

**BEFORE A HEARINGS PANEL
OF THE FAR NORTH DISTRICT COUNCIL**

I MUA NGĀ KAIKŌMIHANA MOTUHAKE O TE HIKU O TE IKA

Under the	Resource Management Act 1991 (RMA)
In the matter	of a request for rezoning of land in the Kerikeri-Waipapa area under the proposed Far North District Plan

**STATEMENT OF EVIDENCE OF MATTHEW ARMIN LINDENBERG IN SUPPORT OF SECTION
42A REPORT FOR HEARING 15D**

PLANNING (NPS-UD)

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1. INTRODUCTION

- 1.1** My name is Matthew Armin Lindenberg and I am a self-employed Planner with over 20 years of planning and resource management experience. I have the qualifications and experience set out in my 'Statement of Experience', included as Attachment A to my previous statement of evidence which I prepared in relation to Hearing Topic 14.
- 1.2** I am familiar with the national, regional and district planning documents relevant to the proposal. I am also familiar with the submissions of key submitters who have sought amendments to the spatial application of zones through Hearing Topic 15D, including those submissions made by Kiwi Fresh Orange Company Limited (**KFO**) and Kāinga Ora.
- 1.3** I have been asked to provide evidence in relation to planning matters to support the evaluation report prepared under s42A of the RMA. Specifically, this statement addresses the extent to which the Proposed District Plan – Recommendations Version (**PDP-R**), as set out in the s42A report, satisfies the relevant requirements of the National Policy Statement on Urban Development 2020 (**NPS-UD**) by providing for urban growth in the Kerikeri-Waipapa area.
- 1.4** I have read the evaluation report prepared in accordance with s42A of the RMA. I have also read the evidence prepared on behalf of KFO in support of its submission seeking urban rezoning of land between Kerikeri and Waipapa.
- 1.5** I have read and am familiar with the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023. I have complied with the Code of Conduct in preparing my evidence and will continue to comply with it while giving oral evidence before the Hearings Panel. I confirm that my evidence is within my area of expertise except where I state that I am relying on the evidence of another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in my evidence.

2. SCOPE OF EVIDENCE

2.1 My evidence will cover the following matters:

- (a) a summary of the PDP-R option, which includes the application of a new Medium Density Residential Zone (**MDRZ**) within a 400m / 5min walkable catchment of the newly proposed Town Centre Zone (**TCZ**) which is proposed to be applied to the Kerikeri town centre;
- (b) a summary of the key provisions of the NPS-UD which relate to intensification and the provision of sufficient development capacity for Tier 3 local authorities;
- (c) evaluation of the PDP-R option for intensification against the relevant provisions of the NPS-UD which apply to Tier 3 local authorities / urban areas; and
- (d) commentary and assessment as to how the PDP-R option for intensification satisfies the requirements under the NPS-UD relating to providing sufficient development capacity, with reference to the updated capacity modelling which is set out in detail in the evidence of Mr McIlrath (in support of the s42A report).

3. SUMMARY OF EVIDENCE

3.1 I am of the opinion that the PDP-R option (as set out in the s42A report) appropriately responds to and implements the relevant policy direction of the NPS-UD in relation to the need to “provide at least sufficient development capacity to meet expected demand” – as required by Policy 2 of the NPS-UD. For clarity, this statement of evidence focuses on an assessment of the NPS-UD as it relates to the Kerikeri-Waipapa urban area, being a Tier 3 ‘urban environment’. The evidence of Mr McIlrath covers in detail the capacity assessment results and findings which relate to both Kerikeri-Waipapa, as well as the wider district as a whole.

3.2 In addition, the primary focus of this statement is the matter of housing / residential capacity. As discussed in the evidence of Mr McIlrath, the previous HBA identified deficits in relation to housing capacity / supply. For matters relating to business capacity, any anticipated issues were not as acute and options to accommodate future growth via intensification were identified.

3.3 By way of summary:

- (a) I consider the relevant demand 'range' to be considered for assessing the necessary development capacity for Kerikeri-Waipapa to be between +3,260 new dwellings (Mr McIlrath's projection) and +4,220 new dwellings (the KFO projection);
- (b) I consider the 'plan enabled' capacity which would be provided by the PDP-R option to be +7,788 new dwellings over the next 30 years – well in excess of the projected demand 'range';
- (c) I consider the 'potential development capacity' identified by Mr McIlrath (as an estimate of the 'feasible and reasonably expected to be realised' capacity under the NPS-UD) which would be provided by the PDP-R option over the next 30 years – being +5,003 new dwellings – is more than enough to cater for the projected demand 'range'; and
- (d) I consider the development capacity which would be provided by the PDP-R option is infrastructure ready in the short term, and will be infrastructure ready in the medium term through a combination of the current network capacity plus the currently planned and funded infrastructure works identified in the 2024-2027 LTP, the Council's ongoing development of the 2027 Infrastructure Strategy, the future funding arrangements under the newly established Northland Waters CCO (which will replace the process relating to water supply and wastewater funding which would otherwise have been undertaken for the development of the next LTP post-2027), as well as the infrastructure-

related actions identified in the Te Pātukurea Spatial Plan's (**Spatial Plan**) Implementation Plan.

4. SUMMARY OF PDP-R OPTION

4.1 As outlined in the s42A report in relation to Topic 15D, the preferred approach to urban growth and intensification promotes a compact, sustainable urban form, concentrating most housing and business growth in the urban centres of Kerikeri and Waipapa. This approach is considered to partially implement the 'hybrid' growth scenario ('Scenarios D and E') which was selected as the preferred urban growth option through the recently adopted Spatial Plan.

4.2 The PDP-R option is set out in the s42A report. Consolidating development in existing urban areas – particularly through the proposed application of the new MDRZ within walkable catchments of the Kerikeri and Waipapa centres, as well as a new TCZ to apply to the Kerikeri commercial centre – makes the most efficient use of existing infrastructure, such as roading and three-waters systems.

4.3 As set out in my statement of evidence for Hearing Topic 14, I can confirm that Council's approach is to treat the Kerikeri-Waipapa area as an "urban environment", and the Council as a "Tier 3 local authority", under the NPS-UD. To this end, a number of key recommendations were set out in the Council's s42A report for as part of Hearing Topic 14, most notably:

- (a) the recommendation to include a new MDRZ, to be applied within a walkable catchment of the Kerikeri town centre; and
- (b) the recommendation to include a new TCZ, to be applied to the commercial core of the Kerikeri town centre.

4.4 The s42A report for Topic 14 discusses the submission scope which sits behind these recommendations (both new zones were requested by Kāinga Ora, submitter #561), and Ms Rennie has also provided urban design expert evidence on behalf of the Council to address in more detail the specific nature / detail of these

submissions requests and the various rules / standards which were detailed in the proposed MDRZ and TCZ zone chapters contained in the Kāinga Ora submission. Ms Rennie also sets out the rationale and analysis which has been undertaken by the Council in assessing the submissions by Kāinga Ora with regard to the two new zones requested – in particular the analysis of appropriate walkable catchments surrounding the Kerikeri town centre, as a means to form a recommendation for the spatial application of the recommended MDRZ through Hearing Topic 15.

- 4.5** The s42A report for Hearing Topic 15D sets out the maps which depict the proposed spatial extent of the recommended MDRZ in close proximity to the Kerikeri town centre. The proposed spatial extent of the MDRZ has been applied within a 400m walkable catchment (representing a 5 min walk time) of the Kerikeri town centre – which both aligns with the submission request of Kāinga Ora (who sought a spatial application of between 300-500m), as well as the analysis and recommendations set out in the urban design evidence of Ms Rennie for Hearing Topic 14.

5. THE NPS-UD

- 5.1** My previous evidence for Hearing Topic 14 sets out my assessment and rationale for considering the Kerikeri-Waipapa area as an ‘urban environment’ under the NPS-UD, as well as the Council’s intention to be considered a Tier 3 local authority. As a Tier 3 local authority, I consider that the following NPS-UD objectives and policies are particularly relevant for consideration in Hearing Topic 15 as part of developing the PDP:

Objective 3: Regional policy statements and district plans enable more people to live in, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply:

- *the area is in or near a centre zone or other area with many employment opportunities*
- *the area is well-serviced by existing or planned public transport*
- *there is high demand for housing or for business land in the area, relative to other areas within the urban environment.*

Objective 4: *New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations.*

Policy 1: *Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:*

- *have or enable a variety of homes that: (i) meet the needs, in terms of type, price, and location, of different households; and (ii) enable Māori to express their cultural traditions and norms; and*
- *have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and*
- *have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and*
- *support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and*
- *support reductions in greenhouse gas emissions; and*
- *are resilient to the likely current and future effects of climate change.*

Policy 2: *Tier 1, 2, and 3 local authorities, at all times, provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term.*

Policy 5: *Regional policy statements and district plans applying to tier 2 and 3 urban environments enable heights and density of urban form commensurate with the greater of:*

- *the level of accessibility by existing or planned active or public transport to a range of commercial activities and community services; or*
- *relative demand for housing and business use in that location.*

5.2 Of specific relevance to Hearing Topic 15 are Policies 2 and 5 noted above, which is the key national policy direction when considering and assessing the spatial extents of urban zones for Tier 3 local authorities / urban environments.

- 5.3** Policy 2 of the NPS-UD requires the Council to provide at least “sufficient development capacity” to meet expected demand over the short, medium and long term.
- 5.4** Clauses 3.2(2) (housing) and 3.3(2) (business land) of the NPS-UD provide further direction on what is meant by the term “sufficient development capacity”. In order to be “sufficient” to meet expected demand, development must be:
- (a) plan-enabled;
 - (b) infrastructure-ready; and
 - (c) feasible and reasonable expected to be realized (for housing); or suitable to meet the demands of different business sectors (for business land).
- 5.5** Clause 3.4 of the NPS-UD states that development capacity is “plan enabled” if:
- (a) in relation to the short term (0-3 yrs), it is on land that is zoned for housing or for business use (as applicable) in an operative district plan;
 - (b) in relation to the medium term (3-10 yrs), either paragraph (a) applies, or it is on land that is zoned for housing or for business use (as applicable) in a proposed district plan; and
 - (c) in relation to the long term (10-30 yrs), either paragraph (b) applies, or it is on land identified by the local authority for future urban use or urban intensification in an FDS or, if the local authority is not required to have an FDS, any other relevant plan or strategy.
- 5.6** Furthermore, Clause 3.4 also states that development capacity is considered to be “infrastructure ready” if:
- (a) in relation to the short term, there is adequate existing development infrastructure to support the development of the land;

- (b) in relation to the medium term, either paragraph (a) applies, or funding for adequate development infrastructure to support development of the land is identified in a long-term plan; and
- (c) in relation to the long term, either paragraph (b) applies, or the development infrastructure to support the development capacity is identified in the local authority's infrastructure strategy (as required as part of its long-term plan).

5.7 This guidance set out in Clauses 3.1 to 3.4 of the NPS-UD forms the key framing considerations which the Council needs to address in order to provide for future urban growth – as a Tier 3 local authority – under Policies 2 and 5 of the NPS-UD.

6. EVALUATION OF THE PDP-R OPTION AGAINST THE NPS-UD

6.1 My previous evidence for Hearing Topic 14 already sets out my reasoning for why I consider the s42A recommendation for accepting the submissions by Kāinga Ora to introduce a new MDRZ and TCZ into the PDP aligns with the intent and policy direction of the NPS-UD. I do not repeat that commentary here, but rather focus on the alignment of the proposed spatial extents of the MDRZ and TCZ with the relevant NPS-UD policy direction.

6.2 Policy 5 of the NPS-UD is the key direction which guides how the Council should consider the enablement of density and height within its urban environment. I consider that the s42A recommendation for the new MDRZ and TCZ within the Kerikeri urban area aligns with, and will assist to implement, Policy 5 as:

- (a) the application of the new zones makes the most of the existing active transport links within and around the town centre, as well as the potential to further support both future active and public transport connections and services; and

- (b) the application of the new zones within the Kerikeri urban area will enable increased heights and densities of urban form in locations which benefit from close proximity to the various commercial activities and community services which the town centre offers – focussing this enablement within a 5min walkable distance (400m) of the town centre.

6.3 Policy 2 of the NPS-UD sets out the requirements for Tier 3 local authorities to provide “at least sufficient development capacity to meet expected demand”. This is also a key policy consideration for the Council – in order to assess whether the proposed spatial application of the new MDRZ and TZC is an appropriate extent to enable enough density and height for urban growth (as required by Policy 5) to meet the expected demand.

6.4 The following section of my evidence draws upon the economic evidence of Mr McIlrath (in support of the s 42A report) to inform my assessment of the extent to which the PDP-R option appropriately implements Policy 2 of the NPS-UD.

7. PROVIDING SUFFICIENT DEVELOPMENT CAPACITY

Capacity assessments

7.1 The Council’s Housing and Business Development Capacity Assessment (**HBA**) was released in July 2024. The HBA forms a key technical assessment which has informed both the PDP (noting the HBA was released post-notification), as well as the development of the Spatial Plan for Kerikeri-Waipapa, which was also prepared during 2024-2025.

7.2 As outlined in the economic evidence of Mr McIlrath, further modelling has been undertaken for Hearing Topic 15 – to assist in the assessment of suitable spatial extents for the application of the newly proposed MDRZ and TCZ – and to update the previous modelling undertaken for the 2024 HBA (which utilised assumptions based upon the Operative and Proposed District Plans) with the s42A recommendations in relation to Hearing Topic 14 (being the recommendation to introduce the new TCZ and MDRZ into the District Plan).

- 7.3** Both the 2024 HBA, as well as the updated modelling outputs which are described in detail in the evidence of Mr McIlrath, state that the Council's projected demand for new dwellings in Kerikeri-Waipapa across the short, medium and long term is an additional +3,260 dwellings.
- 7.4** By comparison, the economic evidence of Mr Thompson (on behalf of KFO) indicates that he considers the demand for the next 30 years for Kerikeri-Waipapa to be at least +4,220 dwellings.
- 7.5** Given Policy 2 of the NPS-UD's focus on the need to provide at least sufficient development capacity to meet demand, this demand 'range' of +3,260 (Mr McIlrath's projection) to +4,220 (KFO's projection) new dwellings for Kerikeri-Waipapa provides a key parameter for considering whether the capacity enabled by the PDP-R option is sufficient to satisfy Policy 2.

Plan-enabled capacity

- 7.6** In considering the above noted demand 'range' of +3,260 - +4,220 new dwellings for Kerikeri-Waipapa over the next 30 years, I note the updated modelling undertaken by Mr McIlrath to inform the s42A Hearing Topic 15 recommendations (as discussed in detail in Mr McIlrath's evidence) confirms the following:
- (a) On the basis of the s42A recommendations to include a new TCZ and MDRZ into the District Plan, the total 'plan-enabled capacity' which would be provided in Kerikeri-Waipapa (if the Council's Hearing Topic 14 and 15 recommendations were adopted) over the next 30 years would be **+7,788 dwellings**.
- 7.7** On the basis of the above, and drawing on the economic evidence of Mr McIlrath, I'm of the opinion that the development capacity which would be 'plan enabled' by the PDP-R option is more than enough to meet the expected demand 'range' – and therefore adequately satisfies the 'plan enabled' criteria set out in Clause 3.4(1) of the NPS-UD.

Infrastructure-ready

7.8 The infrastructure evidence of Mr Hensley (in support of the s42A report) addresses in detail matters relating to the Council's current infrastructure networks and their level of capacity, along with the planned and funded infrastructure projects currently identified in the 2024-2027 LTP, as they relate to the Kerikeri-Waipapa area. Without repeating any of this detail here, I note by way of a summary that:

- (a) the Council's 3 Waters and transport infrastructure networks are 'infrastructure-ready' and have available capacity to support and enable the development of land under the PDP-R option over the short-term, including through infrastructure upgrades and improvements currently planned and funded via the 2024-2027 LTP;
- (b) there will be a degree of available infrastructure capacity in the medium term, with various upgrades and improvements identified in the Spatial Plan Implementation Plan to enable additional capacity to enable growth into the medium and long-term; and
- (c) the Council's current programme of preparing the 2027 Infrastructure Strategy, as well as addressing the listed actions currently set out in the Spatial Plan Implementation Plan, provide an appropriate framework and pathway for the Council to assess, identify and fund future infrastructure upgrades which would be required to support the PDP-R option in the medium and long term (3-30 years). In addition, as noted in the evidence of Mr Hensley, the recent creation of the new Northland Waters CCO will now encompass the infrastructure investment and funding / planning / programming for water supply and wastewater infrastructure in the district. This process will replace what would otherwise have been the typical role and process for the Council in developing their next LTP, post 2027.

7.9 On the basis of the above, and drawing on the infrastructure evidence of Mr Hensley, I am of the opinion that the development capacity which would be enabled by the PDP-R option adequately satisfies the 'infrastructure ready' criteria set out in Clause 3.4(3) of the NPS-UD for the short term, and future planning and funding processes (those undertaken by the Council itself, as well as those via the new Northland Waters CCO) provide the appropriate framework to ensure that the development capacity enabled by the PDP-R option can also be 'infrastructure ready' in the medium and long term.

Feasible and reasonably expected to be realised

7.10 Again, in considering the above noted demand 'range' of +3,260 - +4,220 new dwellings for Kerikeri-Waipapa over the next 30 years, I note the updated modelling undertaken by Mr McIlrath to inform the s42A Hearing Topic 15 recommendations (as discussed in detail in Mr McIlrath's evidence) confirms the following:

(a) On the basis of the s42A recommendations to include a new TCZ and MDRZ into the District Plan, the total 'feasible capacity' which would be provided in Kerikeri-Waipapa (if the Council's Hearing Topic 14 and 15 recommendations were adopted) over the next 30 years would be **+6,418 dwellings**.

7.11 The evidence of Mr McIlrath explains the process and method by which he has assessed and calculated the overall 'potential development capacity' as a means to estimate what the NPS-UD anticipates to be 'reasonably expected to be realised' capacity. The updated modelling undertaken by Mr McIlrath confirms that the 'potential development capacity' over the long-term in Kerikeri-Waipapa will be **+5,003 dwellings**.

7.12 On the basis of the above, and drawing on the economic evidence of Mr McIlrath, I'm of the opinion that the potential development capacity which could be 'reasonably expected to be realised' by the PDP-R option (being +5,003 dwellings)

is more than enough to meet the expected demand 'range' of +3,260 - +4,220 dwellings into the long-term.

Conclusion on development capacity

7.13 On the basis of the above, I consider that the PDP-R option appropriately responds to and implements the relevant policy direction of the NPS-UD in relation to the need to “provide at least sufficient development capacity to meet expected demand” – as required by Policy 2 of the NPS-UD. By way of summary:

- (a) I consider the relevant demand 'range' to be considered for assessing the necessary development capacity for Kerikeri-Waipapa to be between +3,260 new dwellings (the Council projection) and +4,220 new dwellings (the KFO projection);
- (b) I consider the 'plan enabled' capacity which would be provided by the PDP-R option to be +7,788 new dwellings over the next 30 years – well in excess of the projected demand 'range';
- (c) I consider the 'potential development capacity' identified by Mr McIlrath (as an estimate of the 'feasible and reasonably expected to be realised' capacity under the NPS-UD) which would be provided by the PDP-R option over the next 30 years – being +5,003 new dwellings – is more than enough to cater for the projected demand 'range'; and
- (d) As noted above, I consider the development capacity which would be provided by the PDP-R option is infrastructure ready in the short term, and will be infrastructure ready in the medium term through a combination of the current network capacity plus the currently planned and funded infrastructure works identified in the 2024-2027 LTP, the Council's ongoing development of the 2027 Infrastructure Strategy, the future funding arrangements under the newly established Northland Waters CCO (which will replace the process relating to water supply and wastewater funding which would otherwise have been undertaken for

the development of the next LTP post-2027), as well as the infrastructure-related actions identified in the Spatial Plan Implementation Plan.

Matthew Armin Lindenberg

10 September 2025