

Before the Far North District Council Hearings Committee

In the Matter of the Resource Management Act 1991

And

In the Matter of the Proposed Far North District Plan.

**Statement of rebuttal evidence of Joseph Brady Henehan on behalf of Meridian Farm Ltd
(Submitter number S403.001)**

Dated 15 September 2025

Reyburn and Bryant 1999 Ltd
PO Box 191, Whangarei
Email: joseph@reyburnandbryant.co.nz

1. Introduction

- 1.1 My name is Joseph Brady Henehan. My qualifications and experience are as set out in my statement of evidence in chief dated 9 June 2025.
- 1.2 I have read the Code of Conduct for Expert Witnesses and have complied with this Code in the preparation of my further evidence.

2. Summary

- 2.1 This statement of rebuttal evidence relates to the following topics:
- a. Defensible and logical zone boundaries
 - b. Relevance of existing consented developments
 - c. Zoning capacity/yield
 - d. Transport
 - e. Alignment with the KKWSP

3. Defensible and logical zone boundaries

- 3.1 Within the Section 42A report, Council raised concern regarding the creation of an illogical “finger” of Rural Lifestyle Zone (RLZ) land (refer to paragraph 204(e)).
- 3.2 In response, the submission area has been refined to ensure a more coherent and defensible zone boundary. The revised rezoning plan is **enclosed** and shown in **Figure 1** below:

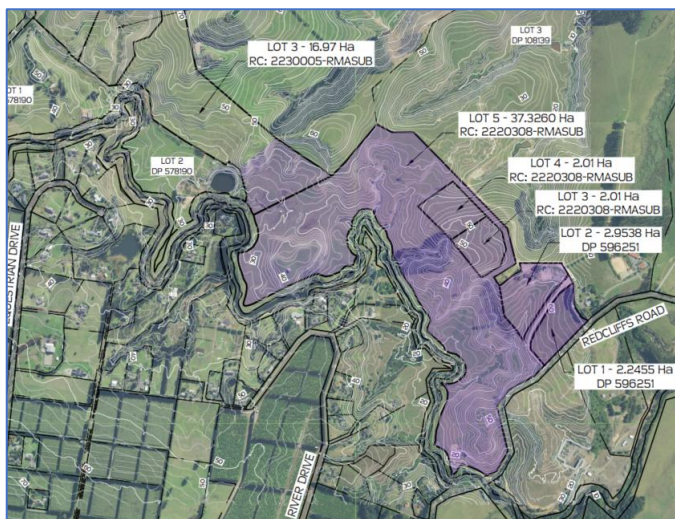


Figure 1: Revised rezoning plan

- 3.3 The updated rezoning plan limits the RLZ request to the land contained within Lots 1–5 of

2220308-RMASUB and a small portion of land in the east of Lot 3 2230005-RMASUB which is confined by steep land to the north west and north east. This area represents the most suitable land for development, based on topography, access, and existing subdivision patterns.

- 3.4 Access to the site is via a formed legal accessway currently being extended from Redcliffs Road under 2220308-RMASUB. This access is shown as Areas A, B, and C on the approved scheme plan, see **Figure 2** below:

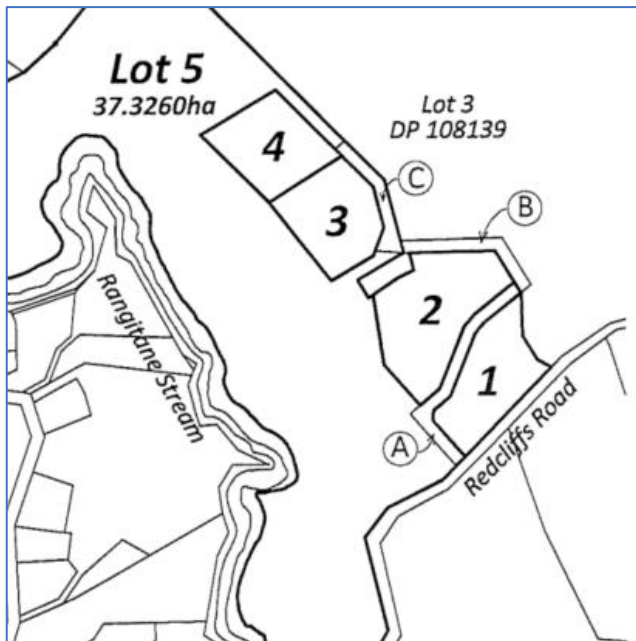


Figure 2: 2220308-RMASUB approved scheme plan excerpt

- 3.5 Images of the current construction standard of this accessway (as of 10 September 2025) are provided in **Figures 3, 4 and 5** below:

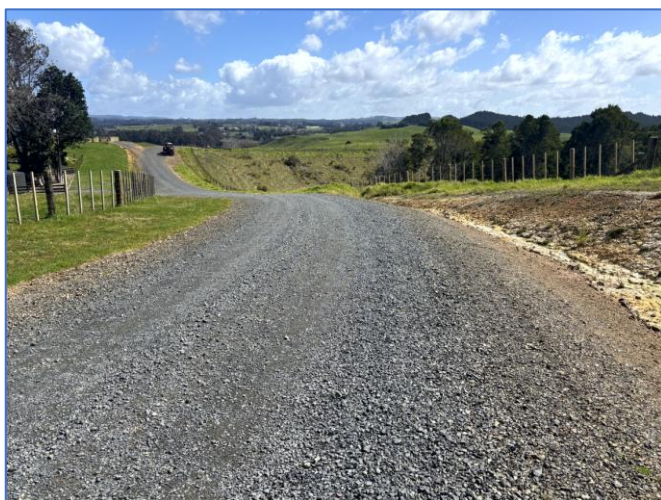


Figure 3: Image of ROW B looking northwest



Figure 4: Image of ROW B looking southeast



Figure 5: Image of ROW C (currently under construction) looking southeast

3.6 The interface between existing rural lifestyle activities and rural production activities is already established in this location due to the presence of Lots 1-4 2220308-RMASUB and the associated access which is currently under construction. The northern extents of the proposed zoning border steep sloping land (see the contours shown on the **attached** zoning plan), ensuring that a sensible boundary is now along all parts of the zoning boundary.

3.7 Having considered the above, it is my view that this revised rezoning area aligns with topography and avoids extending into the RPROZ in a fragmented manner. It also strengthens the defensibility of the proposed zone boundary by aligning it with existing subdivision patterns and accessways.

4. Zoning capacity/yield

4.1 The revised submission area significantly reduces the plan-enabled capacity (PEC) of the site.

- 4.2 The plan enabled capacity (PEC) of the revised 50.3283ha area of land to be resolved would be 12 sites under the controlled activity minimum lot size and 25 sites under the discretionary activity minimum lot size of 2ha.

5. Relevance of existing consented development

- 5.1 Paragraph 204(a) of the s42A report suggests that previous fragmentation does not automatically justify rezoning. While this is acknowledged when viewed in isolation, it is important to emphasise that existing and approved development patterns are undoubtably a relevant planning consideration that should be factored in, to the same extent that other matters are, such as defensible zoning boundaries, traffic effects and engineering suitability (for example). To simply not consider the existing fragmented nature of the site ignores several critical factors including cadastral layout, landscape characteristics and existing land uses.
- 5.2 In this regard, it is my opinion that the subdivision consents granted by FNDC have already established a rural lifestyle character on the site. Rezoning to RLZ would simply bring the planning framework into alignment with the development trajectory already underway.

6. Transport effects

- 6.1 Council raised concerns regarding cumulative transport impacts, particularly in relation to the Heritage Bypass (refer to paragraph 204(f)).
- 6.2 While we acknowledge that some traffic from the proposed subdivision may use the Heritage Bypass to access Kerikeri, the actual impact is expected to be modest for several reasons:
- Reduced plan enabled capacity: The scale of development has been reduced, meaning the volume of additional traffic generated will be lower than originally anticipated.
 - Distance from the bypass: The Heritage Bypass is located approximately 4.5 km from the subject site. This separation reduces the likelihood of significant concentrated traffic effects directly attributable to this development.
 - Diverse travel patterns: Not all future residents will use the Heritage Bypass on a daily basis. Many are likely to work in other centres (such as Waipapa or Kaikohe for example), or on remote worksites. This further disperses traffic movements and reduces pressure on any single road corridor.
 - Shared catchment: The Heritage Bypass services a wide catchment of existing and future development. Any future need for upgrades to this road would be the result of cumulative growth across the area, not solely this subdivision. As such, it would be inappropriate to attribute the need for upgrades to one development alone.

- 6.3 Any residual transport effects can be appropriately assessed and mitigated at the resource consent stage, where detailed traffic assessments can be provided if required.
- 6.4 Finally, this subdivision aligns with the broader strategic planning intent for growth in this area. The transport network, including the Heritage Bypass, is a Council-managed asset and should be planned and maintained accordingly by FNDC's Roading Department as part of its long-term infrastructure strategy.

7. Relevance of the Kerikeri-Waipapa Spatial Plan (KKWSP)

- 7.1 Council has expressed concern that the proposed rezoning is inconsistent with the compact urban form objective of the Kerikeri-Waipapa Spatial Plan (KKWSP) (refer to paragraph 204(c)).
- 7.2 Firstly, under Section 74(2)(b)(i) of the Resource Management Act (RMA), territorial authorities are required to "have regard to" management plans and strategies prepared under other Acts (such as the KKWSP) when preparing or changing a district plan. In my opinion, this wording is deliberately flexible. If strict compliance were intended, the RMA would have used stronger legislative language, such as "give effect to" for example. Therefore, while the Spatial Plan should inform decision-making, it should not override more immediate planning realities.
- 7.3 Secondly, while the aspirations/goals of the KKWSP are understood and are expected to be realistic over the full 30 year term envisaged, its implementation relies on assumptions (particularly around market conditions and infrastructure upgrades) that are unlikely to be realised within the operative life of the current District Plan (10 years). This limits its practical applicability in short to medium term planning decisions.
- 7.4 The KKWSP's compact urban form objective is aspirational and long-term in nature. In the short term, FNDC must consider practical and interim measures to address housing demand – especially where land is capable of being serviced independently of Council infrastructure. The subject site is one such example, where development can proceed without reliance on reticulated services.
- 7.5 The proposed RLZ provides a realistic and pragmatic solution to housing demand in the Kerikeri-Waipapa area. It enables development in a manner that is responsive to current infrastructure constraints, while still aligning with broader strategic goals over time.
- 7.6 In summary, while the KKWSP is a useful guide, it should not be treated as a prescriptive framework. The proposed rezoning offers a pragmatic response to current housing and infrastructure constraints that can be implemented immediately.

8. Conclusion

- 8.1 Having considered the matters raised above, I remain of the view that the proposed rezoning is

appropriate. The revised submission area directly addresses concerns regarding traffic effects, plan-enabled capacity, and defensible zone boundaries. The provision of additional RLZ zoned land also offers a practical and realistic response to current infrastructure limitations and housing demand.



.....
Joseph Henehan (Planner)

15 September 2025

Attachments

1. Revised rezoning plan



CAUTION:

- THIS DRAWING SHOULD NOT BE AMENDED MANUALLY.
- AREAS & DIMENSIONS ARE APPROXIMATE ONLY AND ARE SUBJECT TO FINAL SURVEY.
- THE VENDOR & PURCHASER MUST CONTACT THE SURVEYOR IF SALE & PURCHASE AGREEMENTS ARE ENTERED INTO USING THIS PLAN. SERVICES MUST NOT BE POSITIONED USING THIS PLAN.
- DO NOT SCALE OFF DRAWINGS.
- THIS PLAN IS COPYRIGHT TO REYBURN & BRYANT (1999) LIMITED.
- DESIGNED BY REYBURN & BRYANT - WHANGAREI - NEW ZEALAND
- 03m 2023-2024 RURAL AERIAL SOURCED FROM AERIAL SURVEYS LTD INFORMATION AVAILABLE ON LINZ DATA SERVICE.
- 2018-2020 2m LIDAR CONTOUR INFORMATION SOURCED FROM LTD INFORMATION AVAILABLE ON LINZ DATA SERVICE.
- BOUNDARIES SOURCED FROM QUICKMAP. COORDINATES IN TERMS OF MOUNT EDEN 2000.

LAND TO BE REZONED (RLZ)
50.3283Ha

MAJOR CONTOURS @10m INTERVALS
MINOR CONTOURS @2m INTERVALS

B	05.09.25	REZONING AMENDMENTS - JH/KM
A	16.05.25	FIRST ISSUE - JH/MW
REV	DATE	DESCRIPTION
REF. DATA:		

reyburn & bryant

Ph: 09 438 3563 PO Box 191, Whangarei 0140
7 Selwyn Ave, Whangarei www.reyburnandbryant.co.nz

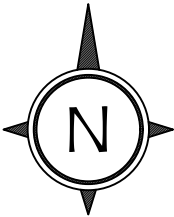
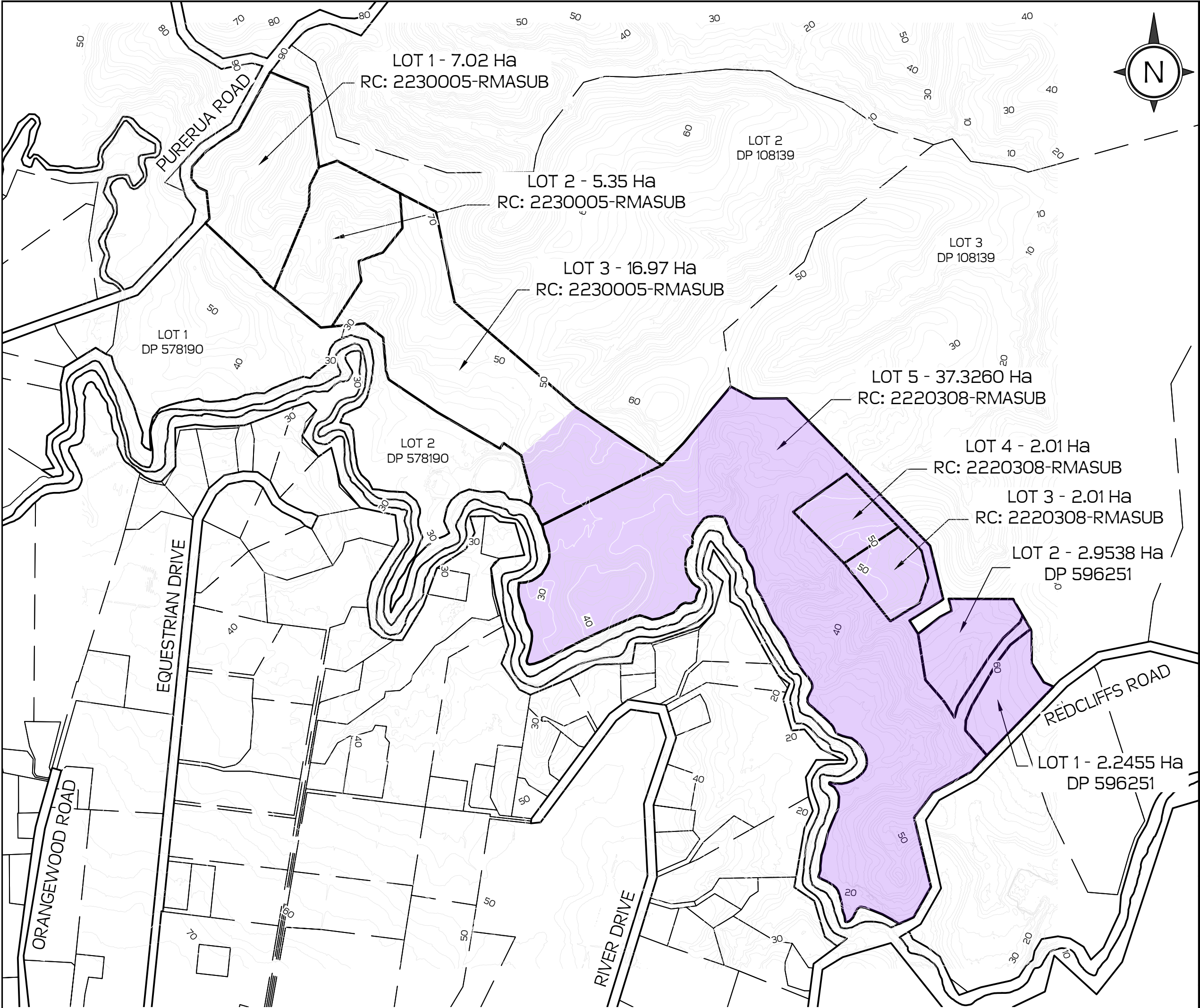
CLIENT

MERIDIAN FARMS LTD
PURERUA ROAD & REDCLIFFS ROAD
KERIKERI

TITLE

PROPOSED REZONING PLAN

DATE SEPTEMBER 2025	SCALE 1:7500 @A3
DRAWING REF. RZ17329	SHEET 01 OF 01
LOCAL AUTHORITY: FAR NORTH DISTRICT COUNCIL	REV B



- CAUTION:**
- THIS DRAWING SHOULD NOT BE AMENDED MANUALLY.
 - AREAS & DIMENSIONS ARE APPROXIMATE ONLY AND ARE SUBJECT TO FINAL SURVEY.
 - THE VENDOR & PURCHASER MUST CONTACT THE SURVEYOR IF SALE & PURCHASE AGREEMENTS ARE ENTERED INTO USING THIS PLAN. SERVICES MUST NOT BE POSITIONED USING THIS PLAN.
 - DO NOT SCALE OFF DRAWINGS.
 - THIS PLAN IS COPYRIGHT TO REYBURN & BRYANT (1999) LIMITED.
 - DESIGNED BY REYBURN & BRYANT - WHANGAREI - NEW ZEALAND
 - 03m 2023-2024 RURAL AERIAL SOURCED FROM AERIAL SURVEYS LTD INFORMATION AVAILABLE ON LINZ DATA SERVICE.
 - 2018-2020 2m LIDAR CONTOUR INFORMATION SOURCED FROM LTD INFORMATION AVAILABLE ON LINZ DATA SERVICE.
 - BOUNDARIES SOURCED FROM QUICKMAP. COORDINATES IN TERMS OF MOUNT EDEN 2000.

LAND TO BE REZONED (RLZ)
50.3283Ha

MAJOR CONTOURS @10m INTERVALS
MINOR CONTOURS @2m INTERVALS

B	05.09.25	REZONING AMENDMENTS - JH/KM
A	16.05.25	FIRST ISSUE - JH/MW
REV	DATE	DESCRIPTION

REF. DATA:

**reyburn
&bryant**

Ph: 09 438 3563 PO Box 191, Whangarei 0140
7 Selwyn Ave, Whangarei www.reyburnandbryant.co.nz

CLIENT
MERIDIAN FARMS LTD
PURERUA ROAD & REDCLIFFS ROAD
KERIKERI

TITLE
PROPOSED REZONING PLAN

DATE	SEPTEMBER 2025	SCALE	1:7500 @A3
DRAWING REF.	RZ17329	SHEET	01 OF 01
REV	B		