

Before the Far North District Council Hearings Committee

In the Matter of the Resource Management Act 1991 ("**RMA**")

And

In the Matter of the Proposed Far North District Plan.

**Evidence of Thomas Keogh on behalf of Ian Diarmid Palmer and Zejia Hu (submitter S244)
and RHL and LM Ferguson Family Trust (submitter S57)**

Dated 09 June 2025

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1. Introduction

- 1.1 My name is Thomas Keogh. I am a planning consultant working for Reyburn and Bryant in Whangarei. I hold a Bachelor of Arts (Geography) and a Master of Urban Planning from the University of Auckland. I am an intermediate member of the New Zealand Planning Institute.
- 1.2 I have 10 years of experience as a planning consultant in the Auckland and Northland regions. My role has typically been to lead project teams through various resource consent and plan change processes and to provide environmental and strategic planning advice for these projects.
- 1.3 Most of my work has been in the Northland Region, and so I am very familiar with the history, content, and structure of the Far North District Plan and the higher-level planning documents.

2. Code of conduct

- 2.1 I have read and agree to abide by the Environment Court's Code of Conduct for Expert Witnesses (2023). This evidence is within my area of expertise. I have not omitted to consider any material facts known to me that might alter or detract from the opinions expressed.

3. Scope of evidence

- 3.1 This evidence is focussed on the zoning applied to the privately owned land on the Rangitoto Peninsula under the Proposed Far North District Plan ("PFNDP"). This relates to submission number 244 made by Ian Diarmid Palmer and Zejia Hu ("IPAZH"), and submission number 57 made by RHL and LM Ferguson Family Trust ("RALFFT"). This evidence does not address any other submissions made by IPAZH or RALFFT and is prepared on the basis that all other PFNDP provisions will remain as notified.

4. Original submissions

- 4.1 The original IPAZH submission sought that all of the privately owned land on Rangitoto Peninsula (i.e. land on the eastern side of the Mangonui Harbour to the west of the Hihi urban area and including Butler Point) is zoned Rural Lifestyle. This is referred to as "the submission area" for the remainder of this evidence.
- 4.2 The original RALFFT submission sought that the 6 titles that it owns on the Rangitoto Peninsula be rezoned Rural Lifestyle. These form part of the submission area.
- 4.3 While the IPAZH and RALFFT submissions differ in geographical scope, they have been made for similar reasons and seek the same outcome for the respective areas. This is the reason for presenting joint evidence.
- 4.4 **Attachment 1** includes plans showing the extent of the submission area, the zoning of the

submission area under the notified version of the PFNDP and the zoning sought by the submissions, and the range of overlays that apply to the land under the PFNDP. The plans are addressed where relevant in this evidence.

4.5 The following summarises the key characteristics of the submission area and surrounding environment:

- (1) The submission area is located on the eastern side of the Mangonui Harbour to the west of the Hihi urban area. It is accessed via Peninsula Road and Marchant Road.
- (2) The submission area is highly fragmented, comprising 12 separate titles (each of which is a separate 'site' as that term is defined in the PFNDP) ranging in size from approximately 6,500m² to nearly 16 hectares. The land exhibits a patchwork of small-scale landholdings with no unifying productive use, and there is no evidence of significant or coordinated primary production activity currently taking place. The area presents a rural-residential character more aligned with lifestyle living than traditional rural production.
- (3) The submission area forms part of a headland and has a varying topography. The land generally slopes from the central high point towards the coast. There are a number of localised gullies, with the coastal edge consisting of a mix of cliffs and small bays.
- (4) Beyond a central area of pasture, the submission area is primarily in a mix of vegetation. This includes large areas of regenerating native vegetation (regenerating due to voluntary efforts by landowners), areas of more mature indigenous and exotic vegetation, and areas of degraded/weed dominated shrubland. Some of the higher quality areas are protected by conservation covenants.
- (5) There are several recorded archaeological sites within the submission area, as shown on sheet 4 of the plan included at **Attachment 1**. These sites reflect a history of intensive Māori occupation, followed by early European settlement centred around the nearby Mangonui whaling port.
- (6) Under the LUC system, the soils within the submission area are class 6. Given this classification, the submission area is not 'highly productive' under the National Policy Statement for Highly Productive Land ("NPS-HPL"). The Northland Regional Councils 'Soils Factsheet Viewer' indicates that the soil types are almost entirely volcanic clay types.
- (7) The submission area is zoned Rural Production and is subject to a number of overlays under the PFNDP. These overlays are shown on the plans included as **Attachment 1** and are summarised as follows:
 - (a) Notable trees 1 and 2 (located on NA509/127 and NA509/128 respectively).

- (b) Heritage item 16 (located on NA509/128).
 - (c) Mangonui Rangitoto Peninsula Heritage Area – Part B (all).
 - (d) Coastal Environment (all).
 - (e) Outstanding Natural Landscape (“ONL”) (parts NA509/127, NA509/129, NA2021/63, 1044494, 365565, 1044493 and 1044495).
 - (f) High Natural Character Area (“HNCA”) (parts NA5C/517, 1044494, 1044493, and 1044495).
 - (g) 10- and 100-year river flood hazards, and coastal flood zones 1 – 3 (parts NA5C/517, NA509/128, NA509/127, NA509/131, NA2021/63, 1044494, 1044493, 1044495, and NA48A/271).
 - (h) Coastal erosion zones 1 – 3 (parts NA48A/271, 1044493, and NA5C/517).
- (8) The submission area is zoned General Coastal, while parts are subject to an Outstanding Natural Feature, Outstanding Landscape, and Coastal Hazard overlays under the Operative Far North District Plan. There are also three notable trees, and one historic site located within the submission area.
- (9) The surrounding environment is varied. To the northwest is Rangitoto Historic Reserve, which contains Rangitoto Pā and is zoned Natural Open Space in the PFNDP. To the northeast lies the Hihi residential settlement, zoned General Residential, and featuring two coastal reserves – one zoned Open Space and the other Natural Open Space. North and east of Hihi, the land includes a mix of rural-residential lots and larger productive holdings, zoned Rural Production, Rural Lifestyle, and Māori Purpose. Rural Lifestyle zoning generally adjoins the coastline.

5. Reasons for the request

- 5.1 The request to rezone the submission area from Rural Production to Rural Lifestyle is underpinned by a clear misalignment between the Rural Production zoning and the actual land use, development pattern, and productive capacity of the land. The submission area consists of 12 separate titles, ranging in size from 6,500m² to just under 16ha, all of which are already used for lifestyle or residential purposes. The land is highly fragmented and contains areas of non-productive vegetation, some of which is legally protected through conservation covenants. No significant primary production activities currently take place. This is reflected in the FNDC’s Rating Information Database, which classifies the land use of all 12 titles within the submission area as either lifestyle or residential, with none identified as primary industry. This highlights a clear disconnect between the proposed zoning and the actual use of the land.

- 5.2 Under the National Planning Standards, the Rural Production Zone (“RPROZ”) is intended for areas used predominantly for primary production that rely on the productive capacity of the land. The submission area does not meet this threshold. Soil quality is poor (LUC Class 6, volcanic clay), and any attempt to intensify productive use would be limited by physical constraints, overlay restrictions, and potential reverse sensitivity effects from neighbouring lifestyle and residential properties – including those in the nearby Hihi settlement.
- 5.3 Conversely, the Rural Lifestyle Zone (“RLZ”) better reflects the existing and anticipated use of the land. The submission area is located close to key transport routes and urban centres, and its size and configuration are suitable for rural-residential living, including small-scale gardening or domestic livestock keeping. The RLZ is a more appropriate zone given the characteristics of the land and contributes to consolidated and managed rural lifestyle growth.
- 5.4 In terms of development potential, rezoning to RLZ would not enable significant additional subdivision. Under the notified provisions, only one site currently meets the 8ha threshold for controlled subdivision into 4ha lots, and four others may qualify for discretionary subdivision at 2ha. If the reduced minimum lot sizes recommended in the Council officer’s s42A report for the RLZ chapter are adopted, 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. Any future subdivision would be subject to comprehensive assessment under the PFNDP’s overlay provisions, including heritage, landscape, natural hazard, and coastal environment overlays. These provisions apply regardless of zoning and ensure that cultural, environmental, and amenity values are properly managed. In addition, access and servicing would need to be provided for any new lots.
- 5.5 Enabling a more appropriate pattern of lifestyle use will also support more active land management. Smaller lots encourage more frequent maintenance and care of the land, which aligns with Objective 3.15 of the Regional Policy Statement for Northland (“RPS”) and Policy IB-P7 of the PFNDP, both of which promote the active management of land and biodiversity.
- 5.6 In summary, the requested rezoning aligns with the actual land use, the physical and environmental constraints of the submission area, and relevant strategic and policy directions. It provides a more realistic zoning framework that recognises the low production value of the land while ensuring that environmental and cultural values are maintained through existing plan mechanisms.

6. Alignment with the ‘general guidance criteria for rezoning submissions’ (Minute 14)

- 6.1 The following section of my evidence addresses the rezoning request in the context of the ‘general criteria’ for rezoning submissions included in final minute 14 issued by the independent hearing panel.

Strategic direction

- 6.2 The strategic direction chapter includes 6 sections. Each section includes high-level objectives that are intended to ensure that growth and development across the district supports community wellbeing, protects environmental and cultural values, enables a resilient and efficient settlement pattern, and responds proactively to climate change and natural hazards.

Rural Environment section

- 6.3 The Rural Environment section includes objectives to support efficient primary production (SD-RE-O1) and protect highly productive land from inappropriate development (SD-RE-O2). As the submission area is not identified as highly productive, SD-RE-O2 is not applicable. The land is highly fragmented, not currently used for primary production, and is adjacent to residential zoning. As such, the rezoning will not affect the efficiency or operation of primary production and is consistent with the Rural Environment objectives in the Strategic Direction chapter.

Historic and Cultural Wellbeing section

- 6.4 The submission area contains recorded archaeological sites, a heritage item, and is subject to a heritage area overlay identified in the PFNDP, making the Historic and Cultural Wellbeing section relevant. However, the rezoning does not alter legal obligations or the application of relevant plan provisions, which remain in place regardless of zoning. The RLZ supports low-density development, providing greater opportunity to recognise and protect cultural and historic features. Future resource consent and archaeological authority processes will ensure Te Tiriti o Waitangi is given effect to, and that tangata whenua values and kaitiakitanga are reflected in decision-making. The rezoning is therefore consistent with the objectives of the Historic and Cultural Wellbeing section.

Natural Environment section

- 6.5 The Natural Environment section is relevant due to the overlays affecting the submission area. Objectives such as SD-NE-O1 and SD-NE-O3 promote stewardship and active management to enhance biodiversity and sustainability, while SD-NE-O5 and SD-NE-O6 focus on protecting the natural character of the Coastal Environment, ONLs, and significant indigenous vegetation and habitats. The RLZ encourages a stewardship mindset and more active land management. The overlay rules apply regardless of zoning (i.e. any subdivision or dwelling in the Coastal Environment still requires resource consent). This ensures the values identified in the overlays are protected, making the rezoning consistent with the Natural Environment objectives of the Strategic Direction chapter.

Economic and Social Wellbeing section

- 6.6 Several objectives from this section are relevant to the rezoning request. The RLZ supports smaller-scale, people-focused development, fostering place identity and local wellbeing, aligning with SD-SP-O1. It offers diverse land use options that promote cultural, environmental, and small-scale economic wellbeing, consistent with SD-SP-O3. With appropriate design, the RLZ can encourage climate-resilient living through water storage, energy efficiency, and sustainable land use, in line with SD-SP-O4. The submission area will be fully serviced via on-site three waters solutions, avoiding any need to extend Council infrastructure. Therefore, the rezoning is consistent with the Economic and Social Wellbeing section of the Strategic Direction chapter.
- 6.7 Given that the RLZ is not an urban zone, the Urban Form and Development section is of no relevance to the requested rezoning. The objectives in the Infrastructure and Electricity section relate to renewable energy and are also of no relevance to the requested rezoning. However, I note that the existing dwellings located on the IPAZH sites are already powered by solar PV systems with battery storage, with excess energy exported to the grid. Rezoning to RLZ will not hinder similar setups for future dwellings, which align with the self-sufficient, environmentally conscious preferences typical of lifestyle property owners.

Alignment with zone outcomes

- 6.8 Alignment with the objectives and policies for the RLZ is demonstrated in **Table 1** below.

Table 1: *Assessment in context of RLZ objectives and policies.*

Objective	Assessment
RLZ-O1	The submission area (and the associated amenity and character values) is already characterised by low density residential activities and small-scale farming activities. Applying the RLZ to the land is consistent with this existing land use pattern and with the zone and relevant overlay provisions ensuring that future development is compatible with the existing rural character and amenity of the area.
RLZ-O2	The submission area is already characterised by and is suitable to accommodate low density residential activities, small scale farming activities and associated development, smaller lot sizes than anticipated in the RPROZ, a general absence of infrastructure, rural roads with low traffic volumes, and areas of vegetation, natural features and open space.

RLZ-O3	There are not currently any incompatible land use activities, while the sites within the submission area are not suitable (due to size, ground cover, and relevant overlays) to accommodate activities that would compromise the role, function, or predominant character and amenity of the area.
RLZ-O4	The submission area adjoins residential zoned land. There is no RPROZ land in proximity.
Policy	Assessment
RLZ-P1	The range of listed activities are either existing or are suitable to locate within the submission area. This will ensure that there is no conflict with the existing or anticipated role, function, or predominant character and amenity of the area.
RLZ-P2	The activities that this policy seeks to avoid are not currently undertaken within the submission area. The land is also not suitable to accommodate such activities, meaning that it is unlikely that consent will be sought for such activities in the future.
RLZ-P3	The submission area adjoins residential zoned land. There is no RPROZ land in proximity.
RLZ-P4	The listed matters are suitable to appropriately manage future land use and subdivision within the submission area. Importantly, this includes consideration of any adverse effects on historic heritage and cultural values, natural features and landscape, indigenous biodiversity and cultural values. Regardless of any provisions that apply due to the relevant overlays, this will ensure that appropriate consideration is given to the natural constraints and capacities of the land, and that future development is designed to reflect this.

- 6.9 Overall, the proposed rezoning is consistent with the objectives and policies of the RLZ. It reflects the existing pattern of development and provides an appropriate framework in which to consider future development in a manner that will maintain the amenity and character values of the submission area and surrounding environment.
- 6.10 Conversely, zoning the submission area as Rural Production does not align with the objectives and policies of the RPROZ, which seek to ensure that land within the zone is available and protected for primary production activities (RPROZ-O1, O2), avoids fragmentation and loss of

highly productive land (RPROZ-O3, P6), and supports a working rural environment characterised by low-density development and rural amenity (RPROZ-O4, P4). The submission area is already highly fragmented, comprising 12 separate titles, all of which are used for residential or lifestyle purposes. The land does not support significant primary production, and its capacity for such use is further constrained by small lot sizes, established dwellings, and areas of legally protected vegetation. The existing pattern of development does not reflect the predominance of primary production anticipated under RPROZ-P1 and P2, nor does it contribute meaningfully to the productive rural land resource. Retaining RPROZ zoning over this area risks undermining the purpose of the zone by applying it to land that no longer functions as part of the productive rural landscape and cannot realistically deliver on the zone's intended outcomes.

Higher order direction

NPS-HPL

- 6.11 Under the LUC system, soils within the submission area are class 6. They are therefore not considered as 'highly productive' and the NPS-HPL is not relevant to this rezoning request.

National Policy Statement for Urban Development ("NPS-UD")

- 6.12 Given that the RLZ is not an urban zone and that the adjoining Hihi residential settlement does not meet the definition of 'urban environment', the NPS-UD is of no relevance to this rezoning request.

RPS

- 6.13 The provisions of the RPS are broad in scope and primarily guide the general implementation of zoning frameworks like the RLZ, rather than prescribing outcomes for individual sites. Nevertheless, the requested rezoning from RPROZ to RLZ is generally consistent with several key objectives and policies of the RPS. Specifically:

Regional form and development (objective 3.11 and policy 5.1.1)

- 6.14 The requested rezoning supports a consolidated and coordinated settlement pattern. The submission area is already fragmented, adjoins existing residential zoning, and lacks productive rural capacity, making the RLZ a more appropriate zone given the existing land use pattern.

Indigenous ecosystems and biodiversity (objective 3.4 and policies 4.1.1 and 4.4.2)

- 6.15 The shift to RLZ can reduce land use intensity and enable ecological enhancement relative to the RPROZ. This is achieved by reducing rural production pressures, supporting lower-impact residential use, and facilitating land stewardship and conservation. While the RLZ introduces residential elements, it displaces more intensive rural land uses. This is particularly relevant given

the sensitivity of the environment within this area, noting that the provisions applicable within the various overlay areas will apply regardless of the underlying zoning.

Natural character, features, and landscapes (objective 3.14 and policy 4.6.1)

- 6.16 While the submission area is located within the coastal environment and includes landscape overlays, this is consistent with the characteristics of the nearby Hihi residential settlement and other areas that FNDC has proposed to rezone as RLZ under the PFNDP. Importantly, the relevant overlay provisions will continue to apply regardless of the zoning, ensuring the protection of site-specific values and requiring that any development avoids, remedies, or mitigates adverse effects. Furthermore, RLZ properties are often associated with more active land stewardship, with lifestyle property owners commonly undertaking restoration planting, pest and weed control, and riparian management, thereby contributing positively to the enhancement of natural character and ecological values.

Sustainable infrastructure (objective 3.8 and policy 5.2.2)

- 6.17 The submission area is located near existing transport networks, and three waters are capable of being managed on-site. The rezoning request therefore supports efficient service provision and will not impose additional infrastructure demands.

Tangata whenua participation (objective 3.12 and policy 8.1.1)

- 6.18 While direct engagement with iwi and hapū has not yet taken place, the proposed rezoning:
- (1) Acknowledges tangata whenua values by recognising and responding to the submission areas inclusion in a heritage overlay and the coastal environment, both of which signal the potential for cultural and environmental significance.
 - (2) Provides for those values through the continued application of relevant PFNDP overlays, including provisions for natural character, landscape, and heritage protection. These frameworks will apply to any future development and ensure tangata whenua values are respected and protected.
 - (3) Enables a lower intensity form of land use relative to the RPROZ, reducing the risk of adverse environmental or cultural impacts on sensitive areas compared to more intensive productive land uses.
 - (4) Supports future opportunities for tangata whenua to engage through the resource consent or subdivision process, should development proceed, consistent with RMA obligations to consider cultural effects.

Climate change and hazard risk (objective 3.13 and policies 7.1.1 and 7.1.2)

- 6.19 While there are hazards that apply, there is limited exposure given that these areas are limited to the coastal edges and the majority of the land is elevated above these areas. Future development can be located in hazard free locations. Future subdivision or building consents would be subject to site-specific hazard assessments, allowing for detailed hazard avoidance and / or mitigation. The hazard overlay provisions in the PFNDP will continue to apply, regardless of zoning. These provisions will ensure that natural hazard risks are identified, assessed, and appropriately managed at the time of subdivision or development.

Productive land and soils (objective 3.9 and policy 5.3.1)

- 6.20 The submission area does not comprise high-class soils/highly productive land. The fragmented nature of the land, its location within the coastal environment and landscape overlays, topography, and vegetative cover further reduce productive value. These characteristics ensure that the requested rezoning does not undermine these RPS provisions.

Conclusion

- 6.21 Overall, the requested rezoning is consistent with the objectives and policies of the RPS.

New Zealand Coastal Policy Statement ("NZCPS")

- 6.22 The requested rezoning is consistent with the objectives and policies of the NZCPS, which aim to preserve the natural character of the coastal environment, protect coastal ecosystems and cultural heritage, manage subdivision and land use appropriately, and ensure the coastal environment remains resilient to climate change. Specifically:

Protection of natural character and landscapes (objective 2 and policies 13 and 15)

- 6.23 The submission area is subject to natural character and landscape overlays under the PFNDP, which will continue to manage and protect these values regardless of zoning. The RLZ enables lower-density development, which provides greater scope to avoid visually or ecologically sensitive areas and to maintain or enhance natural character through planting and sensitive site design. These outcomes support the NZCPS objectives to preserve natural character and protect outstanding natural features and landscapes.

Appropriate use and development (objective 2 and policy 6)

- 6.24 The RLZ supports appropriate use of land in the coastal environment by allowing low-density residential activity that is consistent with the existing fragmented development pattern. Policy 6 specifically encourages activities that have a functional need to locate in the coastal environment, or those that respect the character and values of the area. The proposal aligns with this policy by

avoiding intensive production land use and reinforcing the rural-residential character already established in the area.

Coastal water quality and ecosystems (objective 1 and policies 11 and 21-23)

- 6.25 By discouraging intensive rural production, which can generate nutrient runoff and land disturbance, the RLZ can reduce potential adverse effects on water quality and coastal ecosystems. Smaller-scale residential use with appropriate setbacks and on-site infrastructure is generally more compatible with long-term protection of coastal ecosystems.

Natural hazards (objective 5 and policies 3 and 24-27)

- 6.26 The proposal aligns with the NZCPS's precautionary approach to development in areas potentially affected by natural hazards. Only minor portions of the submission area are subject to hazard overlays, and future development would be assessed under the relevant PFNDP provisions, ensuring hazard risks are avoided or mitigated through location, design, or consent conditions. Rezoning the land RLZ does not, in itself, enable intensive development and provides scope for more resilient, low-density use of the land.

Treaty of Waitangi and Tangata Whenua participation (objective 3 and policy 2)

- 6.27 Although no formal consultation with iwi or hapū has occurred to date, tangata whenua values are acknowledged and will be provided for through the heritage overlay that applies to the entire submission area. The PFNDP provisions ensure that any future development within the coastal environment will trigger an appropriate assessment of cultural effects. This supports tangata whenua participation in line with these provisions and the Treaty of Waitangi.

Conclusion

- 6.28 Overall, the requested rezoning is consistent with the objectives and policies of the NZCPS.

Assessment of site suitability and potential effects of rezoning

Natural environment and overlays (including natural hazards)

- 6.29 While parts of the submission area are subject to natural hazards, these are confined to the coastal edges, with the majority of the land elevated and less exposed. This provides flexibility to direct future development away from hazard-prone areas. Any future subdivision or building consent would be subject to site-specific hazard assessments, enabling targeted avoidance or mitigation of risks. The hazard overlay provisions in the PFNDP will continue to apply regardless of zoning, ensuring that natural hazard risks are appropriately identified and managed at the time of development.

- 6.30 While there are natural environment overlays that apply, the provisions applicable within the various overlay areas will apply regardless of the underlying zoning. This ensures that site-specific values are safeguarded, and that future development will avoid, remedy or mitigate potential adverse effects. Lifestyle property owners frequently engage in restoration planting, weed and pest control, and riparian protection, which can actively enhance natural character and ecological values.
- 6.31 The rezoning request also supports future opportunities for tangata whenua to engage through the resource consent or subdivision process, should development proceed, consistent with RMA obligations to consider cultural effects.

Compatibility and reverse sensitivity

- 6.32 The submission area directly adjoins residential zoned land and is not in proximity to any RPROZ land or large-scale productive rural activities. As a result, the proposed rezoning to RLZ is compatible with both the existing development pattern and reasonably anticipated land uses in the surrounding environment. There is no risk of adverse effects on productive activities, supporting the appropriateness of the rezoning.

Infrastructure (three waters) servicing

- 6.33 Each lot will rely on on-site water supply, stormwater management, and wastewater management arrangements. Each of the existing dwellings within the submission area rely on such arrangements, signalling that there is no impediment to on-site servicing. There will be no connections required to Council reticulated three waters infrastructure.

Transport infrastructure

- 6.34 The submission area is serviced by existing public roads (Peninsula Parade and Marchant Road). No new transport infrastructure is required. Applicants will be required to address access arrangements beyond the existing maintenance points on the public roads at the time of future subdivision or development. The provisions from the Transport Chapter of the PFNDP are sufficient to ensure that appropriate arrangements are provided.

Consultation and further submissions

Consultation

- 6.35 While no consultation has been undertaken as part of the preparation of this evidence, this reflects the preliminary nature of the rezoning request — being an early, plan-level change to the zoning framework. Given the low-intensity outcomes enabled by the RLZ, the proposal is considered to pose a low risk to cultural, historical, and environmental values. Importantly, the site is already

subject to a range of overlay provisions under the PFNDP, including those relating to cultural heritage, natural character, and landscape, which will continue to apply regardless of zoning and provide an appropriate mechanism for managing associated values.

- 6.36 Future engagement opportunities remain available and appropriate through the resource consent process, should subdivision or development be proposed. At that stage, any effects on cultural or environmental values can be more meaningfully assessed, and relevant parties will have the opportunity to participate in decision-making where required. The applicant acknowledges the importance of involving relevant parties and is committed to engaging at the appropriate time, particularly where identified values may be affected.

Further submissions

- 6.37 There are no further submissions.

Section 32AA evaluation

- 6.38 A Section 32AA evaluation is provided in the following tables:

Table 2: *Efficiency and effectiveness.*

Matter	Assessment
Efficiency	<p>The proposed rezoning is considered efficient. The submission area is already highly fragmented, comprising 12 titles, all of which are small and used for lifestyle or residential purposes rather than productive rural activities. The RLZ more accurately reflects existing land use, reducing unnecessary complexity and cost associated with applying Rural Production rules to land that lacks the productive potential or scale for traditional farming. By applying a zone that aligns with existing development, landowners are provided with a clearer and more relevant planning framework, reducing resource consent requirements and minimising the potential for reverse sensitivity conflicts. Only small parts of the submission area (coastal edges) are subject to natural hazards, there is existing public roading infrastructure that services the land, while the submission area can be serviced independently with on-site wastewater, water, and stormwater infrastructure.</p>

Effectiveness	<p>The rezoning is effective in achieving the RLZ objectives and policies. The RLZ supports rural-residential living while maintaining rural character and environmental values, which is consistent with the physical characteristics of the land, including low-quality soils and various environmental constraints. Importantly, protective overlays relating to the coastal environment, historic heritage, natural hazards, and outstanding landscapes will continue to apply, ensuring that sensitive values are appropriately managed regardless of the underlying zone. The RLZ allows limited subdivision potential, which can facilitate more active management of the land without enabling significant intensification.</p>
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Table 3: *Appropriateness in achieving the purpose of the RMA.*

Section	Alignment
Section 5 – Purpose of the RMA	<p>The proposed rezoning promotes the sustainable management of natural and physical resources. It enables people and communities to provide for their social and economic wellbeing by recognising and formalising existing rural lifestyle land use, which aligns with the current pattern of development and land capability. The RLZ provides for continued low-intensity residential and lifestyle use without compromising the life-supporting capacity of the environment. The protective overlay provisions that remain in place (heritage, landscape, coastal environment, and natural hazards) ensure that any potential adverse effects on natural and physical resources are appropriately managed, maintaining environmental integrity for present and future generations.</p>
Section 6 – Matters of National Importance	<p>Relevant provisions:</p> <ul style="list-style-type: none"> - 6(a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development. - 6(b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development. - 6(f) the protection of historic heritage from inappropriate subdivision, use, and development.

	<ul style="list-style-type: none"> - 6(h) the management of significant risks from natural hazards. <p>The proposed RLZ is consistent with the protection of section 6 matters. The entire submission area is located within the coastal environment and parts are subject to heritage, landscape, and natural hazard overlays. However, these values are already identified and managed under the PFNDP through the overlay provisions, which apply irrespective of the underlying zoning. The rezoning will not enable significant intensification or development that would risk adverse effects on these values. Subdivision and development will continue to require resource consent in these areas, ensuring that outstanding natural features and landscapes, natural character, significant indigenous vegetation, and historic heritage are appropriately protected and that natural hazards are addressed.</p>
Section 7 – Other Matters	<p>Relevant provisions:</p> <ul style="list-style-type: none"> - 7(aa) Ethic of stewardship. - 7(b) the efficient use and development of natural and physical resources. - 7(c) the maintenance and enhancement of amenity values. - 7(f) maintenance and enhancement of the quality of the environment. <p>The proposed rezoning gives appropriate regard to the relevant section 7 matters. It supports the efficient use and development of natural and physical resources (s7(b)) by applying a zoning framework that reflects existing land use patterns and the land's low productive potential. The maintenance and enhancement of amenity values (s7(c)) is supported through a zone that recognises the rural-residential character already established in the area, enabling small-scale rural living that is consistent with the surrounding environment.</p> <p>The RLZ also promotes the ethic of stewardship (s7(aa)) by encouraging more active land management. Fragmented lifestyle properties typically result in landowners maintaining smaller parcels more intensively — such as through weed control, vegetation management, and small-scale planting — which is a more sustainable and proactive approach to land care than the passive use of underutilised larger lots. This aligns with regional objectives around biodiversity enhancement and climate resilience. The maintenance</p>

	and enhancement of the quality of the environment (s7(f)) is also supported through the RLZ, especially given that all relevant natural character, landscape, and heritage values are protected through existing overlay provisions which continue to apply regardless of the underlying zone.
Section 8 Treaty of Waitangi	<p>Section 8 requires decision-makers to take into account the principles of the Treaty of Waitangi.</p> <p>While no direct consultation with tangata whenua has been undertaken for this specific rezoning request, the PFNDP overlays that apply across the site ensure that cultural values, including historic heritage and the natural environment, are recognised and provided for. The associated provisions require that subdivision and development within these overlays consider cultural values and effects. This framework supports the intent of Section 8 by embedding mechanisms that recognise the principles of Te Tiriti o Waitangi in resource management decision-making.</p>

6.39 The proposed rezoning of the submission area from RPROZ to RLZ strongly aligns with the purpose and principles of Part 2 of the RMA. It enables sustainable land use aligned with current development patterns and land capability, while ensuring the protection and recognition of nationally significant values and tangata whenua interests through the continued application of overlay controls and consenting requirements.

Table 4: *Costs and benefits.*

Category	Benefits	Costs
Environmental	<ul style="list-style-type: none"> - Supports more active and small-scale land management, as lifestyle landowners typically maintain their land through weed control, planting, and pest management, contributing to biodiversity outcomes and improved land condition. - Environmental values are protected through the continued application of overlay provisions (coastal environment, heritage, landscape, 	<ul style="list-style-type: none"> - Greater human presence may increase edge effects on remaining natural areas if not well managed, though these are controlled through plan provisions.

	<p>and natural hazards), ensuring that any subdivision or development is appropriately assessed and managed.</p> <ul style="list-style-type: none"> - Retains vegetated areas and avoids pressures to clear land for production, particularly on sites with covenants or significant natural values. 	
Social and Cultural	<ul style="list-style-type: none"> - The RLZ better reflects the existing development pattern and land use, supporting certainty for landowners and the wider community by aligning planning rules with lived reality. - Overlay provisions provide appropriate recognition of cultural and historic heritage, protecting tangata whenua values and sites of significance within the coastal environment and heritage areas. 	None identified.
Economic	<ul style="list-style-type: none"> - Aligns zoning with existing rating categories (lifestyle/residential), supporting economic efficiency for both landowners and council resource management. - Allows for limited subdivision potential, potentially creating opportunities for rural-residential living and investment without enabling large-scale intensification. 	<ul style="list-style-type: none"> - Minor reduction in theoretical productive land area, although no real economic loss, given the limited productive potential and existing lifestyle character of the land. - Some infrastructure or servicing costs may arise if future subdivision occurs, though these would be addressed at the resource consent stage and will be borne by developers.

Risk of acting or not acting

6.40 The risk of acting on the proposed rezoning is low, as the existing environmental and cultural values of the area are well understood and are managed through overlay provisions in the

PFNDP. There is greater risk in not acting, as retention of the RPROZ would continue to apply an inappropriate zoning framework that does not reflect existing land use or the physical limitations of the land. This may result in ongoing inefficiencies, reduced certainty for landowners, and missed opportunities for more appropriate and sustainable rural-residential outcomes.

Overall conclusions

- 6.41 The requested rezoning from Rural Production to Rural Living represents an efficient and effective response to the actual character and use of the land within the submission area. The land is already highly fragmented, contains low productive capacity, and is largely occupied for rural-residential and lifestyle purposes, consistent with the anticipated outcomes of the RLZ. Environmental and cultural values are managed through overlay provisions, regardless of the underlying zone.
- 6.42 In the context of section 32AA, the proposed zoning change is a more appropriate method of achieving the objectives of the PFNDP and the purpose of the RMA. It promotes sustainable management by aligning planning provisions with existing land use, encouraging active stewardship, and supporting limited rural-residential development that maintains amenity and protects identified values. The benefits of the rezoning clearly outweigh the costs, and the risk of not acting is greater than the risk of proceeding with the proposed rezoning.

7. Conclusion and relief sought

- 7.1 The proposed rezoning from RPZ to RLZ is appropriate and justified. It better reflects the existing land use and development pattern, responds to the land's physical constraints, and aligns with the objectives of the PFNDP, RPS, and NZCPS, and is consistent with Part 2 of the RMA. The change promotes sustainable management, enables active land stewardship, and ensures environmental and cultural values are protected through existing overlay provisions.
- 7.2 The following relief is sought:
- (1) Rezone all of the privately owned land on Rangitoto Peninsula (i.e. land on the eastern side of the Mangonui Harbour to the west of the Hihi urban area and including Butler Point) RLZ or alternative relief with similar effect.

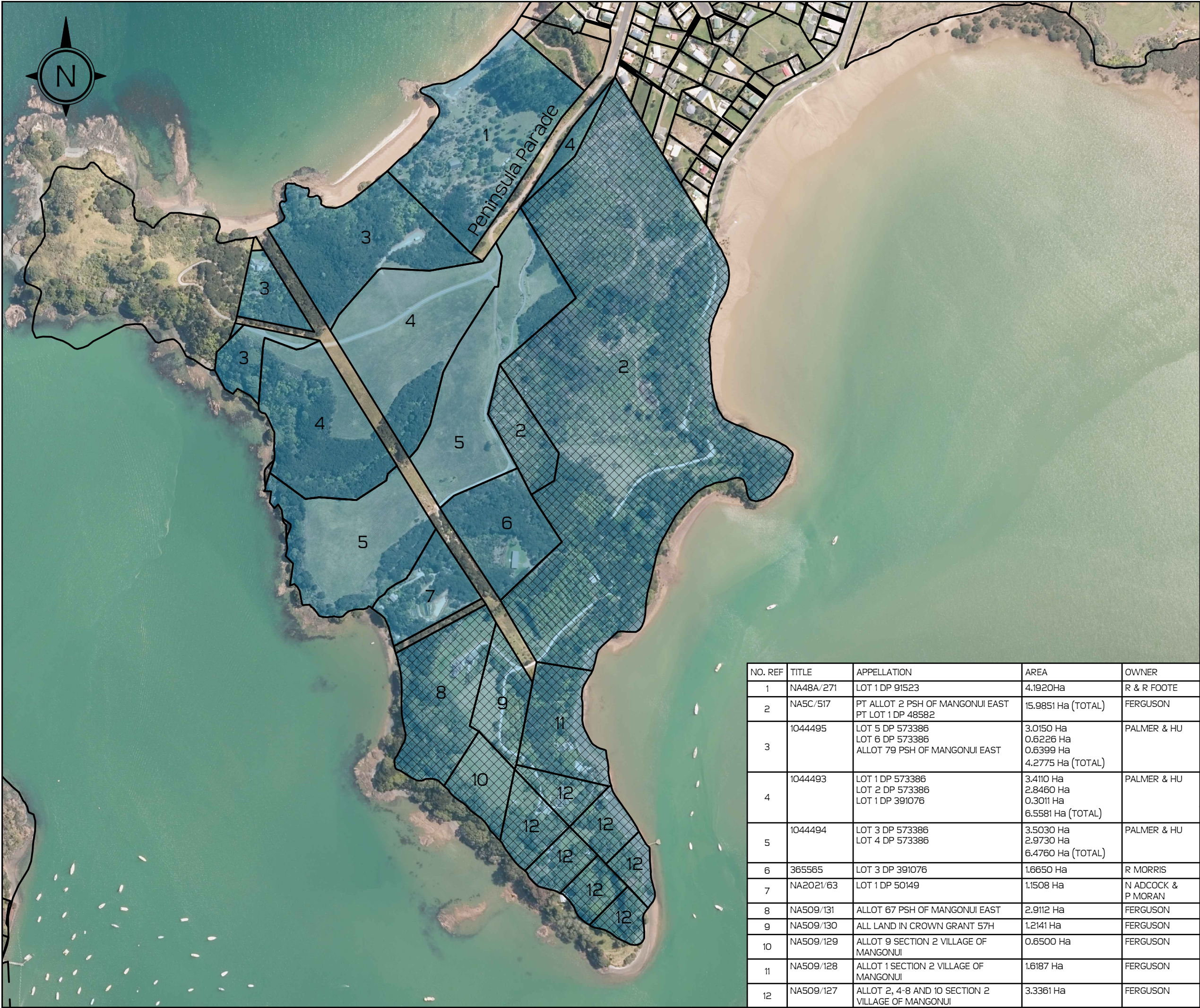


Thomas Keogh (Planner)

09 June 2025

ATTACHMENT 1

PLANS



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- IPAZH SUBMISSION AREA
- RALFF SUBMISSION AREA

NO. REF	TITLE	APPELLATION	AREA	OWNER
1	NA48A/271	LOT 1 DP 91523	4.1920Ha	R & R FOOTE
2	NA5C/517	PT ALLOT 2 PSH OF MANGONUI EAST PT LOT 1 DP 48582	15.9851 Ha (TOTAL)	FERGUSON
3	1044495	LOT 5 DP 573386 LOT 6 DP 573386 ALLOT 79 PSH OF MANGONUI EAST	3.0150 Ha 0.6226 Ha 0.6399 Ha 4.2775 Ha (TOTAL)	PALMER & HU
4	1044493	LOT 1 DP 573386 LOT 2 DP 573386 LOT 1 DP 391076	3.4110 Ha 2.8460 Ha 0.3011 Ha 6.5581 Ha (TOTAL)	PALMER & HU
5	1044494	LOT 3 DP 573386 LOT 4 DP 573386	3.5030 Ha 2.9730 Ha 6.4760 Ha (TOTAL)	PALMER & HU
6	365565	LOT 3 DP 391076	1.6650 Ha	R MORRIS
7	NA2021/63	LOT 1 DP 50149	1.1508 Ha	N ADCOCK & P MORAN
8	NA509/131	ALLOT 67 PSH OF MANGONUI EAST	2.9112 Ha	FERGUSON
9	NA509/130	ALL LAND IN CROWN GRANT 57H	1.2141 Ha	FERGUSON
10	NA509/129	ALLOT 9 SECTION 2 VILLAGE OF MANGONUI	0.6500 Ha	FERGUSON
11	NA509/128	ALLOT 1 SECTION 2 VILLAGE OF MANGONUI	1.6187 Ha	FERGUSON
12	NA509/127	ALLOT 2, 4-8 AND 10 SECTION 2 VILLAGE OF MANGONUI	3.3361 Ha	FERGUSON

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7 Selwyn Ave, Whangareiwww.reyburnandbryant.co.nz

CLIENT

IAN PALMER
PENINSULA PARADE
HIHI MANGONUI

TITLE

SUBMISSION AREAS

DATEMAY 2025SCALE1:5000 @A3

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- NATURAL OPEN SPACE
- RURAL PRODUCTION
- GENERAL RESIDENTIAL
- RURAL LIFESTYLE
- OPEN SPACE
- SUBMISSION AREA

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IAN PALMER
PENINSULA PARADE
HIHI MANGONUI

TITLE

PFNDP ZONING

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NATURAL OPEN SPACE

GENERAL RESIDENTIAL

RURAL LIFESTYLE

OPEN SPACE

SUBMISSION AREA

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Date Plotted: 9/06/2025


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HERITAGE ITEM - REFERENCE 16 - BUTLERS HOUSE



NOTEABLE TREE




MANGONUI AND RANGITOTO
PENINSULA HERITAGE AREA - PART B



RECORDED ARCHAEOLOGICAL SITES

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




TITLE

PFNDP HISTORICAL &
CULTURAL VALUE OVERLAYS
AND ARCHAEOLOGICAL SITES


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-  OUTSTANDING NATURAL CHARACTER
-  HIGH NATURAL CHARACTER
-  RIVER FLOOD HAZARDS
-  COASTAL FLOOD HAZARDS
-  SUBMISSION AREA
-  COASTAL EROSION ZONE 1
-  COASTAL EROSION ZONE 2
-  COASTAL EROSION ZONE 3

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CLIENT

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TITLE

PFNDP COASTAL & NATURAL
ENVIRONMENT OVERLAYS

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		REV	A