

**BEFORE THE INDEPENDENT HEARINGS PANEL**

**UNDER** the Resource Management Act 1991 (RMA)  
**IN THE MATTER** of the Far North Proposed District Plan - Hearing 15D:  
Rezoning Kerikeri-Waipapa

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**STATEMENT OF REBUTTAL EVIDENCE OF GRANT NEILL ON BEHALF OF  
KIWI FRESH ORANGE COMPANY LIMITED**

**URBAN DESIGN**

**24 September 2025**

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**WYNN WILLIAMS**

## **INTRODUCTION**

- 1 My full name is Grant Edward Neill.
- 2 I have been engaged by Kiwi Fresh Orange Company Limited (**KFO**) to provide independent expert advice on its submission on the Proposed Far North District Plan (**FNPDP**).
- 3 This rebuttal evidence relates to the Council's section 42A report and the urban design evidence of Jane Maree Rennie.

## **QUALIFICATIONS AND EXPERIENCE**

- 4 I confirm I have the qualifications and experience set out at paragraphs 5 to 7 of my statement of evidence dated 16 June 2025 (**June evidence**).

## **CODE OF CONDUCT**

- 5 I repeat the confirmation provided in my June evidence that I have read and agree to comply with the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023. This evidence has been prepared in accordance with that Code. I confirm that the issues addressed in this rebuttal evidence are within my area of expertise, and I have not omitted to consider material facts that might alter or detract from the opinions that I express.

## **APPROACH TO THIS REBUTTAL**

- 6 In addition to the material that I considered, reviewed, took into account and relied on in my June evidence, in preparing this evidence I have reviewed:
  - (a) The Statement of Evidence of Jane Maree Rennie in Support of Section 42A Report to Hearing 15D, Urban Design, dated 10 September 2025, for the Far North District Council.
  - (b) The Section 42A Report Hearing 15D Rezoning Submissions-Kerikeri-Waipapa section 5.3 regarding Urban Design.
  - (c) Te Pātukurea Spatial Plan for Kerikeri-Waipapa.
  - (d) Deliberations Report for Te Pātukurea Spatial Plan for Kerikeri-Waipapa dated 16 May 2025.

- 7 This rebuttal evidence responds to Ms Rennie’s “concerns around lack of certainty”<sup>1</sup> leading to potentially poor urban outcomes<sup>2</sup>. Ms Rennie’s concerns are summarised as follows:

- (a) **Loss of Local Character** - the proposal risks altering the unique townscape qualities of Kerikeri and Waipapa.
- (b) **Erosion of Town Identity** - the proposal will diminish the distinctive role and function of both towns, impacting what the community value about Kerikeri and Waipapa.
- (c) **Compromised Urban Boundaries** - the proposal will not support a compact and efficient growth pattern, undermining the ability to achieve a compact and consolidated urban form for Kerikeri and Waipapa as envisioned in the Spatial Plan.
- (d) **Inefficient Urban Growth** - the proposal will not support a compact and efficient growth pattern, undermining the ability to achieve a compact and consolidated urban form for Kerikeri and Waipapa as envisioned in the Spatial Plan.
- (e) **Poor Connectivity** - the proposal lacks integration with the existing urban areas creating physical barriers and reducing accessibility.
- (f) **Car-Centric Design** - the proposed layout promotes private car dependency, limiting support for multimodal transport options.

- 8 I will address each of these in turn below.

### CONCERNS AROUND LACK OF CERTAINTY

- 9 KFO’s proposed rezoning (**Proposal**) does not include a masterplan or a detailed development plan. It is instead subject to precinct<sup>3</sup> provisions that require a Comprehensive Development Plan (**CDP**) as part of the first resource consent for any subdivision, use or development:

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<sup>1</sup> Statement of Evidence of Jane Maree Rennie at [8.8].

<sup>2</sup> Statement of Evidence of Jane Maree Rennie at [5.24].

<sup>3</sup> Statement of Evidence of Burnette Anne O’Connor at Appendix B (Chapter X Te Pāe Waiōra Precinct).

As part of the first resource consent application for any subdivision, use or development within the Precinct, a Comprehensive Development Plan shall be submitted for approval.<sup>4</sup>

- 10 The CDP is one mechanism by which high quality urban outcomes will be achieved.
- 11 The Precinct Provisions include objectives and policies to:  
...secure a well-functioning and quality urban environment connecting the Kerikeri and Waipapa areas.<sup>5</sup>
- 12 Significantly, the Precinct Provisions:  
Require urban development to occur generally in accordance with Te Pāe Waiōra Precinct and the Structure Plan.<sup>6</sup>
- 13 My statement of evidence set out how the Structure Plan was grounded in best-practice urban design, contributed to a well-functioning urban environment, and how it met the general guidance criteria issued by the PDP and the direction in the Northland Regional Policy Statement relating to good “regional form”. I do not repeat that again.
- 14 However, in response to Ms Rennie’s concerns about a lack of certainty, it is my opinion that the precinct provisions set a clear expectation for the Council to ensure the CDP produces a well-functioning, quality urban environment.
- 15 The CDP must be in accordance with the Te Pāe Waiōra (TPW) Precinct and Structure Plan, and I believe good urban design practices are incorporated into them. The consent authority will be able to consider these matters when granting the CDP consent. Unless the consent authority ignores these documents – which I cannot assume will occur – then I consider that urban design will be considered through the CDP consenting process. I therefore disagree with Ms Rennie that positive urban design outcomes will not be secured.
- 16 Furthermore, a well-functioning urban environment from an urban design perspective is an analysis that should rightly respond to the physical, social and other characteristics of an urban area and how that area is planned or intended to be in the future. In my opinion, in her analysis of the urban design effects of KFO’s site, Ms Rennie focuses on urban design principles that are more

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<sup>4</sup> Statement of Evidence of Burnette Anne O'Connor at Appendix B (Chapter X Te Pāe Waiōra Precinct - Overview).

<sup>5</sup> Statement of Evidence of Burnette Anne O'Connor at Appendix B (Chapter X Te Pāe Waiōra Precinct - Overview).

<sup>6</sup> Statement of Evidence of Burnette Anne O'Connor at Appendix B (Chapter X Te Pāe Waiōra Precinct – TPW-P3).

relevant for larger metropolitan areas. Her approach does not appear to be based on a detailed assessment that takes into account the reasons why people choose to move to Kerikeri and hence the type of development that should be properly planned for.

- 17 The NPS UD states that a well-functioning environment provides for a variety of homes that meet the needs in terms of type, price, and location of different households. A well-functioning urban environment requires a response to different demands for housing types in urban areas.

### **LOSS OF LOCAL CHARACTER**

- 18 While the Proposal will clearly alter the character of the currently largely rural land it is located on, it will not alter the character or qualities of the Kerikeri and Waipapa townships themselves.<sup>7</sup> In many ways it will facilitate positive outcomes in terms of access to the river and Rainbow Falls and the opportunity for a consolidated urban form to develop over time.
- 19 In my opinion, the PDP-R scenario for Kerikeri that Ms Rennie supports,<sup>8</sup> will alter the qualities, and character of the existing town (especially current Residential areas that will be upzoned) in a more profound way than KFO's Proposal.<sup>9</sup>
- 20 Through the Medium Density Residential Zone (**MDRZ**) and Town Centre Zone (**TCZ**), the PDP-R scenario enables development to occur without the ability for Council to manage urban design quality compared to what the Proposal requires. For example, a maximum of 11 m in height is enabled as a permitted activity standard in the MDRZ and a maximum of 16m in height is enabled as a permitted activity in the TCZ. Subject to a proposal meeting other permitted activity standards, the Council will have no control over urban design of that proposal. Permitted activity development under the MDRZ and TCZ has the potential to have much greater unmanageable effect on the qualities and character of Kerikeri. For example, development of three dwellings on site up to 11-metres in height can occur ad hoc within the MDRZ and as of right next door

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<sup>7</sup> The Structure Plan's vision is to develop the Site to enhance the unique characteristics of Kerikeri and Waipapa, positively contributing to the existing town centres and urban areas of Kerikeri and Waipapa, recognising each areas' distinctive character. See Structure Plan, section 3, page 13.

<sup>8</sup> S42A report for Hearing Stream 15D of Sarah Trinder (Senior Policy Planner) and Jerome Wyeth (Technical Director – Planning) dated 10 September 2025 at Appendix 3 and Appendix 4.

<sup>9</sup> The Overview of the MDRZ describes the Zone as a "transformative zone."

to an established single house on a 600m<sup>2</sup> section with a private backyard and gardens.

- 21 Ms Rennie prefers the PDP-R scenario, a component of the overall Spatial Plan that also identifies land south of Kerikeri for greenfields expansion. Despite the criticism levied at KFO's development, it is not clear how the PDP-R scenario will secure positive urban design outcomes. It appears that density in and of itself is the main urban design feature of the PDP-R scenario.

- 22 The Spatial Plan that Ms Rennie says the PDP-R scenario supports identifies that Urban Design Framework and Structure Plan will be developed and will inform future plan changes:<sup>10</sup>

The Planning and Urban Design Principles that are outlined in this spatial plan will be further refined in an Urban Design Framework. This Framework will detail how these principles will be actioned on the ground and will include guidelines for the design and development of new urban areas as well as existing ones. The Framework focuses on creating high-quality, sustainable, and liveable environments by addressing aspects like building design, public spaces, streetscapes, and overall urban form.

Whilst a spatial plan provides a broad, strategic vision to manage growth and change, a structure plan offers detailed guidance for the development of specific areas. They included detailed maps and plans showing the layout of roads, open spaces, residential and commercial areas, and outline the staging and implementation of development.

The Implementation plan references structure plans for Kerikeri and Waipapa. These will be developed in accordance with the Urban Design Framework and will inform future plan changes.

- 23 To this point, the Deliberations Report to the Spatial Plan, a document produced to support Council decision making on the Spatial Plan, says:<sup>11</sup>

The development of an Urban Design Framework will enable consideration of the key village characteristics and how these can be enhanced through future urban development. This will also inform more focused structure planning and detailed plans and guidelines for specific areas including the public realm and streetscapes and residential and commercial areas.

- 24 I am not aware that the Council has created a framework to ensure that urban design principles are implemented in the PDP-R scenario. Instead, it is enabling a substantially different type of development as a permitted activity to

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<sup>10</sup> Te Kaunihera o Te Hiku o te Ika Far North District Council *Te Pātukurea Kerikeri Waipapa Spatial Plan* (2025) at page 54.  
<[https://www.fndc.govt.nz/\\_\\_data/assets/pdf\\_file/0017/42254/7c20325a1437bc62ed2ee7934b0ea346a9477919.pdf](https://www.fndc.govt.nz/__data/assets/pdf_file/0017/42254/7c20325a1437bc62ed2ee7934b0ea346a9477919.pdf)>

<sup>11</sup> Te Kaunihera o Te Hiku o te Ika Far North District Council *Deliberations Report for Te Pātukurea Spatial Plan for Kerikeri-Waipapa* (2025) at page 32.  
<[https://www.fndc.govt.nz/\\_\\_data/assets/pdf\\_file/0022/41647/03502e1be07c5c4ff6abf24a1cc94f67af600242.pdf](https://www.fndc.govt.nz/__data/assets/pdf_file/0022/41647/03502e1be07c5c4ff6abf24a1cc94f67af600242.pdf)>

what is present without a design framework to guide that permitted activity development.

- 25 I do not suggest that an Urban Design Framework will never be developed, as I cannot predict the Council's future actions. Rather, I highlight this point to contrast Ms Rennie's criticism of the KFO proposal when there is a lack of an urban design framework in the PDP-R scenario that would apply to enabling permitted activities.

### **EROSION OF TOWN IDENTITY**

- 26 In my opinion there is no blurring of identity by KFO's Proposal. Rather than eroding local character, the proposal leverages its unique natural features (such as rivers, topography, and existing vegetation) as structuring elements that reinforce its distinct neighbourhood character. It represents sound place making for now and into the future and will provide land of sufficient scale to enable sites to be created that will deliver the type of product that will be sought in this location.
- 27 To secure an urban hierarchy under any growth scenario, in my opinion, Council could consider including a specific Town Centre type zone for central Kerikeri, instead of relying on a large Commercial Mixed Use zone that does not necessarily enable urban characteristics desirable of a town centre, such as fine scale at street front, and targeted place making.

### **COMPROMISED URBAN BOUNDARIES**

- 28 Paragraph 5.18 of Ms Rennie's evidence states:

I consider that the proposed urban edge outlined in the KFO Structure Plan will be weak given a lack of features to contain it. This may enable development to spread through subsequent plan changes.

- 29 This statement is difficult to reconcile with the fact that the structure plan area does have strong geographic and human made boundaries to it. This contrasts with the undefined southwestern edges of the Council spatial plan<sup>12</sup> which does not appear to have a strong urban or defensible boundary, leaving open to subjective interpretation where exactly the Residential edge is, yet alone being "vulnerable to future plan changes" (as any proposal always is).

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<sup>12</sup> Statement of Evidence of Jane Maree Rennie at [5.8].

## INEFFICIENT URBAN GROWTH

30 Ms Rennie states in her evidence that:

There is no indication in the proposed plan provisions of how future urban development will achieve a compact and efficient urban form both within the site and as part of the wider urban area (i.e. to support higher density development near amenities, transport links and open spaces).<sup>13</sup>

31 As previously stated, there are robust Precinct Objectives and Policies that a future development will be evaluated against. As part of Council's evaluation of a CDP, detailed urban design assessments would be expected to address these concerns. The Precinct provisions have been updated to make this requirement explicit in terms of a report being required, and the council's assessment of it.

32 I do concur with Ms Rennie that a Medium Density Residential Zone could be appropriate within a walkable catchment of the Proposed local and neighbour centres<sup>14</sup>. However, there will need to be analysis undertaken in the CDP process to determine the extent.

33 When upzoning an existing urban area, it is essential from an urban design perspective to consider how residents will access services, open spaces, and public transport, as well as how these networks currently operate. At present, Kerikeri town centre uses a one-way road system. It is not clear how this transport environment has been accounted for from an urban design perspective, including how additional traffic movements will impact residents' access through Kerikeri.

34 In my view, the KFO site has been subjected to a different, and arguably more rigorous, level of scrutiny compared to the PDP-R scenario, especially regarding the efficiency of urban growth.

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<sup>13</sup> Statement of Evidence of Jane Maree Rennie at [5.19].

<sup>14</sup> Statement of Evidence of Jane Maree Rennie at [8.18].



## **POOR CONNECTIVITY**

- 35 External connections from the Site are shown on the Structure Plan. Given the proposed process requiring a CDP that must address road connections, access points; pedestrian and cycle connections, how a sustainable environment will be achieved including the provision of multi-modal transport connections. It is expected that these connections will be delivered as the development progresses. I do not agree with Ms Rennie’s comments regarding the grade of connections, as all roads with footpaths will be built at a walkable grade in accordance with Council standards.

## **CAR-CENTRIC DESIGN**

- 36 I do not agree that the proposal is “car-centric.” There is a comprehensive multimodal movement network shown on the Structure Plan that includes dedicated pedestrian and cycle paths. Additionally, except for the road grade over a potential connection to Kerikeri township (connection C) the site is largely flat, making pedestrian and cycle use attractive.
- 37 In the proposed area, dwellings are located within a 10 minute walking distance of retail amenity, potential employment areas, and significant natural amenity. In my opinion, it is not correct to imply that it is a “dormitory” suburb with no opportunity other than living within it, that relies solely on vehicle access.
- 38 Currently, residents of Kerikeri are dependent on cars to access the “big box” retail stores and employment opportunities of Waipapa. This proposal gives options for access between both townships that avoid the State Highway system that are safe and convenient, especially by cycle.

## **SECTION 42A REPORT – REVISION TO PRECINCT PROVISIONS**

- 39 The Section 42A Report accepts the evidence of Ms Rennie, which I commented on previously.
- 40 The Section 42A Report states:

i. The rule does not require an urban design assessment. As stated in the urban design evidence of Ms Rennie, this (and other gaps) means that a comprehensive development plan consenting pathway does not provide certainty of outcome or a sufficiently robust assessment process, which may result in uncoordinated and ad hoc development.<sup>15</sup>

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<sup>15</sup> S42A report for Hearing Stream 15D of Sarah Trinder (Senior Policy Planner) and Jerome Wyeth (Technical Director – Planning) dated 10 September 2025 at page 112.

- 41 While I consider that Council would be able request an urban design assessment in the process of evaluating a CDP as a matter of course (particularly given the objectives and policies), for completeness I recommend the Precinct rules expressly state that an urban design assessment is to be supplied and is core to any evaluation. This assessment should cover areas such as localised density around amenity, open space use, movement and connections, placemaking, and demonstrate that best practice urban design has been incorporated.

### **CONCLUSION**

- 42 I consider that overall, the evidence in the section 42A report appears to be ideologically against any “greenfield” type development in principle and instead relies on a densification scenario for the existing Kerikeri township as the most viable solution to cater for population growth.
- 43 I do not agree this is the best solution. I consider that densification of the significant residential area of the existing town will cause a profound and unmanaged change in character to the town, to the extent it will change the town from a low rise rural service town to something akin of the character of a large city suburb, assuming that this degree of change will be taken up. As I said earlier in this evidence, a well-functioning environment is a contextual term – what works for one place does not necessarily work for another.
- 44 I consider the planned development of the Proposal will provide a contextually appropriate and consolidated urban form to accommodate population growth, consistent with trends observed in other expanding rural towns in New Zealand.
- 45 Greenfields expansions of similar towns to Kerikeri have proven popular, offering residents desirable living environments with strong connections to commercial and employment areas. There is a clear demand for thoughtfully designed new developments in regional towns, distinct from Medium Density Residential Zone (MDRZ) scenarios often permitted without robust urban design controls. These towns may (or may not) be urban environments, but they are not cities, and greenfields development often provides a better outcome to intensification.
- 46 I also note that unmanaged densification as a permitted activity can lead to poor urban outcomes, as evidenced by some MDRZ developments in Auckland.
- 47 Accordingly, the Proposal should be assessed on its merits, rather than through an ideological lens. The Council can ensure good urban outcomes through the

future CDP process, which provides the necessary mechanism for detailed review of urban design. As previously stated, I support a robust Urban Design Assessment to be a specific inclusion in the Precinct rules, ensuring it informs and guides the development of such plans.

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**Grant Neill**

**24 September 2025**