

## PROPOSED FAR NORTH DISTRICT PLAN

### DRAFT MINUTE 14 OF THE INDEPENDENT HEARINGS PANEL

#### Rezoning Criteria and Process

#### INTRODUCTION

1. The purpose of this minute is to set out the process and criteria to hear and consider 'rezoning' submissions on the Far North Proposed District Plan (**PDP**). The minute is circulated as a draft to allow submitter feedback prior to it being finalised. The intent is to outline the information needed to support rezoning requests and also to provide submitters with clarity on the process leading up to the rezoning hearings. These hearings are scheduled to take place over four sub-hearings (Hearings 15A to 15D) from 25 August to 8 October 2025.

Council officers have advised that there are approximately 420 original submissions requesting rezoning ranging from requests to rezone individual properties through to requests for new special purpose zones. It is therefore important to have a clear and robust process for the exchange of information to support requested rezoning and a timeframe to evaluate these submissions to assist with an efficient and effective hearing process for all parties.

2. Minute 8 of the Hearing Panel confirmed a [revised hearing schedule](#) for the PDP hearings which includes the four separate rezoning hearings (Hearing 15A to 15D). The reporting topics and nature of the submissions allocated to each topic is provided in **Attachment 1** to this minute. Submitters are reminded that Council has also provided a [Summary of Decisions Requested tool](#) available on the '[Hearings Information tab](#)' at [pdp.fndc.govt.nz](http://pdp.fndc.govt.nz). This allows submitters to see how original submissions have been summarised, what further submissions have been made on each submission point, and which reporting topic each submission point has been allocated to.
3. The nature of some of the rezoning requests means that additional time will be needed to prepare and review evidence, which may need to address a wide range of technical matters. Further, rezoning requests are site-specific and require site-specific assessments to be undertaken. We are also conscious of our obligations under section 32 of the RMA to examine the proposals for their appropriateness in achieving the purpose of the RMA and for their benefits, risks and effects on the community, the economy, and the environment. We consider that this is the responsibility of submitters requesting the rezoning and not the Council. We therefore direct that the standard PDP process for information/evidence exchange is 'reversed' for the rezoning hearings which is an approach that has been adopted for rezoning hearings in other District Plans.

Our suggested process and timeframe for information/evidence exchange is as follows:

- **16 weeks before hearing (earlier if possible)** – submitters file their evidence for their rezoning submission, addressing the criteria below as applicable and providing supporting section 32AA evaluation.
- **12 weeks before hearing** – further submitters supporting or opposing the rezoning submission file their evidence.
- **4 weeks before hearing** - reporting officers provide section 42A report for the rezoning sub-topic.
- **2 weeks before hearing** – submitters requesting rezoning can file rebuttal evidence.

For specific dates associated with the scheduled rezoning hearings please see **Attachment 2**.

4. The tables below set out the evaluation criteria both for general rezoning requests and for special purpose zone requests. The purpose of these criteria is two-fold:
- For submitters to address and demonstrate in their pre-circulated evidence and hearing statements
  - For reporting officers to use in their assessment of the rezoning requests and section 32 evaluation reporting.

#### General criteria for rezoning submissions

Criteria	Matters to be addressed
Strategic direction	<ul style="list-style-type: none"> <li>• How the rezoning request is consistent with the PDP strategic direction (refer Hearing 1)</li> </ul>
Alignment with zone outcomes	<ul style="list-style-type: none"> <li>• When rezoning request relates to existing PDP zone, an assessment of how the proposal is aligned with the objectives, policies and intended outcomes for the zone</li> </ul>
Higher order direction	<ul style="list-style-type: none"> <li>• How the request “gives effect to” higher order documents in accordance with section 75(3) of the RMA?</li> <li>• Consideration of all relevant national policy statements, the national planning standards, and the Northland Regional Policy Statement.</li> </ul>
Reasons for the request	<ul style="list-style-type: none"> <li>• The reasons for the rezoning request, including an assessment of why the notified zoning is not appropriate for the subject land.</li> </ul>
Assessment of site suitability and potential effects of rezoning	<ul style="list-style-type: none"> <li>• Assessment of the suitability of the land for rezoning, including an assessment of: <ul style="list-style-type: none"> <li>○ The risks from natural hazards (refer Part 2 – District Wide Matters)</li> <li>○ Effects on any natural environment values, historic heritage, coastal environment, or other PDP overlay (refer Part 2 – District Wide Matters)</li> <li>○ Effects on surrounding sites, including compatibility of the rezoning with surrounding land-uses and potential reverse sensitivity effects.</li> </ul> </li> </ul>
Infrastructure (three waters) servicing	<ul style="list-style-type: none"> <li>• How the rezoning request (including subdivision and development potential enabled by the request) will be supported by adequate</li> </ul>

	<p>infrastructure servicing. This assessment should set out, as applicable:</p> <ul style="list-style-type: none"> <li>○ Any proposed connections to existing infrastructure systems. <ul style="list-style-type: none"> <li>▪ Any outcomes of discussions with infrastructure providers and any assumptions about infrastructure servicing/sequencing or capacity, including demands from other plan-enabled development.</li> <li>▪ Any on-site provision of infrastructure.</li> </ul> </li> </ul> <p>Note: if the rezoning request would result in any substantive demand on Council's infrastructure or alternative bulk infrastructure solutions, we encourage submitters to engage with Council infrastructure staff during preparation of submitter evidence.</p>
Transport infrastructure	<ul style="list-style-type: none"> <li>• How the rezoning request will be supported by existing or proposed transport infrastructure, including how new or upgraded transport infrastructure is required.</li> </ul> <p>Note: if the rezoning request includes any access to a State Highway, engagement with Waka Kotahi is strongly encouraged, and the outcomes of this engagement should be recorded in evidence.</p>
Consultation and further submissions	<ul style="list-style-type: none"> <li>• Any consultation undertaken with key stakeholders or tangata whenua in relation to the rezoning request.</li> <li>• A list of any further submissions on the rezoning request and a response to those further submissions</li> </ul>
Section 32AA evaluation	<ul style="list-style-type: none"> <li>• How the rezoning request is a more appropriate, effective and efficient way to achieve the PDP objectives (compared to the notified zoning) in accordance with section 32AA of the RMA</li> </ul>

### Additional criteria for special purpose zone (SPZ) requests

Criteria/information	Matters to be addressed
National planning standards criteria	<ul style="list-style-type: none"> <li>• How the SPZ meets all of the following three criteria for additional special purpose zones in the national planning standards (8.3), i.e. the activities or outcomes sought from the SPZ are: <ul style="list-style-type: none"> <li>○ Significant to the district, region or country; and</li> <li>○ Impractical to be managed through another zone; and</li> <li>○ Impractical to be managed through a combination of spatial layers.</li> </ul> </li> </ul>
Relationship with Part 2 – District Wide Matters	<ul style="list-style-type: none"> <li>• How the SPZ is intended to interact with the provisions in Part 2 – District Wide Matters, including more stringent rules for overlay areas (e.g. coastal environment, natural features and landscape etc.)</li> </ul>
Consultation on the SPZ proposal	<ul style="list-style-type: none"> <li>• An assessment of parties directly affected by the SPZ proposal, any consultation undertaken, and any further consultation proposed</li> </ul>
SPZ provisions	<ul style="list-style-type: none"> <li>• The requested SPZ provisions (objectives, policies, rules, matters of control/discretion and standards), which should be consistent with other PDP zone chapters</li> </ul>

Section 32AA evaluation

- A section 32AA evaluation that assesses (compared to the PDP provisions):
  - How the SPZ objectives are the most appropriate way to achieve the purpose of the RMA
  - How the SPZ provisions are the most appropriate to achieve the SPZ objectives

### Next steps

The Hearing Panel acknowledges the significance that this change in the sequence of evidence has on the hearing process going forward. In that regard this minute is circulated as a draft, and we invite comments from submitters prior to making a final determination. We therefore direct the following process:

- We invite comment from submitters until 18 November 2024;
- The Hearing Panel will take submitter comments into account and finalise the minute for release by 2 December 2024.

The Hearing Panel considers that the above timeframe would provide the submitters with a six-month period to prepare their evidence (in advance of Hearing 15A) which we consider is reasonable and sufficient.

5. Please submit any comments to the Submissions & Hearings Administrator using the following email address:

[alicia-kate.taihia@fndc.govt.nz](mailto:alicia-kate.taihia@fndc.govt.nz)

6. If you have any questions regarding this Minute, please contact the Hearings Administrator Alicia-Kate (AK) Taihia - Submissions & Hearings Administrator District Plan: [alicia-kate.taihia@fndc.govt.nz](mailto:alicia-kate.taihia@fndc.govt.nz) or (09)4015247.



Robert Scott  
Hearings Panel Chairperson

31 October 2024

## ATTACHMENT 1: REZONING HEARING SCHEDULE AND TOPIC ALLOCATION

Hearing Stream	Reporting Topics	Nature of submissions allocated to this topic	Hearing Dates
Hearing 15A: Rezoning General & Kauri Cliffs	Kauri Cliffs Special Purpose Zone & Rezoning Requests – Māori Purpose, Open Space, Existing Special Purpose Zones (except Horticulture & Horticulture Processing)	General Rezoning Requests - Māori Purpose (outside of Kerikeri-Waipapa Spatial Area) General Rezoning Requests - Open Space (outside of Kerikeri-Waipapa Spatial Area) General Rezoning Requests - Existing Special Purpose except Horticulture (outside of Kerikeri-Waipapa Spatial Area)	Monday 25 August – Tuesday 26 August 2025 (2 days)
Hearing 15B: Rezoning – New Special Purpose Zones	Rezoning requests for new Special Purpose Zones	Waitangi Treaty Grounds Mataka Station, The Landing Precinct, Wiroa Station, Omaniro SPZ and Henderson Bay SPZ Bay of Islands Marina Ngawha Springs Motukiekie Island	Monday 1 September – Thursday 4 September 2025 (4 days)
Hearing 15C: Rezoning General	Rezoning Requests – Urban and Rural (outside of Kerikeri-Waipapa Spatial Plan Study Area)	General Rezoning Requests - Urban (outside of Kerikeri-Waipapa Spatial Area) General Rezoning Requests - Rural (outside of Kerikeri-Waipapa Spatial Area)	Monday 29 September – Thursday 2 October 2025 (4 days)
Hearing 15D: Rezoning Kerikeri-Waipapa	Rezoning Requests for land within Kerikeri-Waipapa Spatial Plan Study Area	Rezoning requests for land within or partially within the Kerikeri - Waipapa Spatial Plan Study Area (all zones)	Monday 6 October – Wednesday 8 October 2025 (3 days)

## ATTACHMENT 2: REZONING HEARING EVIDENCE EXCHANGE TIMETABLE

### Far North District Council's Proposed District Plan – Hearing and Reporting Schedule for Rezoning Hearings (as at October 2024)

Hearing Stream	Reporting Topic	Hearing Notice out	Submitters file their evidence for their rezoning submission	Further submitters supporting or opposing the rezoning submission file their evidence	S42 online	Submitters can file rebuttal evidence	Hearing timetable responses dues	Hearing timetable online	Hearing dates	S42A report back
		Twenty-two weeks before hearing starts	Sixteen weeks before hearing starts	Twelve weeks before hearing starts	Four weeks before hearing starts	Two weeks before hearing starts	Two weeks before hearing starts	One week before hearing starts		10 working days after close of hearing ( <i>or alternative date agreed to by Panel Chair</i> )
Hearing 15A: Rezoning General & Kauri Cliffs	Kauri Cliffs Special Purpose Zone & Rezoning Requests – Māori Purpose, Open Space, Existing Special Purpose Zones	Tuesday 25 March 2025	Monday 5 May 2025	Tuesday 3 June 2025	Monday 28 July 2025	Monday 11 August 2025	Monday 11 August 2025	Monday 18 August 2025	Monday 25 August – Tuesday 26 August 2025 (2 days)	Wednesday 10 September 2025
Hearing 15B: Rezoning – New Special Purpose Zones	Rezoning requests for new Special Purpose Zones	Tuesday 1 April 2025	Monday 12 May 2025	Monday 9 June 2025	Monday 4 August 2025	Monday 18 August 2025	Monday 18 August 2025	Monday 25 August 2025	Monday 1 September – Thursday 4 September 2025 (4 days)	Friday 19 September 2025
Hearing 15C: Rezoning General	Rezoning Requests – Urban and Rural (outside of Kerikeri-Waipapa Spatial Plan Study Area)	Tuesday 29 April 2025	Monday 9 June 2025	Monday 7 July 2025	Monday 1 September 2025	Monday 15 September 2025	Monday 15 September 2025	Monday 22 September 2025	Monday 29 September – Thursday 2 October 2025 (4 days)	Friday 17 October 2025
Hearing 15D: Rezoning Kerikeri-Waipapa	Rezoning Requests for land within Kerikeri-Waipapa Spatial Plan Study Area	Tuesday 6 May 2025	Monday 16 June 2025	Monday 14 July 2025	Monday 8 September 2025	Monday 22 September 2025	Monday 22 September 2025	Monday 29 September 2025	Monday 6 October – Wednesday 8 October 2025 (3 days)	Thursday 23 October 2025