

IN THE MATTER OF

The Resource Management Act 1991 ("the Act")

AND

IN THE MATTER OF

the Far North Proposed District Plan

AND

Paradise Found Developments Limited (S346.001,
S346.004)

Submitter

Memorandum of Counsel
For Paradise Found Developments Limited

3 September 2025

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BARRISTER

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By Arrangement

May it Please the Hearings Panel:

1. This memorandum is on behalf of Paradise Found Developments Limited who has made a submission and a further submission on the Proposed District Plan. In essence, Paradise Found Developments Limited seeks a special zoning for Wiroa Station at 40 McKenzie Road, Purerua Peninsula, Kerikeri; and legally described as Lots 1-21 DP 497523.
2. The purpose of this memorandum is to seek an amended hearing timetable, allowing the submitter to be heard at a later date; ideally at the end of the hearing schedule in November 2025.

Background

3. Several resource consents have been granted at Wiroa Station, enabling development and subdivision of the Property, the principle one of which is RC 2160044-RMAVAR/A.
4. Wiroa Station is a comprehensive development of 21 Lots, in a farm-park type development totalling some 90ha. Residential development is consented on those lots, 20 of which are around 4000m² in area. The balance of the property (Lot 14) is some 88.5ha and is held for farming, conservation and ecological purposes. The submitters owns Lot 14 and the majority of the remaining lots.
5. Whilst the resource consents have been given effect to, and remain live, some of the provisions in the Proposed District Plan (and the subject of the submission), are restrictive and do not recognise the development currently authorised. Consequently, a special zone, reflecting the underlying resource consents is being sought.
6. A similar issue arises for Mataka Station (submitter #) over which a special zoning has been sought.
7. The submitter has been allocated to Hearing Stream 15B.

8. Due to extra-ordinary circumstances, the submitter has not been able to satisfy the Council's timetable (for the exchange of expert views and evidence), or to attend the hearing time allocated this week to hearing stream 15B.
9. The s42A report appreciates the circumstances for Wiroa Station, but notes that there is insufficient information and evidence to support the relief of a special zone, or similar¹.
10. Those circumstances are commercially sensitive and are set out in the following section of this memorandum to the Panel on a confidential basis (paragraphs 11-17). A redacted version of this memorandum is provided for publication, however, the following paragraphs(11-17) must remain confidential to the Panel.

Circumstances of Delay

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

¹ s42A Report, 15B at 141

[REDACTED]

[REDACTED]

[REDACTED]

■ ■ [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

■ [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

17. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Way Forward

18. Wiroa Station was consented, and developed, in a very similar way to Mataka Station, and by the same development entity.
19. From reviewing the s42A Report and discussion with Jerome Wyeth (who is reporting on this submission), it is apparent that a Special Zone, could be developed in an acceptable fashion for Wiroa Station. The provisions, and justification, would likely be similar to those that have been put forward (and are supported by Mr Wyeth) for Mataka Station, and rest primarily on the assessment and resource consents that are currently in-hand.
20. Although a very unfortunate circumstance, the submitter respectfully requests additional time to prepare the assessment and provisions, sufficient to support a Special Zone for Wiroa Station. Whilst it is recognised and understood that the hearing schedule has already been set, and is

relatively constrained, the most suitable opportunity would be in Hearing 17 (4-6 November 2025).

21. The submitter has now engaged expert advice to assist. The desire would be to develop a set of provisions, and s32 analysis, very similar to those for Mataka Station, which are accepted and supported by Council's reporting planner, prior to the submission being heard. Hopefully an agreed position can be reached, thus reducing hearing time and complication. Deferring the hearing until November, would give the most time possible.
22. I recognise, of course, that the submitter will have rights of appeal in due course, and this submission could be dealt with, if needs be, within that process. However, that is far from ideal.
23. Having regard to the available time, and issues, I suggest the following timetable be directed:
 - (i) Submitter to file evidence for their rezoning submission (addressing the relevant criteria and s32AA evaluation by 3 October 2025;
 - (ii) Reporting Officer to provide s42A Report by 17 October 2025 (2 weeks)
 - (iii) Any rebuttal evidence to be provided by 31 October 2025 (2 weeks)
 - (iv) Hearing during 4 – 6 November 2025.
24. I am happy to attend a Directions conference if needs be, and thank the Panel for their indulgence.

A handwritten signature in blue ink, appearing to read 'Julian Dawson', with a stylized flourish.

Julian Dawson – Barrister

Counsel for Paradise Found Developments Limited

