

**BEFORE THE PROPOSED FAR NORTH DISTRICT PLAN INDEPENDENT  
HEARINGS PANEL**

**IN THE MATTER:** of the Resource Management  
Act 1991

**AND**

**IN THE MATTER:** Submission on the Proposed  
Far North District Plan

**SUBMITTER:** Ken Lewis Limited  
Submission 009/1-3

**HEARING TOPIC:** 15C – Rezoning General

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**REBUTTAL STATEMENT OF EVIDENCE BY SARAH JEAN ROBSON  
ON BEHALF OF KEN LEWIS LIMITED  
DONALD ROAD AND ALLEN BELL DRIVE, KAITAIA  
15 SEPTEMBER 2025**

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## **1. INTRODUCTION**

- 1.1. My name is Sarah Jean Robson, and I am a Principal Planner and Associate at CKL NZ Limited. My qualifications and expertise are set out in Section 2 of my primary evidence, prepared on behalf of Ken Lewis Limited (KLL) in relation to Submission 009/1-3 on the Proposed Far North District Plan (PDP), dated 8 June 2025.
- 1.2. I have complied with the Environment Court's Expert Witness Code of Conduct (set out in the Court's 2014 Practice Note) in the preparation of this evidence, and I agree to comply with it while giving oral evidence at future hearings. Except where I state that I am relying on the evidence of another person, this written evidence is within my area of expertise. To the best of my knowledge, I have not omitted to consider any material facts known to me that might alter or detract from the opinions expressed in this evidence.
- 1.3. This rebuttal evidence responds to the recommendation (paragraph 76) on Submission 009/1-3 in the Section 42A Report prepared by the Far North District Council (FNDC) and dated 1 September 2025, wherein KLL seeks to rezone a 62-hectare site at Donald Road and Allen Bell Drive in Kaitaia from Rural Residential to General Residential.

## **2. STORMWATER MANAGEMENT, INFRASTRUCTURE AND TRANSPORT ASSESSMENTS**

- 2.1. Paragraphs 70 and 73 of the Section 42A Report summarise that:
  - Transport effects of the proposed rezoning can be managed through future resource consent applications.
  - The site is likely serviceable for three waters in the medium term, subject to completion of planned upgrades and alignment of development staging with available capacity.
  - The proposed rezoning is generally feasible from a stormwater management perspective.

- 2.2. Given the points above, no additional responses have been provided by Mr Hall, Mr Vodnala or Mr Yin and Ms Rhynd<sup>1</sup>.

### **3. ECONOMIC ASSESSMENT**

- 3.1. The recommendation of the Section 42A Report, to retain the currently proposed Rural Residential zoning at Donald Road and Allen Bell Drive in Kaitaia (Lot 1 DP 173052), relies on the findings of the economic peer review provided by Mr McIlrath<sup>2</sup>.
- 3.2. A response to the conclusions of Mr McIlrath' peer review has been provided in the rebuttal evidence provided by Tim Heath of Property Economic, dated 15 September 2025.

### **4. NATURAL HAZARD RESILIENCE AND STATEGIC PLANNING CONTEXT**

- 4.1. The Section 42A report does not adequately consider the wider flood risk context in Kaitaia. Significant areas of land currently zoned for residential development are subject to flood hazards, limiting their long-term viability. This omission results in an incomplete evaluation of the proposed rezoning with regard to long-term planning for the future growth and resilience of Kaitaia. The subject site (located outside of identified flood-prone areas, as confirmed by the Stormwater and Flood Management Assessment prepared by Neil Yin & Bronwyn Rhynd<sup>3</sup>) offers a more resilient alternative for higher density residential development than is allowed for by the currently proposed Rural Residential Zone.
- 4.2. The proposed rezoning would enable the development of new residential areas located outside of identified flood-prone zones. This also provides the opportunity for long-term relocation of residents currently living in areas at risk of flooding. Enabling alternative, safer locations for residential development reduces pressure to intensify in vulnerable areas and supports a more resilient urban pattern in Kaitaia. This aligns with the intent of section 6(h) of the Resource Management Act 1991 (RMA), which requires the management of significant risks from natural hazards, and is also consistent with the direction of the National Policy Statement

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<sup>1</sup> Reference to specialist report authors accompanying primary evidence prepared by Sarah Jean Robson, dated 8 Jun 2025.

<sup>2</sup> Refer to the Section 42A Report prepared by FNDC, dated 1 September 2025.

<sup>3</sup> Reference to specialist assessment provided in Annexure 4 of the primary evidence prepared by Sarah Jean Robson, dated 8 Jun 2025

on Urban Development (NPS-UD) to provide for well-functioning urban environments that support community resilience.

- 4.3. In my opinion, the section 42A report has not adequately addressed the implications of encouraging rural lifestyle development on such a strategically located site. Enabling subdivision into 3,000 to 4,000m<sup>2</sup> lifestyle lots may result in piecemeal and fragmented development that does not provide for a logical or integrated pattern of urban growth in the future. Such development will constrain the ability to deliver coordinated outcomes for stormwater management, roading design, infrastructure servicing, and provision of public open space, walkways and ecological corridors. In contrast, the General Residential zoning is more appropriate to enable a master planned and comprehensive approach, consistent with the objectives of the PDP and higher order direction, ensuring that growth occurs in proximity to the town centre.

## **5. POTENTIAL AMENDED PROPOSAL**

- 5.1. While I maintain that rezoning the full site to General Residential provides the most appropriate outcome, I acknowledge that an amended proposal may also warrant consideration, potentially where only part of the site is rezoned. The purpose of providing a masterplan<sup>4</sup> with my primary evidence was to demonstrate that the natural topography and stream network across the site present both constraints and opportunities for residential development. These features mean that proportions of the land are inhibited, but they also create significant potential for green corridors, stormwater management, ecological enhancement, and the establishment of quality public networks for walking, cycling, and open space in a comprehensive manner.
- 5.2. Importantly, the recommendation in the Section 42A Report, including reliance on the economic peer reviewer's suggestion that only 18% of the site requires rezoning, does not adequately account for these topographic realities. A more nuanced approach is therefore necessary to ensure that the land's developable areas are utilised efficiently, while the balance of the site contributes to wider amenity, ecological and infrastructure outcomes in a way that achieves integrated and resilient growth.

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<sup>4</sup> Reference to the Masterplan provided in Annexure 6 of the primary evidence prepared by Sarah Jean Robson, dated 8 Jun 2025

## **6. CONCLUSION**

- 6.1. In conclusion, the Section 42A Report underestimates both the implications of retaining the Rural Residential zoning and the opportunities provided by rezoning the subject site to General Residential. The current recommendation does not adequately account for the fragmented and inefficient growth patterns that could result from lifestyle subdivision, nor does it give sufficient weight to the site's role in providing a resilient and strategically located alternative to flood-affected land elsewhere in Kaitaia.
- 6.2. The evidence before the Panel demonstrates that the site can support a comprehensively planned residential community that integrates stormwater management, roading, infrastructure servicing, ecological enhancement and public open space in a manner consistent with higher order planning direction and the purpose of the RMA.
- 6.3. While an amended rezoning option may warrant consideration, such refinement must be informed by the site's topographic realities and the need to enable efficient use of its developable areas.
- 6.4. For these reasons, I consider that rezoning the site to General Residential is the most appropriate option to ensure logical, resilient and sustainable growth for Kaitaia.

Sarah Jean Robson

15<sup>th</sup> September 2025