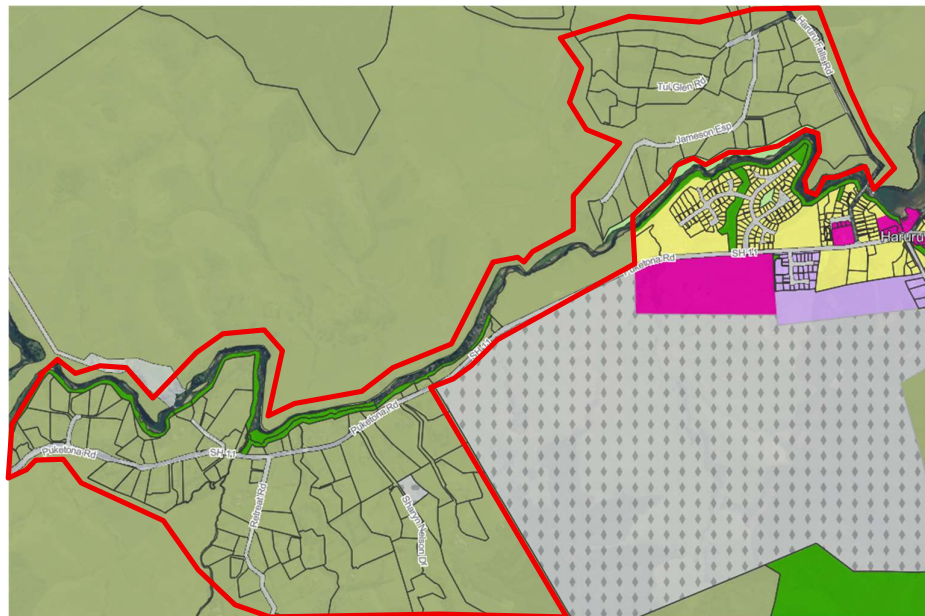


Figure 50: General area of the Simpkins' submission (red)

430. Aside from the assertion that the large amount of land already zoned Rural Residential may not be developed due to landowner time/money constraints,

no other evidence has been provided to justify why additional rural residential capacity is required in this location (inconsistent with Criterion D). In my view, perceived landowner unwillingness to develop is not in of itself a reason to release more land for rural residential scale development.

431. The requested rezoning would result in a finger of Rural Residential zoned land extending into the Rural Production environment, which, in my view, does not result in a defensible or logical zone boundary and is likely to exacerbate reverse sensitivity effects (inconsistent with Criteria A and C). Further, some of the land requested for upzoning is adjacent to the Waitangi River (and tributaries) and is subject to the River Flood Hazard Zone (100 Year ARI Event) overlay. No information has been provided as to how the flood risk would be managed for these properties. I also note that many of properties either side of the Waitangi River contain LUC class 3 land according to the NZLRI database. No assessment of the proposed upzoning has been provided with respect to the loss of HPL under the NPS-HPL (inconsistent with Criterion A), noting that LUC 3 may be removed from the definition of HPL prior to decisions being made.
432. As I have discussed in Section 3.4 above, the District Wide Spatial Strategy process may be a more appropriate process to engage with the community and strategically plan for growth in Haruru, if it is demonstrated that it is needed. As such, based on the information that I currently have, I recommend that these submissions are rejected.

Taipa Heights/Cable Bay

433. The Simpkins have requested extensive upzoning around Taipa Heights/Cable Bay, as shown in Figure 51:

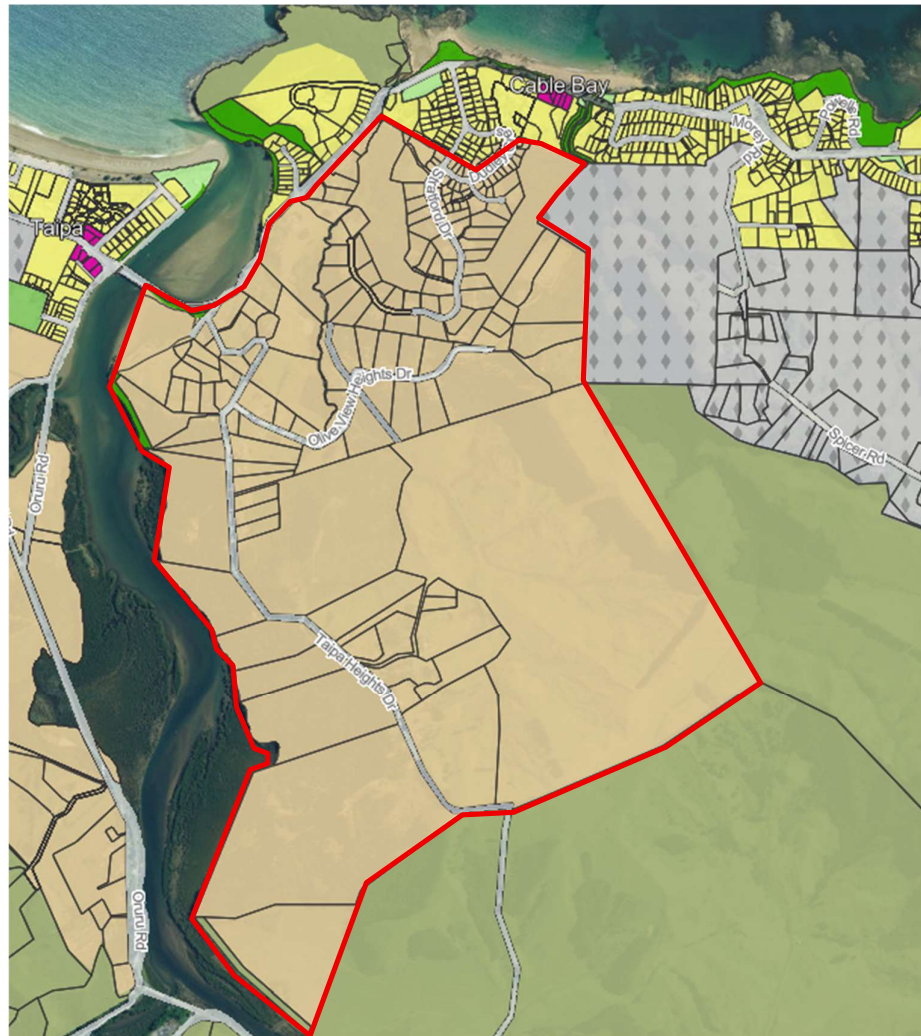


Figure 51: Area referenced in the Simpkins' submission (red)

434. As a starting point, the approach in the PDP as notified is to zone all ODP Coastal Living zone as Rural Lifestyle, as the minimum controlled lot size of 4ha is the same in both the ODP and the PDP. This approach has been applied consistently to all ODP Coastal Living zoned land, including land around Taipa Heights and Cable Bay.
435. I acknowledge that the PDP Rural Lifestyle Zone as notified does not have the 8,000m² restricted discretionary and 5,000m² discretionary subdivision pathways from the ODP Coastal Living Zone. In response, and in the interests of using Rural Lifestyle zoned land more efficiently and aligning the minimum lot sizes with the residential intensity rules, I recommended lowering the minimum lot sizes for the Rural Lifestyle Zone in Hearing 9 to 2ha as a

controlled activity and 1ha as a discretionary activity. Although this is not quite as small as the 5,000m² discretionary minimum lot size in the ODP Coastal Living Zone, I consider it to be an appropriate level of development that balances the need to efficiently use Rural Lifestyle zoned land, while also ensuring the zone retains the rural and coastal character valued by those living in these locations. I also note that the controlled subdivision pathway for 2ha lots (if my Hearing 9 recommendations are adopted) would be more permissive than the 4ha controlled subdivision pathway under the ODP.

436. I note that the Simpkins have not provided any evidence that there is growth pressure/insufficient development capacity issue that the requested rezoning would address (inconsistent with Criterion D). The Simpkins have not provided any information to address the Minute 14 criteria. As such, based on the information that I currently have, I recommend that these submissions are rejected.

4.5.7 Other miscellaneous requests

Overview

Submitter name and submission point	Notified Zoning	PDP	Officer Recommendation(s)
Izrael Robertson (S291.001)	Rural Production Zone		No change
Kapiro Residents Association (S430.004)	Rural Lifestyle Zone		No change
Kerikeri Peninsula Conservation Charitable Trust (S180.004)	Rural Lifestyle Zone		No change

Matters raised in submissions

437. Izrael Robertson (S291.00) opposes the proposed Rural Production zoning of 143 Kokohuia Road, Omapere (Lot 3 DP 198745) and requests it is amended to enable subdivision. Mr Robertson wishes to split the property into two titles and does not consider this subdivision to be contrary to surrounding development. Izrael Robertson also notes that he runs a business harvesting beachcast seaweeds within part of the property that employs locals and has 'hapu on board'.
438. Kapiro Residents Association (S430.004) and Kerikeri Peninsula Conservation Charitable Trust (S180.004) oppose the proposed Rural Lifestyle zoning of land at the end of Kurapari Road in Kerikeri, legally described as Lot 3 DP 415575. The submitters consider that, as the operative zoning is General Coastal and the southern end of the site is within the Coastal Environment, Rural Lifestyle or any other residential zone is inappropriate. The site is an

SNA and, as such, the submitters request that either special zoning or a reserve equivalent on private land is applied to protect the site.

Analysis

439. Mr Robertson has not asked for a specific PDP zone, only that he requests that his property at 143 Kokohuia Road be rezoned to something other than Rural Production, shown in Figure 52:



Figure 52: 143 Kokohuia Road (black and white)

440. Given that the site is just over 1ha in area and Mr Robertson is requesting the ability to subdivide into two titles, it is assumed that Mr Robertson would prefer a Rural Residential Zone. I do not support the upzoning of this property as this is a small, isolated parcel that is completely surrounded on all sides by Rural Production zoned land. Upzoning this land to Rural Residential would be inconsistent with Criteria A-D, particularly as it would not create a logical or defensible zone boundary, rather it would create an ad hoc spot zone in an otherwise productive rural environment. I recommend that this submission is rejected.
441. Regarding the submissions from Kapiro Residents Association and Kerikeri Peninsula Conservation Charitable Trust, I have addressed the requested rezoning of Lot 3 DP 415575 on Kurapari Road in Section 4.4.4 of this report in my response to the submission from the Kapiro Conservation Trust. For the reasons set out in that section, I recommend that these submissions be rejected.

Recommendation for all non 'opt in' submitters

442. I recommend that the following submissions be accepted or accepted in part and the identified properties either retain their notified zoning or are rezoned accordingly:
- a. All requests from submitters to retain zoning as notified in the PDP are accepted, as set out in Section 4.5.1 of this report.
 - b. The submission from Lynley Newport (S135.001) is accepted in part to the extent that notified areas of Rural Lifestyle Zone are being retained across the Far North District.
 - c. 153 Waipapa Road is fully zoned Horticultural Processing Facilities Zone as opposed to partially zoned Rural Residential – Seeka Limited (S34.001).
 - d. The three properties identified by Ngamaia Farms Ltd incorrectly zoned Natural Open Space are rezoned Rural Production Zone – Ngamaia Farms Ltd (S3.001).
 - e. The properties known as 'Tubbs Farm', as shown in Figure 2 of **Appendix 6** are rezoned from Rural Lifestyle to Rural Residential Zone – Trent Simpkin (S22.003, S284.004) and Tristan Simpkin (S288.004).
443. I recommend that all other submissions from non 'opt in' submitters addressed in this section of the report are rejected.

Section 32AA evaluation

444. I consider that rezoning the entire Seeka site at 153 Waipapa Road to Horticulture Processing Facilities Zone is a more efficient and effective way to enable the long-term use of the site as a horticulture processing facility. The rezoning remedies a split zoning situation and ensures a bigger buffer of land around the core horticulture processing operations, which I consider to be particularly important when the site is surrounded by Rural Residential zoned land. As such, I consider the rezoning to be an appropriate way of achieving the objectives of the Horticulture Processing Facilities Zone under section 32AA of the RMA.
445. I consider that the Natural Open Space zoning of three land parcels owned by Ngamaia Farms Ltd is a clear GIS mapping error when the land is privately owned and operated as a beef farm. As such, no further evaluation under section 32AA of the RMA is required.
446. A section 32AA evaluation of the Tubbs Farm land has been undertaken in paragraph 312 of this report and is not repeated here.

5 Conclusion

447. This report has provided an assessment of submissions received in relation to rezoning requests relevant to Hearing 15C – Rural. The primary amendments that I have recommended are (refer to maps in **Appendix 6**):
- a. The Horticulture Precinct be applied to the land identified in Figure 1 of **Appendix 6** and that all of this land has an underlying zone of Rural Production Zone.
 - b. Land identified on Figure 1 in **Appendix 6** is not included in the Horticulture Precinct but is instead rezoned Rural Production Zone.
 - c. An additional setback of 20m for sensitive activities be applied to properties zoned Rural Production that adjoin the Horticulture Precinct. This will require a new setback standard inserted into the Rural Production Zone chapter, as set out in **Appendix 7**.
 - d. The properties known as 'Tubbs Farm' are rezoned from Rural Lifestyle to Rural Residential Zone – Neil Construction Ltd (S349.001), Trent Simpkin (S22.003, S284.004) and Tristan Simpkin (S288.004).
 - e. The site at 17B Snowdon Avenue is rezoned Settlement Zone to ensure that all of Lot 1 DP 533343 is contained within the same zone – Roman Catholic Bishop of the Diocese of Auckland (S382.001).
 - f. The properties at 98A to 110, and 109 to 115 State Highway 12 in Opononi are fully zoned Rural Lifestyle Zone (as opposed to split zoned Rural Lifestyle and Rural Production). As a consequential amendment, the adjacent lot to the north be fully zoned Rural Production to remove the small areas of Rural Lifestyle Zone applied to the property in error – Nigel Ross Surveyor Ltd (S381.001).
 - g. 153 Waipapa Road is fully zoned Horticultural Processing Facilities Zone as opposed to partially zoned Rural Residential – Seeka Limited (S34.001).
 - h. The three properties identified by Ngamaia Farms Ltd incorrectly zoned Natural Open Space are rezoned Rural Production Zone – Ngamaia Farms Ltd (S3.001).
448. Sections 4.3 – 4.5 of this report consider and provide recommendations on the decisions requested in submissions. I consider that the submissions relating to rezoning requests in Hearing 15C – Rural should be accepted, accepted in part, or rejected, as set out in **Appendices 1 and 2** and my recommendations of this report.
449. I consider that the recommended amendments to the PDP zoning will be efficient and effective in achieving the purpose of the RMA, the relevant



objectives of the PDP and other relevant statutory documents, for the reasons set out in the section 32AA evaluations undertaken.

Recommended by: Melissa Pearson, Principal Planning Consultant, SLR Consulting New Zealand

Approved by: James R Witham – Team Leader District Plan, Far North District Council.

A handwritten signature in blue ink, consisting of a series of loops and strokes, positioned above a faint, light blue rectangular stamp.

Date: 1 September 2025