



## **SECTION 42A REPORT**

### **Rezoning Submissions – Overview Report**

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## **Appendices**

**Appendix 1: Economics Commentary on implications of an undersupply or oversupply of residential zoned land (Lawrence McIlrath, Market Economics)**

**Appendix 2: Rezoning Guidance Criteria and Evaluation Frameworks**

### **List of Abbreviations**

<b>Abbreviation</b>	<b>Full Term</b>
FNDC	Far North District Council
NPS	National Policy Statement
PDP	Proposed District Plan
RMA	Resource Management Act
RPS	Regional Policy Statement



## **1 Executive summary**

1. The Far North Proposed District Plan ("PDP") was publicly notified in July 2022. The PDP as notified contains 23 zones, the provisions for which are in Part 3: Area Specific Matters Sections of the PDP. In total the PDP received 403 original rezoning submissions.
2. This report provides:
  - a) Overview information on the statutory context (including changes to the relevant regulatory framework) which officers are considering when making recommendations on the rezoning submissions received.
  - b) An overview of the process that officers have followed when evaluating rezoning submissions, including the criteria and process set out in Hearing Panel Minute 14.
3. Separate reports are being prepared for Hearings 15A – 15D for the rezoning requests for individual zones. All of these reports should be read in conjunction with this Rezoning Overview Report.

## **2 Introduction**

### **2.1 Author(s) and qualifications**

4. This overview report has been co-authored by Melissa Pearson (reporting officer for the rural zones portfolio) and Sarah Trinder (reporting officer for the urban zones portfolio) with input from other reporting officers as required.
5. The authors are also preparing separate section 42A reports addressing the rezoning requests associated with Hearings 15A to 15D. Reporting officers have collaborated where there are common matters across multiple zones raised in submissions, and to ensure that our recommendations are integrated and consistent.
6. Our introductions and qualifications are included in the relevant section 42A report for rezoning requests.

### **2.2 Scope and Purpose of this Report**

7. This report provides an overview of the context information that is relevant to all rezoning hearings (refer to paragraph 2 above).
8. This report does not provide recommendations on specific submission points. Separate section 42A reports addressing the rezoning submissions associated with Hearings 15A to 15D will contain recommendations for specific rezoning requests.



## **2.3 Expert Advice**

9. In considering the rezoning submissions we have relied on expert advice from Lawrence McIlrath of Market Economics, who has provided commentary on the economic implications of an undersupply or oversupply of residential zoned land (provided in **Appendix 1** to this Report). This evidence has been considered by Ms Sarah Trinder in her evaluation of submissions seeking residential zoning in Hearings 15C and 15D and is provided in this overview report for context.

## **3 Statutory Requirements**

### **3.1 Statutory documents**

10. We note that the section 32 reports for the PDP provides detail of the relevant statutory considerations applicable to each of the zones. It is not necessary to repeat the detail of the relevant RMA sections and full suite of higher order documents here. Consequently, no further assessment of these documents has been undertaken for the purposes of this report.
11. However, it is important to highlight the higher order documents, relevant to rezoning submissions that have been subject to change since notification of the PDP, which must be given effect to. Those that are broadly relevant to the rezoning submissions are discussed below. More detail on relevant statutory matters will be covered in the topic-specific rezoning S42A reports, as required.

#### **3.1.1 Resource Management Act**

12. On the 22 of December 2023, the Government repealed both the Spatial Planning Act 2023 and Natural and Built Environment Act 2023 and has reinstated the RMA as Zealand's primary resource management policy and plan making legislation. The Government has commenced work on replacement legislation and has indicated that this replacement legislation will be introduced to parliament this term of government (i.e. before the next central government election in 2026). The RMA continues to be in effect until new replacement legislation is passed.

#### **3.1.2 National Policy Statements**

13. The PDP was prepared to give effect to the National Policy Statements that were in effect at the time of notification (27 July 2022). This section provides a summary of the National Policy Statements relevant to rezoning submissions that have been gazetted since notification of the PDP or are subject to amendments that are relevant to the rezoning submissions. As district plans must be "prepared in accordance with" and "give effect to" a National Policy Statement, the implications of the relevant National Policy Statements on the PDP must be considered. These are outlined below.



### 3.2 National Policy Statement for Highly Productive Land

14. The National Policy Statement for Highly Productive Land (NPS-HPL) took effect on 17 October 2022. The NPS-HPL has a single objective:  
  
*Highly productive land is protected for use in land-based primary production, both now and for future generations.*
15. The objective is supported by nine policies and a set of implementation requirements setting out what local authorities must do to give effect to the objective and policies of the NPS-HPL, including restrictions on the urban rezoning, rural lifestyle rezoning and subdivision of highly productive land, as well as requirements to protect highly productive land from inappropriate use and development.
16. The NPS-HPL was amended on 16 August 2024, resulting in the removal of consenting barriers for new infrastructure, including renewable energy projects, indoor primary production and greenhouses. The drivers for the amendments were the agriculture, horticulture and renewable energy sectors' concerns surrounding the NPS-HPL restricting activities needing to be located on highly productive land. These amendments came into effect on 14 September 2024.
17. There are further changes to the NPS-HPL signalled by the government that are currently being consulted on. These are covered further in Section 3.4.1.1 below.

### 3.3 National Policy Statement on Urban Development Capacity

18. The National Policy Statement on Urban Development Capacity (NPS-UD) came into effect 20 August 2020. The NPS-UD promotes the concept of "well-functioning urban environments", which are those urban environments that have good accessibility for all people between housing, jobs and community services, natural spaces and open spaces including by way of public or active transport and support a reduction in greenhouse gas emissions, and are resilient to the effects of climate change, amongst other matters. Defining and promoting "well-functioning environments" forms the core of several objectives and policies.
19. The NPS-UD classifies urban areas into different tiers relating to population size and projected growth. With the adoption of the Kerikeri-Waipapa Spatial Plan – Te Pātukurea the Kerikeri – Waipapa area will meet both (a) and (a) of the definition in the NPS-UD of urban environment (intended to be 'urban' in character AND is or is intended to be part of a housing and labour market of at least 10,000 people). As a result, Far North District Council becomes a tier 3 Local Authority.
20. A Tier 3 local authority means that, though councils is not subject to the same mandatory requirements as Tier 1 and Tier 2 local authorities, they



still encouraged to adopt best practices in urban planning, aligned with NPS-UD principles.

21. A summary of the direction and principles of the NPS-UD is provided below.
  - a) Well-Functioning Urban Environments - Urban areas should enable people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and in the future.
  - b) Improved Housing Affordability - Planning decisions should help to reduce housing costs.
  - c) Enabling Intensification - District plans must allow more people and businesses to locate in areas:
    - Near centres or employment hubs
    - Well-served by public transport
    - Where housing or business land demand is high
  - d) Responsive to Change - Urban environments should evolve over time to meet the changing needs of communities, including through rezoning
  - e) Treaty of Waitangi Considerations - Planning must take into account Te Tiriti o Waitangi, including cultural values and Māori housing needs.
  - f) Integrated and Strategic Planning - Decisions must align with infrastructure planning and funding, and be strategic over the medium and long term.
  - g) Climate Resilience - Urban development should support greenhouse gas reductions and be resilient to climate change.
  - h) Provision of sufficient development capacity (discussed further below).
22. The NPS-UD sets out requirements to planning for growth and development in urban environments, including the need to provide at least sufficient development capacity to meet expected demand (Policy 2).
23. The NPS-UD requires capacity to be assessed and quantified against the following hierarchy:
  - a) Plan-enabled. This is the highest theoretically possible capacity based on what is allowed under the District Plan (and other associated plans).



- b) Plan-enabled and infrastructure-ready. This requires an assessment of whether the capacity enabled under the District Plan is serviced by sufficient infrastructure that the land could be developed for housing<sup>1</sup>.
  - c) Plan-enabled, infrastructure-ready, and feasible and reasonably expected to be realised.
- 24. Additionally, the various levels of capacity are required to be presented for the short (3 years), medium (10 years), and long-term (30 years).
  - 25. As stated above the NPS-UD requires an assessment of whether the capacity enabled under the District Plan is serviced by sufficient infrastructure<sup>2</sup> that the land could be developed for housing.
  - 26. Further specific comments on development capacity will be addressed within Section 42A reports for Hearings 15C and 15D.

### **3.3.1 Housing and Business Capacity Assessment**

- 27. Council prepared a Housing and Business Development Capacity Assessment ("HBA") in July 2024, which is a detailed analysis of housing and business growth across the Far North District based on current and future levels of demand, supply and development capacity.
- 28. The HBA takes into consideration numerous factors, including the availability of plan-enabled development capacity, economic circumstances, financial feasibility of development, and compares this to an anticipated population growth scenario. The HBA considers development capacity over the short, medium and long terms being the next 3 years, 10 years and 30 years respectively.<sup>3</sup>
- 29. Required every three years, the HBA was based on the PDP (2022) as notified and drew the following conclusions regarding development capacity in the district:
  - a) In 2023 there were 28,700 households in the district. This number is projected to reach 30,695 by 2028 (increase by 1,995), 32,340 by 2033 (increase by 2,445), and 35,955 by 2053 (increase by 3,615).

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The NPS-UD defines "infrastructure ready capacity" as: Short Term: Immediate availability of infrastructure; Medium Term: Infrastructure either in place or with funding secured in the long-term plan; Long Term: Infrastructure needs identified in the infrastructure strategy.

<sup>2</sup> "infrastructure ready capacity" as defined by the NPS-UD means: Short Term: Immediate availability of infrastructure. Medium Term: Infrastructure either in place or with funding secured in the long-term plan; Long Term: Infrastructure needs identified in the infrastructure strategy.

<sup>3</sup> Housing and Business Development Capacity Assessment. Far North District Council. July 2024. Market economics consulting.



- b) There is a shift in household type towards smaller households over the long term.
  - c) Consistent with recent demand trends, 45% of the demand is directed toward Kerikeri-Waipapa area. Breaking down the growth shows additional demand for Kerikeri - Waipapa estimated at:
    - i. Short term (2023-2026): 535 dwellings
    - ii. Medium term (2026-2033): 1,100 dwellings
  - d) Long term (2033-2053): 1,625 dwellings
  - e) The balance of additional demand is distributed as follows:
    - f) Kaitaia 2.5%
    - g) Kaikohe 2.5%
    - h) Other settlements 30%
    - i) Rural areas 20%
  - j) Plan enabled capacity (PEC), based on the PDP as notified, is estimated between 11,370 and 28,195 dwellings.
30. Despite adequate PEC, housing pressures are expected to remain due to the absence of feasible capacity (FC) at lower price points and in preferred locations and typologies. The report suggests that measures to increase housing choices could help alleviate shortages.
31. The business component of the HBA considers anticipated shifts in economic activity and employment and translates changes in the economy into business land requirements. The HBA has found that, overall, there is sufficient business land (commercial and retail combined) to accommodate short-term demand through the development of vacant land, however, over the medium and long term, a portion of growth must be accommodated by intensifying capacity in existing urban areas.
32. Providing enough zoned land for future urban growth is a key measure of sustainable management and influences how people and communities provide for their social, economic, and cultural well-being and for their health and safety (section 5(2) RMA).

### 3.3.2 Economic Evidence

33. Zoning the right amount of land for development is essential to balancing sustainable growth, minimising, environmental impact, and supporting community needs. Both under-zoning and over-zoning can lead to significant economic and social costs. To assist with a strategic evaluation





of rezoning submissions, Council engaged Economist, Lawrence McIlrath (**Appendix 1**) to comment on the impacts of under-zoning and over-zoning of residential land specifically. In summary these include:

a) Under-zoning

- Rising land and housing prices, reducing affordability.
- Constrained housing supply, slowing construction and economic activity.
- Overburdened existing areas, leading to pressure on services and social conflict.
- Speculation and land banking, delaying housing delivery

b) Over-zoning

- Inefficient infrastructure costs, due to spread-out development.
  - Higher transport costs for households and reduced productivity.
  - Loss of rural land and competing economic uses.
  - Diluted intensification incentives, weakening urban form and public transport viability.
  - Land banking, as development outpaces infrastructure or demand.
  - Environmental harm, with increased emissions and unnecessary land use.
34. Mr McIlrath states it is best practice to align zoning with projected demand, using tools like the HBA<sup>4</sup> and following NPS-UD requirements. The NPS-UD mandates a competitiveness margin to avoid supply constraints. Providing the right amount of development capacity in appropriate locations, backed by infrastructure planning and demand monitoring, ensure economic efficiency and sustainable urban growth.
35. More specific economic analysis relating to the urban and rural rezoning requests will be provided as part of the section 42A reports for Hearings 15C and 15D.

### **3.4 National Policy Statement for Indigenous Biodiversity**

36. The National Policy Statement for Indigenous Biodiversity (NPS-IB) took effect on 4 August 2023. This was after the PDP was notified (27 July 2022), but while it was open for submissions. The objective of the NPS-

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<sup>4</sup> HBA



IB is to maintain indigenous biodiversity so there is at least no overall loss in indigenous biodiversity. The objective is supported by 17 policies. These include Policy 1 and Policy 2 relating to the principles of the Treaty of Waitangi and the exercise of kaitiakitanga by tangata whenua in their rohe.

### **3.4.1.1 Proposed Changes to National Direction**

37. On 29 May 2025 the Government began public consultation on proposed changes to national direction under the Resource Management Act 1991 (RMA). The proposed changes are broad and wide ranging, with amendments to 12 instruments and four new instruments.
38. The packages of changes are:
  - a) Package 1: Infrastructure and development
  - b) Package 2: Primary sector
  - c) Package 3: Freshwater
  - d) Package 4: Going for Housing Growth (released later than the other three packages on 18 June 2025)
39. The changes summarised below are relevant to the rezoning submissions received and evaluated in the section 42A Reports for Hearings 15A to 15D.

### **Package 1: Infrastructure and development**

#### **Proposed New National Policy Statement for Infrastructure**

40. Package 1 includes a proposal for new a National Policy Statement for Infrastructure (NPS-I) that will provide:
  - a) consistent definitions to support the proposed policies
  - b) an objective setting out a range of infrastructure outcomes expected from the resource management system
  - c) general policies to better enable and protect infrastructure, while managing its effects on various environments, and recognising and providing for Māori rights and interests
  - d) policies on managing the interface between infrastructure and other activities
  - e) policies to enable infrastructure while managing its effects on the environment.



41. In summary, Package 1 will:
- a) Cover energy (except where covered by other NPSs), three waters, transport networks and asset, social infrastructure (eg. hospitals, emergency services, defence and corrections facilities), parks, resource recovery or waste disposal facilities, and “green” infrastructure that delivers flood management services.
  - b) Apply to all RMA decisions affecting the operation, maintenance, renewal and upgrade of existing infrastructure, and to development of new infrastructure.
  - c) Require decision-makers to recognise and provide for the benefits of infrastructure, and the functional need or operational need of infrastructure to locate in particular environments.
  - d) Include requirements for addressing the long timeframes and costs of consenting infrastructure projects are proposed.
  - e) Set national requirements for providing for Māori interests.
  - f) Provide nationally consistent direction for assessing and managing adverse effects of infrastructure on the environment and aims to manage the tensions between providing long-term certainty for infrastructure services and providing for compatible housing and other development.

#### **Proposed New National Policy Statement for Natural Hazards**

42. Package 1 also includes a proposal for a new National Policy Statement for Natural Hazards (NPS-NH), with the objective of focusing on the outcome anticipated for natural hazard risk management. In summary, the proposal will:
- a) Apply to seven hazards, namely: flooding, landslips, coastal erosion, coastal inundation, active faults, liquefaction and tsunamis.
  - b) Require local authorities to:
    - i. take a risk-based approach to natural hazard risk of new subdivision, use and development in all environments and zones.
    - ii. take a proportionate approach to natural hazard risk.
    - iii. use best available information in assessing natural hazard risk.
    - iv. Require local authorities to consider the following matters:
    - v. the likelihood of a natural hazard event occurring



- vi. the consequences of a natural hazard event for the activity being assessed
  - vii. existing and proposed mitigation measures
  - viii. residual risk
  - ix. potential impacts of climate change on natural hazards at least 100 years into the future
- c) Include a definition of "significant risks from natural hazards" for the purposes of the NPS-NH and a matrix that identifies levels of natural hazard risk using combinations of defined likelihood levels and levels of consequence. The aim is to provide standardised language/definitions.
- d) Be immediately relevant to the assessment of resource consent applications and to plan changes, however, there is intended to be no short-term requirement for comprehensive plan changes to give effect to the proposed NPS-NH in existing district or regional plans (to minimise the implementation burden on councils).
- e) Be a first step towards more comprehensive national direction for natural hazards in the future.

#### **Proposed National Environmental Standards for Granny Flats (Minor Residential Units)**

43. A new National Environmental Standard for Granny Flats (Minor Residential Units) (NES-GF) is proposed to support the development of granny flats (minor residential units) in identified areas.
44. The intent of the NES-GF is to enable one small, detached, self-contained, single-storey house (minor residential unit) per site for residential use as a permitted activity (as per the National Planning Standards definition of 'minor residential unit'). In summary it will:
- a) Impose standards related to maximum floor area, number of units (1), maximum building coverage per site, and setbacks from boundaries and principal units.
  - b) Apply to residential, rural, mixed-use and Māori-purpose zones, where specified permitted activity standards are met.
  - c) Allow district plan standards to be more lenient than those in the NES-GF.
  - d) Apply existing district plan rules where a development does not meet one or more of the specified permitted activity standards in the NES-GF.



- e) Include a new schedule to the Building Act 2004 to provide a building consent exemption for granny flats up to 60 square metres, subject to a set of conditions. Associated changes will also be made to the Local Government Act 2002.<sup>1</sup>

### **Proposed New National Environmental Standards for Papakāinga**

- 45. The Government is proposing new National Environmental Standards for Papakāinga (NES-P) to permit limited scale papakāinga development (up to 10 homes) on certain types of land in rural zones, residential zones and Māori-purpose zones. In summary it will:
  - a) Apply to Māori freehold land, Māori customary land, Māori reservations and reserves, former land that was compulsorily converted under the Māori Affairs Amendment Act 1967 and returned land taken for public works.
  - b) Permit non-residential activities ancillary to the residential activities of the papakāinga (e.g. limited commercial activities).
  - c) Include standards relating to building coverage and setbacks from boundaries depending on the zone.
  - d) Provide that where permitted activity standards are not met, 11-30 residential units are proposed, or proposal relates to Treaty settlement land, the proposal will be a restricted discretionary activity.
  - e) Provide for all other (larger) Papakāinga as a discretionary activity.

### **Package 2: Primary sector**

#### **Proposed changes to National Policy Statement for Highly Productive Land**

- 46. A range of changes to the National Policy Statement for Highly Productive Land (NPS-HPL) are proposed. A summary of the proposed changes is provided below:
  - a) It is proposed that LUC 3 class land will be removed from the definition of highly productive land and will therefore not be covered by the NPS-HPL.
  - b) It provides for new special agricultural areas (SAA), intended to recognise that some areas important for primary production may be compromised by the removal of LUC 3 class land from the definition of highly productive land.
  - c) Depending on consultation, further amendments to how HPL is defined may be considered.



- d) Changes to the timeframes for mapping HPL in regional policy statements to either extend the timeframes to 2027 or 2028 or suspend mapping requirements until further direction is provided in the replacement resource management system.

### **Proposed changes to New Zealand Coastal Policy Statement**

- 47. A range of amendments to the New Zealand Coastal Policy Statement (NZCPS) are proposed. These include:
  - a) Better enabling priority activities (i.e., specified infrastructure, renewable electricity generation, electricity transmission, aquaculture and resource extraction) while still protecting the environment.
  - b) Policy 6 to be amended to be more directive, which will make it easier to give consent to priority activities in the coastal environment, and to expand the functional needs test into a 'functional or operational needs' test.
  - c) Changes intended to better enable aquaculture activities, particularly to Policy 8.

### **Package 3: Freshwater**

- 48. The consultation document for Freshwater proposes amendments to the National Policy Statement for Freshwater Management 2020 (NPS-FM) and the National Environmental Standards for Freshwater (NES-F) to 'better reflect the interests of all water users'.
- 49. The key proposal includes consideration of whether to replace the NPS-FM's single objective (clause 2.1 of the NPS-FM, which establishes a hierarchy of obligations) with multiple new objectives. The potential new objective proposed is one that will direct councils to safeguard the life-supporting capacity of freshwater and the health of people and communities while enabling communities to provide for their social, cultural and economic well-being, including productive economic opportunities. This objective would not operate as a hierarchy but would require councils to provide for these matters equally within their planning documents.
- 50. The proposal also includes consideration of rebalancing Te Mana o te Wai and considering options for more implementation flexibility.
- 51. The document notes that the Government has already paused regional councils' ability to notify freshwater planning instruments while it is working through changes to national direction and a significant reform programme to replace the RMA. Feedback is also sought on timing for implementation changes.



#### **Package 4: Going for Housing Growth**

52. The Going for Housing Growth programme, released as discussion documents for feedback on 18 June 2025, seeks to progress the key policy and regulatory changes needed to address issues associated with the barriers to housing supply. Going for Housing Growth is structured around three pillars, which span a range of legislation and work programmes across government. These are:
- a) Pillar 1 – Freeing up land for urban development, including removing unnecessary planning barriers.
  - b) Pillar 2 – Improving infrastructure funding and financing to support urban growth.
  - c) Pillar 3 – Providing incentives for communities and councils to support growth.
53. At the time of writing this report, the Government is currently only consulting on Pillar 1 of Package 4. The Pillar 1 proposals are intended to increase development capacity available for housing and business uses, improve land use flexibility, remove unnecessary planning barriers, and provide for well-functioning urban environments. The changes are aimed at ensuring that councils are providing an abundance of development capacity, including in areas of high demand and accessibility, while providing more certainty for councils and communities about what is required.

### **3.5 Council's Response to Current Statutory Context**

54. The evaluation of submissions and recommendations in this report are based on the current statutory context (that is, giving effect to the current National Policy Statements). We note that the proposed amendments and replacement National Policy Statements do not have legal effect until they are adopted by Government and formally gazetted, which is currently scheduled to occur by end of 2025 (though timing may change).
55. Sections 55(2A) to (2D) of the RMA set out the process for changing District Plans to give effect to National Policy Statements. A council must amend its district plan to include specific objectives and policies or to give effect to specific objectives and policies in a National Policy Statement if it so directs. Where a direction is made under Section 55(2), Councils must directly insert any objectives and policies without using the Schedule 1 process and must publicly notify the changes within five working days of making them. Any further changes required must be done through the RMA schedule 1 process (such as changing rules to give effect to a National Policy Statement).
56. Where there is no direction in the National Policy Statement under Section 55(2), the Council must amend its district plan to give effect to the



National Policy Statement using the RMA schedule 1 process. The amendments must be made *as soon as practicable*, unless the National Policy Statement specifies a timeframe. For example, changes can be made by way of a Council recommendation and decision in response to submissions, if the submissions provide sufficient 'scope' to incorporate changes to give effect to the National Policy Statements.

57. The Council reporting officers have been mindful of the above when making recommendations to ensure any recommendations are to give effect to current National Policy Statements, at the time of writing the report, and are either within scope of the powers prescribed under Section 55 of the RMA or within the scope of relief sought in submissions.

### **3.5.1 Other Statutory Documents**

58. Under section 74 of the RMA, when preparing or changing a plan, a territorial authority is required to have regard to any management plans and strategies prepared under other Acts.

#### **3.5.1.1 Treaty Settlements**

59. There have been no further Deeds of Settlement signed to settle historic Treaty of Waitangi Claims against the Crown, in the Far North District, since the notification of the PDP.

#### **3.5.1.2 Iwi Management Plans – Update**

60. Ngā Tikanga mo te Taiao o Ngāti Hine' the Ngāti Hine Environmental Management Plan was in draft form at the time of the notification of the PDP. This was updated, finalised and lodged with the Council in 2022, after notification of the PDP in July 2022. The Ngāti Hine Environmental Management Plan provides the following direction that is relevant to consideration of rezoning submissions:
  - a) Ngāti Hine kaitiakitanga seek to be recognised by external stakeholders who are responsible for the respective responsibilities of resource management.
  - b) Further development of land resources within the rohe of Ngāti Hine should not be at the expense of the ancestral relationship of Ngāti Hine with that land, their culture and heritage as well as the environment.
  - c) Urban growth (3.8 population growth and movement) is significant to Ngāti Hine who have seen significant changes to their papakainga, whenua and home. They believe growth to date has been opportunistic, sporadic and developer driven and has seen the necessary infrastructure always playing catch-up. To resolve these issues Ngāti Hine seek that:
  - d) Ngāti Hine will continue to work collaboratively with decision makers and those who have an interest in the development of their rohe.





- e) Decision makers fully recognise that the rohe is Ngāti Hines home and that Ngāti Hine are ahikaa, rangatira and kaitiaki. No development will progress without prior consultation and meaningful engagement with Ngāti Hine.
  - f) Ngāti Hine supports planning initiatives where development of urban centres is in a manner and at a rate which ensures adequate infrastructure is in place before development occurs. Ngāti Hine requires ongoing engagement throughout any processes of development.
  - g) Ngāti Hine supports low impact design and innovative solutions which improve the quality of urban centres and their rohe generally. Where the landscape, taonga and resources are maintained as much as possible.
  - h) Ngāti Hine to participate in spatial planning with Councils to identify strategic areas for development (i.e. impacts of climate change on coastal areas).
  - i) Ngāti Hine seek to collaborate with decision-makers to prepare for climate change.
  - j) An issue raised by Ngāti Hine is the loss of productive soil use through the re-zoning of land without consultation with tangata whenua. Ngāti Hine do not provide direction in their policies on how this is to be achieved.
61. The Ahipara Takiwā Environmental Management Plan was in draft form at the time of the notification of the PDP. This was updated, finalised and lodged with Council in 2023, after notification of the PDP in July 2022. The Environmental Management Plan provides direction that is relevant to consideration of rezoning:
- a) The Environmental Management Plan raises concerns relating to land uses, including the loss of productive land to residential developments, and the consequential erosion and loss of soils to the marine environment.
  - b) In regard to water and the coastal environment, Ahipara Takiwā seek that subdivision and other land developments ensure no discharge enters the beach.
  - c) In terms of land, Ahipara Takiwā seek that holistic land management is encouraged (ki uta ki tai), this includes discouraging inappropriate subdivision and development in culturally significant and highly visible landscapes and requiring local government to take into account protection of mana whenua values including water requirements when considering subdivisions and other developments within the takiwā.



- d) In terms of population growth and movement:
- e) Ngā Marae o Ahipara want to work collaboratively with decision makers and those who have an interest in the development of their rohe.
- f) Decision makers shall fully recognise that this rohe is Ahipara Takiwā's home and that Ngā Marae o Ahipara are ahikaa, rangatira and kaitiaki.
- g) No development will progress without prior consultation and meaningful engagement with Ngā Marae o Ahipara.
- h) Ngā Hapū o Ahipara supports planning initiatives that will ensure that development of residential areas is in a manner and at a rate which ensures adequate infrastructure is in place before development occurs. Ongoing meaningful discussion and consultation is required.
- i) Ahipara Takiwā seek to participate in spatial planning with Councils to identify strategic areas for development (i.e. impacts of climate change on coastal areas).

### 3.5.2 National Planning Standards

- 62. The National Planning Standards determine the sections that should be included in a District Plan, including Zone names and descriptions (Table 13 of the Zone Framework Standard). A zone spatially identifies and manages an area with common environmental characteristics or where environmental outcomes are sought, by bundling compatible activities or effects together, and controlling those that are incompatible.
- 63. The National Planning Standards requires that a District Plan must only contain the zones listed in Table 13 and be consistent with the description of those zones, except for a special purpose zone when Direction 3 is followed. Direction 3 reads:

*An additional special purpose zone must only be created when the proposed land use activities or anticipated outcomes of the additional zone meet all of the following criteria:*

- a. are significant to the district, region or country*
  - b. are impractical to be managed through another zone*
  - c. are impractical to be managed through a combination of spatial layers.*
- 64. **Table 2** in this Report (contained in **Appendix 2**) includes an outline of spatial layers available, their description (according to the National



Planning Standards) and, if they are used, where they should be located in the PDP.

65. The selection of zones used in the PDP and our recommended amendments in the rezoning section 42A reports follow this National Planning Standards direction.

### **3.6 Other Relevant Plans, Strategies and Policies**

#### **3.6.1 Te Pātukurea Kerikeri-Waipapa Spatial Plan**

66. Under section 74 of the RMA, the Council is required to have regard to any management plans and strategies prepared under other Acts, including Te Pātukurea, the Kerikeri-Waipapa Spatial Plan (KKWSP).
67. The KKWSP is a non-statutory document that sets out how Council will manage growth in the area around Kerikeri-Waipapa by identifying areas appropriate for housing, business and industry. The KKWSP serves as a blueprint for future planning and investment for the area. The KKWSP was adopted by Council on 18 June 2025.
68. The KKWSP is particularly relevant for the Kerikeri-Waipapa area but may have some influence on rezoning recommendations for other areas near Kerikeri-Waipapa. The reason it may influence outcomes of these submissions is because the growth pressure or need to provide for sufficient development capacity may be accommodated in Kerikeri-Waipapa and rezoning of land that is near Kerikeri-Waipapa could undermine the growth objectives and outcomes of the KKWSP.
69. The growth projections used in the KKWSP are based on a high growth, blue skies approach, which will see Kerikeri-Waipapa grow to an estimated population of 25,000 by 2054. Within this timeframe and under this high growth scenario, it has been identified that 4,690 additional dwellings<sup>5</sup>, 18.5 hectares of commercial land and 4.7 hectares of industrial land will be required.
70. The high growth, blue skies approach was used for KKWSP because:
  - a) Historically, population growth in Kerikeri-Waipapa has outstripped population projections.
  - b) An aspirational approach with planning for higher-than-expected growth allows council to effectively respond to higher levels of population growth along with planning for infrastructure to service growth (in essence it is easier to slow down than to speed up, if population growth does not follow the high growth).

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<sup>5</sup> Additional to existing dwellings.



- c) Central Government direction to use Stats NZ's high growth projections for planning.
71. The KKWSP shows areas that are appropriate for residential, industrial and commercial growth, with the aim of providing a diverse range of housing types outside of potential hazard zones, supporting the economies of both Kerikeri and Waipapa town centres, and opening up new opportunities to access nature. The key elements of the KKWSP include:
- a) Directing growth to within and immediately adjacent to the existing built-up environments of Kerikeri and Waipapa and away from rural areas.
  - b) Establishing walkable catchments to support a compact and sustainable urban form.
  - c) Providing for 20-40% of residential growth through intensification, enabling medium-density development within established centres in Kerikeri and Waipapa, where appropriate. This approach supports greater housing choice and affordability by allowing for duplexes, terraces, and walk-up apartments.
  - d) Enabling commercial and industrial growth in Kerikeri, which supports its role as the key economic hub for the district.
  - e) Enabling appropriate commercial and industrial growth in Waipapa in a way that does not reduce the economic vitality of Kerikeri.
  - f) Identifying new transport connections, local green spaces, and recreational and community facilities, along with enhancements to 'blue-green' networks, to support the health and wellbeing of Te Awa o ngā Rangatira and associated wai (water) and repo (swamp/marsh), while also enhancing biodiversity.
  - g) Enabling town-centre growth and intensification of commercial development in both Kerikeri and Waipapa, including promoting a more functional layout for large-format retail within the two townships.
  - h) Appropriately accounting for additional land necessary for industrial uses and infrastructure.
72. The adopted KKWSP contains a long-term growth scenario for greenfield land that combines elements of two growth scenarios: Scenarios D (Kerikeri south focussed expansion) and E (Waipapa focussed expansion). However, Council also acknowledged feedback received during consultation in support of an alternative growth proposal known as Scenario F (Kerikeri Northwest Expansion). This proposal, led by a private developer, involves greenfield development in the northwest of Kerikeri



and includes potential flood mitigation infrastructure and fully developer funded services.

73. To reflect those submissions and acknowledge the potential of the proposal, Scenario F has been identified in the KKWSP as a conditional, developer-led future growth area, specified as a **contingent future growth area**. This means that the area may be considered for live urban zoning in the future, but only if a number of conditions are met. Including Scenario F as a contingent future growth area does **not** change the adopted growth scenario or infrastructure planning decisions made through the KKWSP. Any formal incorporation of the contingent future growth area in the future would require further consultation or spatial plan review if needed. This approach ensures the adopted plan remains focused and deliverable, while keeping the door open to future opportunities that meet clear criteria.
74. As stated above, the KKWSP is a matter that should be “had regard to” under Section 74(2)(b)(i) of the RMA when making recommendations in response to submissions on the PDP (to the extent that any amendments recommended are within the scope of submissions on the PDP). As signalled at Hearing 14, Ms Trinder is recommending a new Medium Density Residential Zone and a Town Centre Zone within Kerikeri to align with the outcomes of the Kerikeri-Waipapa Spatial plan, as submissions on the PDP provide scope to make these changes.
75. The officers will consider consistency with KKWSP when evaluating the rezoning submissions for Hearings 15C and 15D (see Table 5 guiding principles / criteria).

### 3.6.2 Draft Development Contributions Policy

76. The PDP does not currently include financial contributions. Council ceased to take development contributions from July 2015 as a means of encouraging development and growth in the Far North. Currently all growth-related infrastructure is primarily funded by ratepayers and external infrastructure funding through various Government Agencies / Departments and formalised development agreements. The Far North District is now experiencing sustained growth, requiring significant investment in infrastructure. In response, Council is currently preparing to reintroduce development contributions to ensure those undertaking development contribute fairly to the costs associated with growth. To require and collect development contributions Council must have a development contributions policy that complies with and is adopted under the LGA. At the Council meeting scheduled for 31 July, the Council is considering the new draft Utu Whakawhanake – Development Contributions Policy 2025. If Council adopts the draft Policy, public consultation in accordance with the special consultative procedure under section 83 of the Local Government Act 2002 would occur in August 2025.



### **3.7 Procedural matters**

#### **3.7.1 Panel Minute 14 and Reverse Timetable Process**

77. The Hearing Panel directed a 'reverse timetable' process for rezoning submissions via Final Panel Minute 14 which set out a clear and robust process for the exchange of information to support requested rezoning and a timeframe to evaluate the submission, to assist with an efficient and effective hearing process for all parties. 49 submitters decided to "opt-in" to the reverse timetable process and provided evidence to support their rezoning submission in accordance with the evidence exchange timetable provided in Attachment 2 to Minute 14. The final version of Minute 14 notes that, where submitters have chosen to "opt in", Council officers are able to directly approach submitters on a 'without prejudice' basis at their discretion. See Section 4.1 of this report for further information on the Reporting Officer's methodology and process for evaluating submissions, in accordance with the direction from the final version of Minute 14.

#### **3.7.2 Pre-hearing Engagement with Submitters**

78. Pre-hearing informal engagement with submitters has been undertaken for several rezoning submissions and the outcomes of these discussions are recorded in the individual section 42A reports for the corresponding hearing stream.

#### **3.7.3 Proposed Plan Variation 1**

79. FNDC notified Proposed Plan Variation 1 (Minor Corrections and Other Matters) for public submissions on 14 October 2024. The submission period closed on 12 November 2023. Proposed Plan Variation 1 makes minor amendments to; correct minor errors, amend provisions that are having unintended consequences, remove ambiguity and improve clarity and workability of provisions. This includes amendments to the zoning of some properties, and the Coastal flood hazard areas.
80. Submissions received on the Plan Variation 1 proposal to rezone land from General Residential to Kororāreka Russell Township will be evaluated as part of Hearing 15C. One submission in support of correcting errors with Open Space zoning through Plan Variation 1 will be addressed in Hearing 15A.

## **4 Consideration of submissions received**

### **4.1 Officer's Methodology and Criteria**

81. **Appendix 2** to this report contains a series of tables that Council officers are using as guidance for their evaluation of the rezoning submissions:
- a) **Table 2** and **Table 3** below list the general guidance criteria used to evaluate rezoning submissions, consistent with the direction that the



Hearing Panel provided in Final Minute 14: Rezoning Criteria and Process.

- b) **Table 4** provides the Spatial Layers Evaluation Framework. This framework sets out the spatial layers available under the National Planning Standards, to assist officers to evaluate submissions, including Special Purpose Zone requests, and identify the most appropriate option to address issues, considering the benefits of costs of options. It is acknowledged that recommendations on the most appropriate spatial layer are dependent on site-specific circumstances, explained in greater detail in the relevant section 42A reports.
  - c) **Table 5** provides the Urban Rezoning Evaluation Framework. This framework has been applied to consideration of submissions requesting urban zoning. For a property to be suitable for urban zoning it should meet the relevant criteria set out in Table 5 (Category 1 (A to E)).
  - d) **Table 6** provides the Rural Rezoning Evaluation Framework. This framework has been applied to consideration of submissions requesting a different rural zone to that which was notified in the PDP. For a property to be suitable for a change in rural zoning it should meet the relevant criteria set out in Table 6 (Category 1 (A to D)).
82. In considering rezoning requests, the officers have also given consideration to the submission point S359.013 by Northland Regional Council who not support further intensification in flood plains given storm/flood events are predicted to intensify with climate change, because enabling further development in areas prone to flooding is at odds with direction in the Regional Policy Statement Policy 7.1.2 and Method 7.1.7.
83. The evaluation frameworks, criteria and matters listed above and included in **Appendix 2** are intended to be used as a guideline and are not exhaustive or complete in all circumstances. The nature of information required to evaluate a rezoning submission varies depending on the particular circumstances. Other relevant matters, such as Council strategies or previously granted consents, have also been considered where appropriate, as part of the evaluation of submissions in the individual reports. In some cases, officers have relied on technical information associated with a granted resource consent application, where a rezoning submission is consistent with the granted resource consent.
84. Using the frameworks and criteria described above, officers will assess the costs and benefits of accepting rezoning requests and then use that evaluation to provide an overall recommendation to the Panel.
85. The officers note that the onus is on the submitter to provide sufficient evidence to support and justify their rezoning request (as per Minute 14). In some circumstances, although officers may see merit in the rezoning submission, if they have insufficient information to make a fully informed



recommendation they may make an interim recommendation to reject the submission point. Officers may reconsider their position if the submitters provide evidence to support and justify their rezoning request in accordance with the Minute 14 criteria (or in relation to information gaps identified using the criteria in **Appendix 2**) at the hearings.

86. The specific section 42A reports for each rezoning hearing stream may group, consider and provide reasons for the rezoning recommendations where there are similar matters raised in submissions or where there is a consistent rationale for the recommendation that applies to multiple submissions.
87. Where changes to zoning are recommended, these will be evaluated in accordance with section 32AA of the RMA. The section 32AA further evaluations generally consider:
  - e) The reasonably practicable options for achieving the PDP objectives.
  - f) The environmental, social, economic and cultural benefits and costs of the zoning or requested zone change.
  - g) The efficiency and effectiveness of the zoning or requested zone change and whether it would achieve the relevant objectives.
  - h) The risk of acting or not acting where there is uncertain or insufficient information about the requested zone change.
88. Finally, the section 32AA evaluations also summarise the reasons for the recommendation. Each section 32AA further evaluation contains a level of detail that corresponds to the scale and significance of the anticipated effects of the changes that are recommended.

## 5 Rezoning Submissions Hearing Structure

89. The rezoning submissions have been categorised into four sub-hearings, as set out in Final Panel Minute 14 and referenced in Table 1 below. The officers will prepare section 42A Reports for each hearing with a recommendation on the rezoning submissions. These reports should be read in conjunction with this Overview Report.

**Table 1 Hearing Streams for Rezoning Submissions**

Hearing Stream	Nature of Submissions	Dates		Reporting Officer(s)
15A Rezoning General, Kauri Cliffs &	General Rezoning Requests - Māori Purpose (outside of Kerikeri-Waipapa Spatial Area) General Rezoning Requests	Monday August	25 – 26	Theresa Burkhardt



Hearing Stream	Nature of Submissions	Dates	Reporting Officer(s)
Carrington Estate	- Open Space (outside of Kerikeri-Waipapa Spatial Area) General Rezoning Requests - Existing Special Purpose except Horticulture (outside of Kerikeri-Waipapa Spatial Area)  Kauri Cliffs and Carrington Estate	August 2025 (2 days)	Chloe Mackay  Jerome Wyeth
15B Rezoning – New Special Purpose Zones	Submissions seeking new Special Purpose zones including Waitangi Estate, Mataka Station, The Landing Precinct, Wiroa Station, Omarino SPZ, Henderson Bay SPZ, Bay of Islands Marina, Ngawha Springs, Motukiekie Island	Monday 1 September – Thursday 4 September 2025 (4 days)	Jerome Wyeth  Kenton Baxter  Lynette Morgan
15C: Rezoning General	General Rezoning Requests - Urban (outside of Kerikeri Waipapa Spatial Area)  General Rezoning Requests - Rural ( <i>including those relating to Rural and Horticulture Zones within KKWSP</i> )	Monday 29 September – Thursday 2 October 2025 (4 days)	Sarah Trinder  Melissa Pearson  Jerome Wyeth
15D: Rezoning Kerikeri-Waipapa	Rezoning requests for land within or partially within the Kerikeri - Waipapa Spatial Plan Study Area (excluding Rural zone requests and Horticulture Zone related requests which are dealt with in Hearing 15C).	Monday 6 October – Wednesday 8 October 2025 (3 days)	Sarah Trinder  Jerome Wyeth

## 6 Conclusion

90. This report provides:

- a) An overview of the statutory context (where this has changed since the section 32 reports were originally prepared) within which the rezoning submissions must be considered. This is the context that the officers have considered when making recommendations on the submissions received.
- b) An overview of the process that officers have followed when evaluating rezoning submissions, including the criteria and process set out in Hearing Panel Minute 14.



- c) An overview of the hearing topics for each of the rezoning hearings and the types of submissions being considered in each topic.
- 91. Separate section 42A reports for Hearings 15A – 15D evaluate and make recommendations on the rezoning requests for individual zones. These reports should be read in conjunction with this Rezoning Overview Report.

**Recommended by:** Sarah Trinder, Senior Policy Planner, Far North District Council and  
Melissa Pearson, Principal Planner, SLR Consulting Ltd

**Approved by:** James R Witham – Team Leader District Plan, Far North District Council.

**Date:** 28 July 2025