

BEFORE THE HEARINGS PANEL FOR THE PROPOSED FAR NORTH DISTRICT
PLAN

UNDER the Resource Management Act 1991

IN THE MATTER OF the Proposed Far North District Plan Hearing Topic 4 -
Natural Environment Values and Coastal Environment

AND Waiaua Bay Farm Limited

SUMMARY OF PLANNING EVIDENCE DATED 22 JULY 2024

8 AUGUST 2024

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- 1 Waiaua Bay Farm Limited (“WBFL”) owns the Kauri Cliffs property near Matauri Bay. Kauri Cliffs is in multiple zones, including the Kauri Cliffs Special Purpose Zone, which comprises four sub-zones. The Special Purpose Zone provides for activities including residential subdivision and development, golf course development, visitor accommodation, hospitality and lodge activities and conservation/open space activities. The zones at Kauri Cliffs interface with the coastal environment and with outstanding and high natural character areas shown in the Proposed Plan’s maps.
- 2 WBFL’s submission seeks to ensure that the Proposed Plan appropriately recognises and provides for the bespoke land use outcomes that the Special Purpose Zone is intended to deliver at Kauri Cliffs.
- 3 To this end, WBFL’s submission identifies that some notified provisions in the scope of this hearing (particularly in the Coastal Environment chapter) are inappropriately generic and restrictive when the Special Purpose Zone’s unique objectives for Kauri Cliffs are considered.
- 4 For example, WBFL’s submission identified the highly conservative permitted activity settings for development in the coastal environment, combined with a default discretionary consenting pathway, as unduly conservative in light of the objectives of the Special Purpose Zone.
- 5 Paragraph 4.6 of my evidence summarises the notified coastal environment provisions as likely to inappropriately require discretionary consenting processes for innocuous proposals that are anticipated by the zoning.
- 6 WBFL’s submission identified similar issues with the rules for earthworks and indigenous vegetation clearance in the coastal environment. The notified provisions require a discretionary or non-complying resource consent for all but the most minor of activities, irrespective of the zone objectives.

- 7 However, the Special Purpose Zone facilitates the operation and maintenance of an international-standard golf course and provides for the development of future golf courses, visitor accommodation and hospitality activities and future residential development while requiring environmental impacts to be minimised. A discretionary or non-complying resource consent requirement for very modest earthworks and vegetation clearance activities in the coastal environment, is in my view, incongruous with the zone.
- 8 Having canvassed the foregoing concerns with the notified provisions, my evidence concludes that the Coastal Environment section 42A report author has recommended numerous amendments that are significant improvements.
- 9 Introducing controlled and restricted discretionary consenting pathways¹ for new, and additions/alterations to existing, buildings and structures appropriately supports the outcomes sought by the zones.
- 10 Similarly, the clearer provision² for modest earthworks and indigenous vegetation removal as a permitted activity, with a restricted discretionary status for larger proposals (outside outstanding natural character areas), is in my opinion, more appropriately provides for day-to-day operational and maintenance activities while ensuring proposals requiring resource consent will be subject to a focused effects assessment.
- 11 I consider that the section 42A report authors' recommended amendments substantially improve the Proposed Plan's efficiency and effectiveness, avoid unnecessary costs to the community associated with the alternative of highly conservative consent requirements, and provide beneficial coherence with the objectives of the Kauri Cliffs Special Purpose Zone.

Steve Tuck

8 August 2024

¹ E.g., the section 42A report author's recommended rule CE-R1 CON-1.

² E.g., consolidating CE-R2 with CE-R3 and adding a restricted discretionary consenting pathway.