

**BEFORE HEARINGS COMMISSIONERS APPOINTED  
BY THE FAR NORTH DISTRICT COUNCIL**

**IN THE MATTER** of the Resource Management Act 1991

**AND**

**IN THE MATTER** of the hearing of submissions on the Proposed  
Far North District Plan

**SUBMITTER** Ed & Inge Amsler [S341.001]

**HEARING TOPIC:** Hearing 15C – Rezoning General

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**STATEMENT OF PLANNING EVIDENCE OF STEVEN REMANA SANSON**

9 June 2025

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## INTRODUCTION

1. My name is Steven Remana Sanson. I am a Director / Consultant Planner at Sanson and Associates Limited and Bay of Islands Planning [2022] Limited.
2. I have been engaged by Ed & Inge Amsler to provide evidence in support of their submission point to the Proposed Far North District Plan [**PDP**] to change the zone from Rural Lifestyle to General Residential [S341.001].
3. I note that while the Environment Court Code of Conduct does not apply to a Council hearing, I am familiar with the principles of the code and have followed these in preparing this evidence.

## QUALIFICATIONS AND EXPERIENCE

4. I hold the qualification of Bachelor of Planning [Hons] from The University of Auckland, graduating in 2013 and I am an Intermediate Member of the New Zealand Planning Institute.
5. I have over 10 years' experience and have previously held planning positions in the Far North District. In my current role I regularly advise and assist corporate and private individuals with the preparation of resource consent applications including subdivision and land use consents and relevant regional council consents. I have also processed resource consent applications for councils, prepared submissions on district plan changes, and processed plan changes.

## SCOPE OF EVIDENCE

6. The primary submission by Ed & Inge Amsler seeks rezoning of a single site that is accessed from Bedggood Close and Kings Road in Paihia.
7. Details of the site are provided in Table 1 below.

**Table 1 - Site Details**

Record of Title	ROT NA68D/600
Address	6 Bedggood Close, Paihia
Area	8,404m <sup>2</sup>
Operative Zone	Coastal Living
Proposed PDP Zone	Rural Lifestyle

Requested Zone	General Residential
Soil	Town / Class 6



Figure 1: Landholdings Seeking General Residential Zone (Source: Far North Maps)

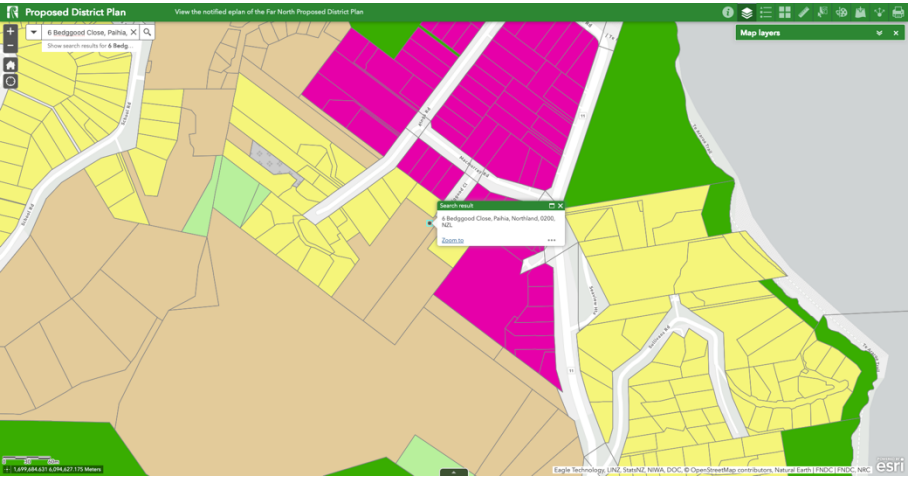


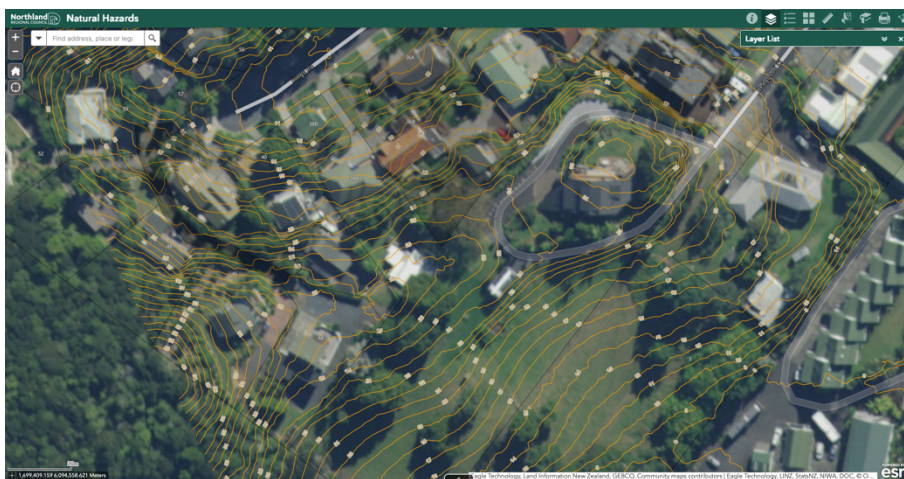
Figure 2: PDP Zoning Layout (Source: Far North Maps)



**Figure 3: PDP Aerial (Source: Far North Maps)**

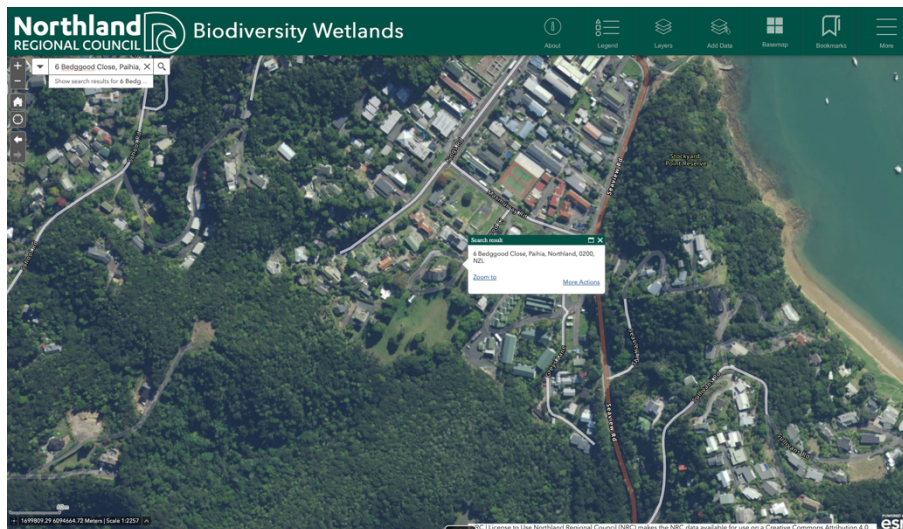


**Figure 4: PDP Resource Features (Source: Far North Maps)**

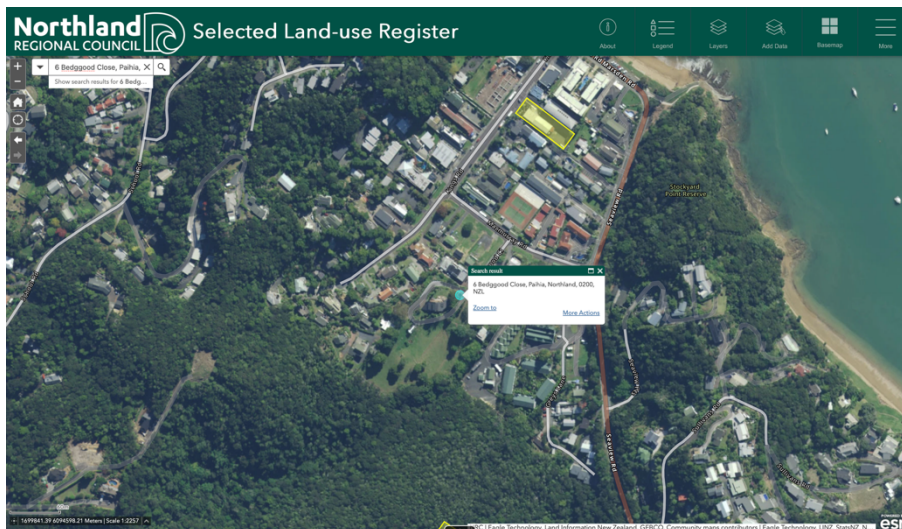


**Figure 5: PDP Site LIDAR Contours (Source: NRC Local Maps)**

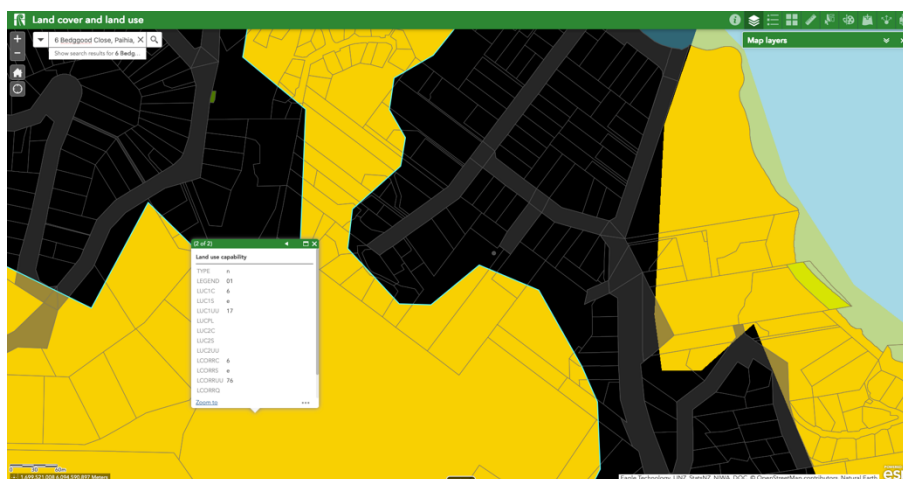




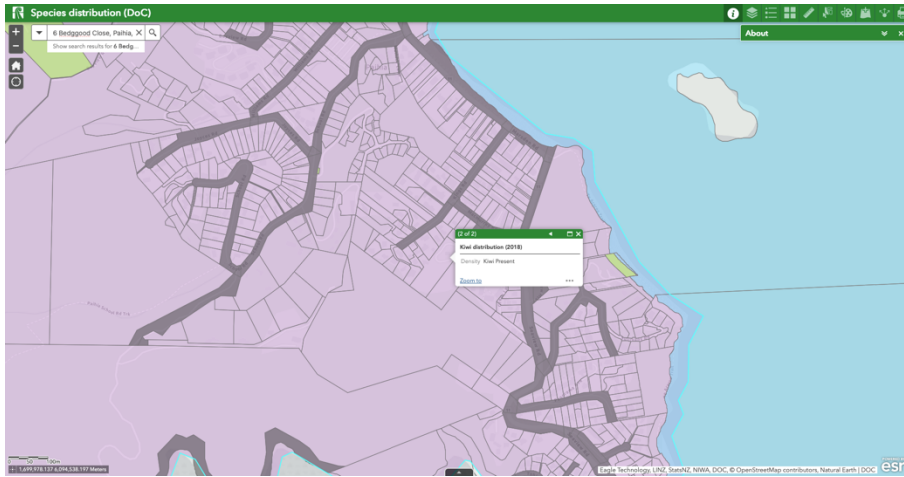
**Figure 6: Biodiversity Wetlands Present (Source: NRC Local Maps)**



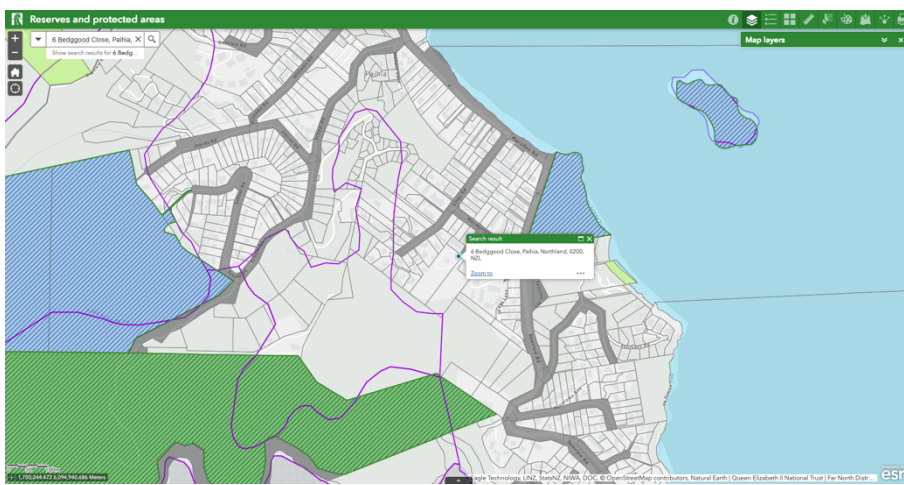
**Figure 7: SLU Register (Source: NRC Local Maps)**



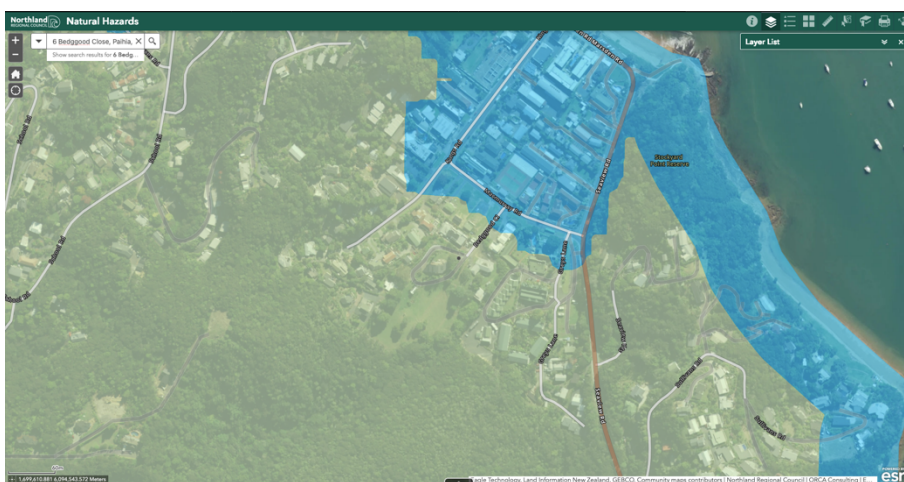
**Figure 8: NZLRI Maps (Source: Far North Maps)**



**Figure 9: Species Distribution (Source: Far North Maps)**

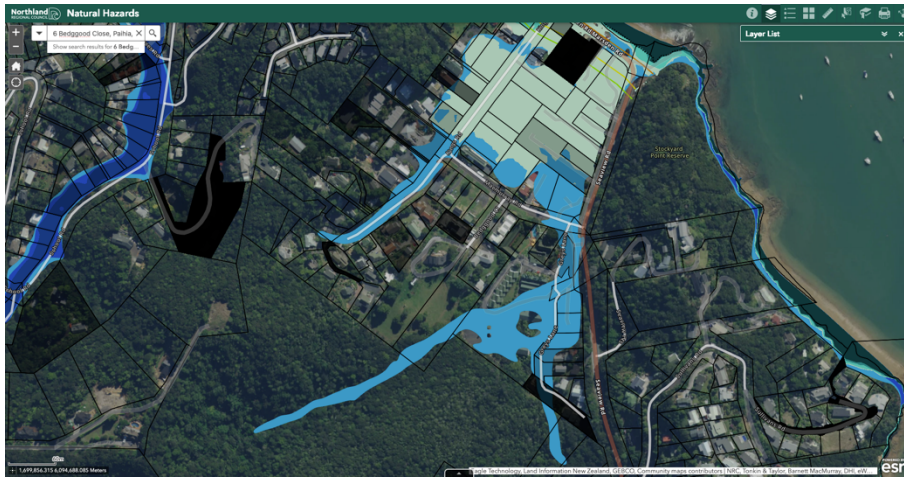


**Figure 10: Reserves and Protected Areas (Source: Far North Maps)**



**Figure 11: Natural Hazards - Tsunami (Source: NRC Local Maps)**





**Figure 12: Natural Hazards – Flooding / Coastal Erosion (Source: NRC Local Maps)**



**Figure 13: Services (Source: Far North Maps)**

8. The site currently contains an existing Bed and Breakfast [**B&B**] called 'Chalet Romantica' as well as a dwelling. The B&B is accessed from Bedggood Close whilst the dwelling is accessed from Kings Road.
9. The B&B provides access via an existing ring road. A structure is also present which stores a campervan and other belongings. The B&B is well landscaped and maintained.
10. Aside from these features, the site is in pasture with a pockets of vegetation present.
11. The site is adjacent to residential development and allotment sizes which are commensurate with the General Residential zone. These are to the north and west of the site.
12. To the south and east, the site is adjacent to land owned by the Māori Anglican Church - Te Hui Amorangi Ki Te Tai Tokerau.

13. The site to the south is heavily vegetated and covered in a High Natural Character [**HNC**] Overlay. The site to the south is also a Protected Natural Area [**PNA**], forming part of the Opua Forest [Ref P05058].
14. The site to the east is vacant, but is also zoned Rural Lifestyle.
15. In the wider surrounds, residential activities predominate the lower catchment from Marsden Road to the site. These are interspersed with commercial activities in the Kings Road, State Highway 11, MacMurray Road block.
16. The site sits above this lower catchment and the B&B and dwelling have views towards the Coastal Marine Area [**CMA**] due to topography. These sit at ~26m to ~27m, whilst the site falls towards the east down to 16m.
17. The site is connected to reticulated Council services. A copy of confirmation of connections are shown in **Annexure 1**.
18. The site does not contain any wetlands, nor does it contain any current or previously known activities that would be considered on the Hazardous Activities and Industries List [**HAIL**].
19. The site is considered as having 'kiwi present'.
20. With respect to natural hazards, the site is outside of any tsunami threat. The site is not implicated by mapped river or coastal flooding, or erosion as provided by the Northland Regional Council [**NRC**].
21. The site does not have highly productive land present.
22. It is my view that there is a clear defensible boundary for the site to be rezoned to General Residential.
23. The site to the south promotes a clear 'green belt' which will provide a more appropriate buffer and boundary when compared to the submission site.
24. My evidence addresses the rezoning request against the criteria set out in Minute 14 from the Independent Hearings Panel (**Minute 14**), which include:
  - How the request is consistent with the PDP strategic direction;
  - How the requested zoning better aligns with the outcomes anticipated by the General Residential zone;
  - How the request gives effect to higher order documents;
  - The reasons for the request;
  - An assessment of site suitability and potential effects;



- Further submissions; and
- A Section 32AA evaluation.

## **STRATEGIC DIRECTION**

25. An assessment of how the rezoning request is consistent with the PDP strategic direction is provided in **Annexure 2**. In summary, the proposed rezoning request is considered to be consistent with the Strategic Direction as notified.

## **ALIGNMENT OF OUTCOMES**

26. An assessment of how the rezoning request aligns with the objectives, policies and intended outcomes of the relevant PDP Zones are provided in **Annexure 3**. In summary, the proposal is considered to align with the General Residential Zone objectives and policies and does not align with the Rural Lifestyle objectives and policies.

## **HIGHER ORDER DIRECTION**

27. An assessment of how the rezoning request aligns with higher order direction is provided in **Annexure 4**. In summary, the proposal is considered to align with all of the relevant higher order directions applicable.

## **REASON FOR THE REZONING REQUEST**

28. The reasons for the rezoning request are already identified in the submission. They are not repeated here.

## **ASSESSMENT OF SITE SUITABILITY AND POTENTIAL EFFECTS**

### Natural Hazards

29. The site is not subject to any flooding overlays. The site is located outside of the tsunami threat areas mapped by NRC. The site is not known to be affected by erosion, any earthquake or wind, sedimentation or drought risk.
30. Similarly, there are no known effects arising from volcanic or geothermal activity, landslips or subsidence.
31. There may be concerns about fire risk, however there are already dwellings in the surrounds that are built right up to the southern site containing the HNC area / green belt. There are fire hydrants in close proximity to the site. I also note that the Paihia Fire Brigade is 1.3km [4 minute drive] from the site.
32. These matters are not considered to implicate rezoning because they need to be assessed, generally, through the building consent process, if not the resource consent process. If they apply to the site, they don't affect rezoning, it simply affects the scope / scale of development and costs associated with mitigating that hazard.

33. The Hazardous Substances Chapter is not relevant as no previous uses have been undertaken and no such uses are proposed.

#### Natural Environment Values

34. The rezoning submissions does not change indigenous vegetation clearance rights. The Ecosystems and Biodiversity Chapter would apply as notified. Whilst there are some pockets of vegetation on the site, whether their removal is required can be considered at time of development. Their removal would be considered to result in less than minor effects.
35. There are no Natural Character matters to consider as there are no wetlands, lakes or rivers adjacent to or on the site.
36. The site is not subject to natural features or landscapes. The Natural Features and Landscapes Chapter is not relevant.
37. The Public Access Chapter is not relevant as the site is not adjoining or adjacent to the coastal marine area or a waterway.

#### Historic Heritage

38. Regardless of zone, the site will need to consider the heritage requirements of the PDP due to it being located in the Paihia Heritage Area B. The only rule of relevance appears to be related to the use of specific heritage colours for new developments as the site is not in close proximity to a scheduled heritage resource to trigger any other rule. The overlay ensures historic heritage resources / values are protected.

#### Coastal Environment

39. This matter does not affect rezoning and is better considered at time of development. The site is within an area that is urban, and has urban activities and services.

#### Effects on Surrounding Sites

40. The effects to the General Residential sites that adjoin the site are minimal in that compatible activities are likely to eventuate.
41. Likely residential end use as a result of rezoning to the Rural Lifestyle sites are not expected to be result in more than minor adverse effects.
42. The site in bush next to the site is considered as having High Natural Character and is a Protected Natural Area. Development of this site is unlikely.
43. The site to the east is a similar type of allotment, and is adjoined by General Residential and Mixed Use Zones with accommodation activities and the Anglican Church being present. The rezoning of the subject site to residential would only be 'more of the same' and is not likely to result in any reverse sensitivity or incompatibility issues.

## **INFRASTRUCTURE [THREE WATERS]**

- 44. The site is already connected to urban services. No discussions have been had with infrastructure providers as it is assumed that there are no concerns with urban three water systems in Pahia.
- 45. At time of development, urban services can be provided dependent on the number of allotments sought or development proposed. The services can be provided in consultation with urban infrastructure providers to confirm design details and requirements.
- 46. With respect to 'plan enabled development', this is theoretical until time of development. There could be no growth, there could be some growth, there could be development well in advance of what has been enabled. The rezoning submission complements the amount of urban growth potential in Pahia and assists Council in satisfying Section 31 of the Resource Management Act 1991 [RMA]<sup>1</sup>.
- 47. Overall, there is no information available to the public which would limit the potential for the site to connect to urban infrastructure.

## **TRANSPORT INFRASTRUCTURE**

- 48. The site gains access from Bedggood Close, whilst the dwelling gains access from Kings Road. There are no known concerns with either road, noting that any development on the site would likely come from Bedggood Close.
- 49. Access would simply be extended on the site from Bedggood Close which contains an existing ring road for the B&B use. Whether any new public or vested roads would be required would be determined at time of development.
- 50. Wider transport infrastructure / network is not considered to be implicated.

## **CONSULTATION & FURTHER SUBMISSIONS**

- 51. There are no known key stakeholders or tangata whenua in relation to the rezoning request. It is a discrete rezoning request.
- 52. There are no further submissions.

## **SECTION 32AA EVALUATION**

- 53. The evaluation below is with respect to the General Residential Zoning vs the Rural Lifestyle Zoning.

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<sup>1</sup> RMA s31(aa) the establishment, implementation, and review of objectives, policies, and methods to ensure that there is sufficient development capacity in respect of housing and business land to meet the expected demands of the district

### Efficiency and Effectiveness

54. The rezoning sought through the submission better reflects the existing situation, without causing undue impacts to surrounding properties, infrastructure, or the wider surrounds.
55. It represents a discrete zone change on a site that is contextually located within an area where residential activities and urban zoning predominates. The site is serviced.
56. This is further enforced by the landholding to the south which sets a more appropriate rural / urban boundary for this portion of Paihia. That area will have to overcome various regulatory hurdles to be developed, if it is developed at all.
57. It promotes a more efficient defensible boundary up to where urban activities should be able to expand.
58. The intent of the Rural Lifestyle Zone is not met as the density of the site is already well below what is envisaged.
59. The submission to rezone more effectively and efficiently meets the purpose of the RMA.

### Costs/Benefits

60. Benefits of the proposed rezoning include:
  - Utilising marginal Class 6 soils, which are not considered highly productive, for a higher and better use.
  - Providing immediate housing supply, addressing market demand for detached dwellings.
  - Accurately representing on the ground activities and characteristics.
61. Costs of the proposed rezoning include:
  - Loss of Rural Lifestyle land in Paihia.

### Risk of Acting or not Acting

62. The risk of not acting is that the PDP as presented represents an environmental outcome for the site that does not consider realities on the ground or the surrounding environs.
63. There is no risk of acting.

## **CONCLUSION**



64. For the various reasons above, I consider that the proposed zone change from Rural Lifestyle to General Residential is appropriate and acceptable.

Property Details for Valuation: 00225-07100

Property Address : 6 Bedggood Close, Paihia 0200

Current Legal Description : LOT 2 DP 119719 BLK IV KAWAKAWA SD

Title References : NA-68D/600

Values for Property ID : 3316390

Code	Type	Value
CV	Capital Value (\$)	3000000
IV	Improvement Value (\$)	1650000
LA	Land Area (sq metres)	8404
LV	Land Value (\$)	1350000

Rateability : Rateable

Land Use : 90 - Residential-Multi Use

Section 20-20A Local Government (Rating) Act 2002 – Rating units in common ownership

Main assessment : None

Linked assessment(s) : None

Nature of Improvements: Dwelling Other Buildings Other Improvement

Rates for 2025 for rate assessment : 2416390

Rate Type	Type	Value	Rate or Charge	Amount
Stormwater Rate General Differential	Rating Unit	1		187.50
Stormwater Public Good Rate	Rating Unit	1		10.00
Sewerage Public Good	Rating Unit	1		15.00
Water Public Good	Rating Unit	1		15.00
Roading Rate Uniform Rate	Separate Part	1	100.00	100.00
Roading Residential Differential	Land Value	1350000	0.00008160	110.16
General Rate Uniform Annual General Charge	Separate Part	1	450.00	450.00
Ward Services Rate BOI-Whangaroa Differential	Separate Part	1	447.50	447.50
Paihia CBD Rate General Diff	Separate Part	1	18.00	18.00
Sewerage Operating Connected Rate	Separate Part	1	867.00	867.00
General Rate General Differential	Land Value	1350000	0.00293440	3,961.44
Sewerage Capital Paihia Connected Rate	Separate Part	1	450.82	450.82
Water Capital Paihia Connected Rate	Separate Part	1	239.40	239.40
NRC Council Services Rate	Separate Part	1	199.02	199.02
NRC Pest Management Rate	Separate Part	1	96.70	96.70
NRC Flood Infrastructure Rate	Separate Part	1	40.67	40.67
NRC Emergency and Hazard Management Rate	Separate Part	1	54.71	54.71
NRC Regional Rescue Services Rate	Separate Part	1	11.30	11.30

NRC Sporting Facilities Rate	Separate Part	1	16.18	16.18
NRC Far North Transport Rate	Separate Part	1	8.57	8.57
NRC Economic Development Rate - Far North District	Land Value	1350000	0.00002380	32.13
NRC Land and Freshwater Management Rate	Land Value	1350000	0.00027650	373.28
<b>Total Years Rates</b>				<b>7,704.38</b>

## ANNEXURE 2 – ASSESSMENT OF STRATEGIC DIRECTION<sup>1</sup>

Table 1: Strategic Direction – Cultural Prosperity

Matter	Assessment
Te Tiriti o Waitangi partnerships support <a href="#">iwi</a> and <a href="#">hapū</a> to deliver on the social, economic, environmental and cultural wellbeing outcomes for <a href="#">tangata whenua</a> .	The Council is the partner in this respect and not the submitter.
Te ao māori, <a href="#">tikanga</a> māori and <a href="#">tangata whenua</a> as kaitiaki, embedded in and integral to decision making.	The submitter has no jurisdiction over decision making in context of the PDP process or resource consent process.
The district's diverse cultures and communities are celebrated and cultural heritage recognised.	The site is not implicated by any mapped site of significance to maori.
The district's <a href="#">historic heritage</a> is identified and managed to ensure its long-term protection for current and future generations.	The site is part of the proposed Heritage Area B for Paihia.
A district wide approach to the impacts of climate change and <a href="#">natural hazards</a> , which includes a te ao māori decision making framework, developed with <a href="#">iwi</a> and <a href="#">hapū</a> .	The submission is not responsible for district wide matters.

Table 2: Strategic Direction – Social Prosperity

Matter	Assessment
Community wellbeing is heightened by a sense of place.	By rezoning the site to General Residential, there is more opportunity to promote a consistent sense of place in this location which is urban in nature.

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<sup>1</sup> As notified.



Development of initiatives that will support the wellbeing of <a href="#">Tangata Whenua</a> , in partnership with <a href="#">Iwi</a> and <a href="#">hapū</a> .	The submission is not responsible for these 'initiatives'.
Encourage opportunities for fulfilment of the community's cultural, social, environmental, and economic wellbeing.	It is expected that the remainder of the PDP framework outlines these 'opportunities' as they relate to each zone. The relevant zones are considered in <a href="#">Annexure 3</a> .
Promotion of communities and places that will meet the needs for not only the present population but future generations which are adaptive to climate change.	The submitters seeks a more appropriate zone that can meet the needs of current and future generations. In terms of climate change specifically, the site is elevated from the various coastal hazards present along the shoreline in Paihia.

*Table 3: Strategic Direction – Economic Prosperity*

Matter	Assessment
A high-earning diverse local economy which is sustainable and resilient to economic downturns, with the district's Māori economy making a significant contribution.	The submission seeks a residential zoning and not a commercial zoning. Rules within the General Residential Zone allow for small scale home businesses. The existing B&B business is not affected by a General Residential Zone.
Existing industries and enterprises are supported and continue to prosper under volatile and changing economic conditions.	The submission seeks a residential zoning and this is more commensurate for the site which contains an existing B&B use.
Development and retention of highly motivated, educated and skilled people in the district.	These types of people need houses to live in. The submission promotes increased density.
People, businesses and places are connected digitally and through integrated transport networks.	Future subdivision would allow for the continuation of digital communications to be provided. The site is connected through existing transport networks.

A district economy that is responsive, resilient and adaptive to the financial costs of a changing climate.	In terms of climate change specifically, the site is elevated from the various coastal hazards present along the shoreline in Paihia.
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Table 4: Strategic Direction – Urban Form and Development

Matter	Assessment
The wellbeing of people who live in and visit towns in the Far North is considered first when it comes to planning places and spaces.	The wellbeing of people who live and visit is considered to be intrinsically linked to being able to provide housing in and near Paihia.
<a href="#">Urban</a> growth and development consolidated around existing reticulated networks within town centres, supporting a more compact <a href="#">urban</a> form, affordability and providing for a mix of housing typologies.	The proposal is within a defensible area of urban growth and development. It is contextually located adjacent to residential activities, contains residential activities, and is bordered by a property to the south which can continue to provide a rural / urban transition.
Adequate <a href="#">development infrastructure</a> in place or planned to meet the anticipated demands for housing and business activities.	The site pays rates to be connected to these services and it is assumed that these can be extended and used for the purposes of the rezoning submission.
<a href="#">Urban</a> growth and development is resilient and adaptive to the impacts from <a href="#">natural hazards</a> or climate change.	<p>In terms of climate change specifically, the site is elevated from the various coastal hazards present along the shoreline in Paihia.</p> <p>Other natural hazards can be appropriately considered at time of subdivision or development, but at present, none of these are known to affect the site.</p>

Table 5: Strategic Direction – Infrastructure and Electricity

Matter	Assessment
The benefits of <a href="#">infrastructure</a> and <a href="#">renewable electricity generation activities</a> across the district are recognised and provided for, while	This is noted. The proposed rezoning would require the use of additional infrastructure.

ensuring their adverse <a href="#">effects</a> are well managed.	
<a href="#">Infrastructure</a> and <a href="#">renewable electricity generation activities</a> are protected from incompatible land use, <a href="#">subdivision</a> and development that may compromise their effective operation, <a href="#">maintenance</a> and upgrading.	The development of the site to a General Residential Zone density would not generate effects that would compromise the effective operation, maintenance or upgrading of relevant infrastructure.

Table 6: Strategic Direction – Rural Environment

Matter	Assessment
<a href="#">Primary production</a> activities are able to operate efficiently and effectively and the contribution they make to the economic and social well-being and prosperity of the district is recognised.	The current zoning sought from the PDP would allow for primary production activities on the site and this is at odds with the character of the surrounds which are largely residential / urban in nature.
Protection of <a href="#">highly productive land</a> from inappropriate development to ensure its production potential for generations to come.	Soils on the site are a mixture of town / Class 6. The submission does not affect highly productive land.

Table 7: Strategic Direction – Environmental Prosperity

Matter	Assessment
A culture of stewardship in the community that increases the district's biodiversity and environmental sustainability.	The land is currently developed for the purposes of accommodation and otherwise is in pasture. Biodiversity is provided by the site to the south.
Collaborative relationships with <a href="#">iwi</a> and <a href="#">hapū</a> in order to support <a href="#">tangata whenua</a> to carry out their obligation and responsibility as kaitiaki.	The change of zoning sought does not impact the potential for the objective to be achieved.
Active management of ecosystems to protect, maintain and increase indigenous biodiversity for future generations.	There are no such ecosystems to protect on the site. There are isolated trees on the site that wouldn't ordinarily require active

	management. Kiwi are present but not in a high density.
Land use practices reverse climate change by enabling carbon storage and reducing carbon emissions.	There are no relevant land use practices that would be affected by the change of zoning sought.
The natural character of the <a href="#">coastal environment</a> and outstanding natural features and landscapes are managed to ensure their long-term protection for future generations.	<p>The topography of the site is shown in the primary response. The existing B&amp;B and dwelling are located at the high points of the site. The remainder of the site falls to the south.</p> <p>Likely development areas on the site would be below the high points and thus be visually disconnected to the Coastal Environment, although mapped by intervening existing structures.</p>
Areas of significant indigenous vegetation and significant habitats of indigenous fauna and protected for current and future generations.	These areas are adjacent to the site and not on it.



## ANNEXURE 3 – ALIGNMENT WITH OUTCOMES

Table 1: Assessment of the General Residential Zone

Matter	Assessment
<p>GRZ-O1 The General Residential zone provides a variety of densities, housing types and lot sizes that respond to:</p> <ul style="list-style-type: none"> <li>a. housing needs and demand;</li> <li>b. the adequacy and capacity of available or programmed development infrastructure;</li> <li>c. the amenity and character of the receiving residential environment; and</li> <li>d. historic heritage.</li> </ul>	<p>The objective promotes a range of housing outcomes.</p> <p>Given the size of the site, these housing outcomes could be undertaken on the site.</p> <p>The site is connected to urban services.</p> <p>There is no public information about adequacy and capacity of the Paihia wastewater, water, or stormwater systems.</p> <p>The site adjoins both a rural lifestyle and residential receiving environment.</p> <p>Landscaping, either fencing or planting, could be used to ensure cohesion across the proposed change to General Residential / Rural Lifestyle boundary, noting that these are already existing in the area with little known concerns relating to amenity or character.</p> <p>The site is deemed to be within the Paihia Heritage Area B. The rezoning aspect of the submission does not seek to change this heritage overlay.</p>
<p>GRZ-O2 The General Residential zone consolidates urban residential development around available or programmed development infrastructure to improve the function and resilience of the receiving residential environment while reducing urban sprawl.</p>	<p>The proposed submission would consolidate growth more appropriately at the urban / rural lifestyle interface as the site is already connected to services.</p>
<p>GRZ-O3 Non-residential activities contribute to the well-being of the community while complementing the scale, character and amenity of the General Residential zone.</p>	<p>There are no non-residential activities that currently exist.</p>
<p>GRZ-O4 Land use and subdivision in the General Residential zone is supported where there is adequacy and capacity of available or programmed development infrastructure.</p>	<p>The site is currently connected with urban services.</p> <p>There is no public information about adequacy and capacity of the Paihia wastewater, water, or stormwater systems.</p>

GRZ-O5 Land use and subdivision in the General Residential zone provides communities with functional and high amenity living environments.	The site could support this outcome if rezoned.
GRZ-O6 Residential communities are resilient to changes in climate and are responsive to changes in sustainable development techniques.	Given the sites physical location far from coastal hazards, this site could support Council growth aspirations without increasing risk from climate change.
GRZ-P1 Enable land use and subdivision in the General Residential zone where: <ul style="list-style-type: none"> <li>a. there is adequacy and capacity of available or programmed development infrastructure to support it; and</li> <li>b. it is consistent with the scale, character and amenity anticipated in the residential environment.</li> </ul>	<p>The site is connected to services.</p> <p>Potential subdivision can be consistent with the scale, character and amenity expected of a residential environment.</p>
GRZ-P2 Require all subdivision in the General Residential zone to provide the following reticulated services to the boundary of each lot: <ul style="list-style-type: none"> <li>a. telecommunications: <ul style="list-style-type: none"> <li>i. fibre where it is available; or</li> <li>ii. copper where fibre is not available;</li> </ul> </li> <li>b. local electricity distribution network; and</li> <li>c. wastewater, potable water and stormwater where they are available</li> </ul>	This can be provided at time of subdivision, noting the site is currently connected to these services.
GRZ-P3 Enable multi-unit developments within the General Residential zone, including terraced housing and apartments, where there is adequacy and capacity of available or programmed development infrastructure.	This activity can be undertaken if sought.
GRZ-P4 Enable non-residential activities that: <ul style="list-style-type: none"> <li>a. do not detract from the vitality and viability of the Mixed Use zone;</li> <li>b. support the social and economic well-being of the community;</li> <li>c. are of a residential scale; and</li> <li>d. are consistent with the scale, character and amenity of the General Residential zone</li> </ul>	There are no non-residential uses present. They could be undertaken in the future.
GRZ-P5 Provide for retirement villages where they:	This type of activity could be undertaken on the site if rezoning was accepted.

<ul style="list-style-type: none"> <li>a. compliment the character and amenity values of the surrounding area;</li> <li>b. contribute to the diverse needs of the community;</li> <li>c. do not adversely affect road safety or the efficiency of the transport network; and</li> <li>d. can be serviced by adequate development infrastructure.</li> </ul>	
<p>GRZ-P6 Encourage and support the use of on-site water storage to enable sustainable and efficient use of water resources.</p>	<p>If there are water shortage issues, then on-site water supply could be provided at time of development.</p>
<p>GRZ-P7 Encourage energy efficient design and the use of small-scale renewable electricity generation in the construction of residential development.</p>	<p>This type of activity could be undertaken on the site if rezoning was accepted.</p>
<p>GRZ-P8 Manage land use and subdivision to address the effects of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application:</p> <ul style="list-style-type: none"> <li>a. consistency with the scale, design, amenity and character of the residential environment;</li> <li>b. the location, scale and design of buildings or structures, potential for shadowing and visual dominance;</li> <li>c. for residential activities: <ul style="list-style-type: none"> <li>i. provision for outdoor living space;</li> <li>ii. privacy for adjoining sites;</li> <li>iii. access to sunlight;</li> </ul> </li> <li>d. for non-residential activities: <ul style="list-style-type: none"> <li>i. scale and compatibility with residential activities</li> <li>ii. hours of operation</li> </ul> </li> <li>e. at zone interfaces, any setbacks, fencing, screening or landscaping required to address potential conflicts;</li> <li>f. the adequacy and capacity of available or programmed development infrastructure to accommodate the proposed activity, including: <ul style="list-style-type: none"> <li>i. opportunities for low impact design principles</li> </ul> </li> </ul>	<p>The site is uniquely positioned on the edge of the urban / rural boundary.</p> <p>It is not typical as despite its Rural Lifestyle zoning, it is connected to urban services.</p> <p>It contains residential activities that are commensurate with the surrounds.</p> <p>Future activities on the site if rezoned could accommodate the amenity and character matters in [a] – [d].</p> <p>The aspect about zone interfaces has been addressed above, but it is an important consideration in this case to ensure that [if rezoned] that residential effects to the rural lifestyle zone is not incurred.</p> <p>In response to that, it would not be unreasonable to conclude that landscaping such as fencing, planting or both, and setbacks could adequately protect the intent of both zones.</p> <p>As above, the site is serviced.</p> <p>There are no known natural hazards that apply to the site. There are potential fire hazards that can be mitigated.</p> <p>The site is not mapped as containing any features of importance to tangata whenua.</p>

<ul style="list-style-type: none"> <li>ii. ability of the site to address stormwater and soakage;</li> <li>g. managing natural hazards; and</li> <li>h. any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.</li> </ul>	
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Table 2: Assessment of the Rural Lifestyle Zone

Matter	Assessment
<p>RLZ-O1 The Rural Lifestyle zone is used predominantly for low density residential activities and small scale farming activities that are compatible with the rural character and amenity of the zone.</p>	<p>The site contains an existing B&amp;B and dwelling. The site is 8,404m<sup>2</sup>.</p> <p>The notified density for the Rural Lifestyle zone is 4ha as Controlled / 2ha as Discretionary.</p> <p>The site is already well below the low density sought.</p> <p>As a result of Hearing 9, the Reporting Officer recommends that this is changed to 2ha as Controlled / 1ha as Discretionary.</p> <p>Again the submission site is smaller than the Discretionary activity density now proposed.</p> <p>The change to the zoning sought by Council is not appropriate in this case as it does not support the low density outcome within the objective.</p>
<p>RLZ-O2 The predominant character and amenity of the Rural Lifestyle zone is characterised by:</p> <ul style="list-style-type: none"> <li>a. low density residential activities;</li> <li>b. small scale farming activities with limited buildings and structures;</li> <li>c. smaller lot sizes than anticipated in the Rural Production Zone;</li> <li>d. a general absence of urban infrastructure;</li> <li>e. rural roads with low traffic volumes;</li> <li>f. areas of vegetation, natural features and open space.</li> </ul>	<p>As above, clause [a] is not met.</p> <p>There are no small scale farming activities proposed or undertaken.</p> <p>The site size is already very small and well below Rural Lifestyle or Rural Production allotments.</p> <p>The site has urban infrastructure.</p> <p>The site does not come off a rural road. The site comes off an urban road.</p> <p>The site is adjacent to areas of natural features and does contain open space, however the predominant character is urban.</p>

RLZ-O3 The role, function and predominant character and amenity of the Rural Lifestyle zone is not compromised by incompatible activities.	There are no incompatible activities in this case, however the role, function and predominant character is compromised by existing lot sizes.
RLZ-O4 Land use and subdivision in the Rural Lifestyle zone does not compromise the effective and efficient operation of primary production activities in the adjacent Rural Production Zones	There are no adjacent Rural Production Zones.
<p>RLZ-P1 Enable activities that will not compromise the role, function and predominant character and amenity of the Rural Lifestyle zone, while ensuring their design, scale and intensity is appropriate to manage adverse effects in the zone, including:</p> <ul style="list-style-type: none"> <li>a. low density residential activities;</li> <li>b. small scale farming activities;</li> <li>c. home business activities;</li> <li>d. visitor accommodation; and</li> <li>e. small scale education facilities.</li> </ul>	<p>The issue at play in this situation is that the site is already well below the typical allotment size and already contains a density that is not considered to be 'low' in context of subdivision potential for the Rural Lifestyle Zone.</p> <p>This would mean that any future development would be erroneously affected and the submitters recourse is to seek a zone change which accurately reflects the sites characteristics and qualities.</p>
<p>RLZ-P2 Avoid activities that are incompatible with the role, function and predominant character and amenity of the Rural Lifestyle zone because they are:</p> <ul style="list-style-type: none"> <li>a. contrary to the density anticipated for the Rural Lifestyle zone;</li> <li>b. predominately of an urban form or character;</li> <li>c. primary production activities, such as intensive indoor primary production, that generate adverse amenity effects that are incompatible with rural lifestyle living; or</li> <li>d. commercial, rural industry or industrial activities that are more appropriately located in a Settlement zone or an urban zone</li> </ul>	<p>As is the theme, any future development on the site, in terms of residential use would immediately be contrary to the density anticipated by the Rural Lifestyles Zone.</p> <p>Whilst there is a range of other activities possible, the site is too small to do any genuine primary production, but not big enough to carry out any legitimate residential uses without being contrary to the density sought by the Zone.</p>
RLZ-P3 Avoid where possible, or otherwise mitigate, reverse sensitivity effects from sensitive and other non-productive activities on primary production activities in the adjacent Rural Production zone.	There are no adjacent Rural Production Zone sites in this case.
RLZ-P4 Manage land use and subdivision to address the effects of the activity requiring resource consent, including (but not limited	<p>Again, density at present is not consistent with the aims and intent of the Rural Lifestyle Zone.</p> <p>Development could meet clauses [b] and [c].</p>

<p>to) consideration of the following matters where relevant to the application:</p> <ul style="list-style-type: none"> <li>a. consistency with the scale and character of the rural lifestyle environment;</li> <li>b. location, scale and design of buildings or structures;</li> <li>c. at zone interfaces: <ul style="list-style-type: none"> <li>i. any setbacks, fencing, screening or landscaping required to address potential conflicts;</li> <li>ii. the extent to which adverse effects on adjoining or surrounding sites are mitigated and internalised within the site as far as practicable;</li> </ul> </li> <li>d. the capacity of the site to cater for on-site infrastructure associated with the proposed activity;</li> <li>e. the adequacy of roading infrastructure to service the proposed activity;</li> <li>f. managing natural hazards;</li> <li>g. any adverse effects on historic heritage and cultural values, natural features and landscapes or indigenous biodiversity; and</li> <li>h. any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.</li> </ul>	<p>The site is connected to urban services.</p> <p>The site is accessed by an urban road.</p> <p>There are no known natural hazards on the site.</p> <p>There are no known natural hazards that apply to the site. There are potential fire hazards, but these are not natural.</p> <p>Historic heritage is managed by the Paihia Heritage Area B.</p> <p>There are no areas of indigenous biodiversity on the site, save for a few trees.</p> <p>The site is not mapped as containing any features of importance to tangata whenua.</p>
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Table 3: Assessment of the Coastal Environment

Matter	Assessment
CE-O1 The natural character of the coastal environment is identified and managed to ensure its long-term preservation and protection for current and future generations.	The site and surrounds are already mapped as forming part of the Coastal Environment. This is not in dispute.
CE-O2 Land use and subdivision in the coastal environment: <ul style="list-style-type: none"> <li>a. preserves the characteristics and qualities of the natural character of the coastal environment;</li> <li>b. is consistent with the surrounding land use;</li> <li>c. does not result in urban sprawl occurring outside of urban zones;</li> </ul>	<p>Regardless of zone this objective would need to be assessed. The site is surrounded by residential activities and has existing residential activities present.</p> <p>Further residential activities on the site would not compromise any specific characteristics and qualities as they would be</p>

<ul style="list-style-type: none"> <li>d. promotes restoration and enhancement of the natural character of the coastal environment; and</li> <li>e. recognises tangata whenua needs for ancestral use of whenua Māori.</li> </ul>	<p>commensurate with the existing and predominant use.</p> <p>Restoration and enhancement aims can still be considered regardless of zone.</p> <p>Ancestral use is not relevant.</p>
CE-O3 Land use and subdivision in the coastal environment within urban zones is of a scale that is consistent with existing built development.	When / if subdivision is undertaken, this objective can be considered. The allotment pattern in the surrounds provides a spatial indication of what could be a commensurate scale of development.
CE-P1 Identify the extent of the coastal environment as well as areas of high and outstanding natural character using the assessment criteria in APP1- Mapping methods and criteria.	The site and surrounds are already mapped as forming part of the Coastal Environment. This is not in dispute.
CE-P2 Avoid adverse effects of land use and subdivision on the characteristics and qualities of the coastal environment identified as: <ul style="list-style-type: none"> <li>a. outstanding natural character;</li> <li>b. ONL;</li> <li>c. ONF.</li> </ul>	The site does not contain these features.
CE-P3 Avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of land use and subdivision on the characteristics and qualities of the coastal environment not identified as: <ul style="list-style-type: none"> <li>a. outstanding natural character;</li> <li>b. ONL;</li> <li>c. ONF.</li> </ul>	The site does not contain these features.
CE-P4 Preserve the visual qualities, character and integrity of the coastal environment by: <ul style="list-style-type: none"> <li>a. consolidating land use and subdivision around existing urban centres and rural settlements; and</li> <li>b. avoiding sprawl or sporadic patterns of development.</li> </ul>	The site is surrounded by urban uses and activities.
CE-P5 Enable land use and subdivision in urban zones within the coastal environment where: <ul style="list-style-type: none"> <li>a. there is adequacy and capacity of available or programmed development infrastructure; and</li> </ul>	<p>The site is serviced with urban infrastructure.</p> <p>The extension of the General Residential zoning to the site would not compromise the characteristics and qualities of the coastal environment because it would represent an extension of urban activities which are already well engrained in the landscape.</p>

b. the use is consistent with, and does not compromise the characteristics and qualities.	
CE-P6 Enable farming activities within the coastal environment where: <ul style="list-style-type: none"> <li>a. the use forms part of the values that established the natural character of the coastal environment; or</li> <li>b. the use is consistent with, and does not compromise the characteristics and qualities.</li> </ul>	If the zoning is successful then farming would not be appropriate within the General Residential Zone.
CE-P7 Provide for the use of Māori Purpose zoned land and Treaty Settlement land in the coastal environment where: <ul style="list-style-type: none"> <li>a. the use is consistent with the ancestral use of that land; and</li> <li>b. the use does not compromise any identified characteristics and qualities.</li> </ul>	Not relevant to the submission.
CE-P8 Encourage the restoration and enhancement of the natural character of the coastal environment.	This policy can be applied regardless of zone.
CE-P9 Prohibit land use and subdivision that would result in any loss and/or destruction of the characteristics and qualities in outstanding natural character areas.	There are no outstanding natural character areas present.
CE-P10 Manage land use and subdivision to preserve and protect the natural character of the coastal environment, and to address the effects of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application: <ul style="list-style-type: none"> <li>a. the presence or absence of buildings, structures or infrastructure;</li> <li>b. the temporary or permanent nature of any adverse effects;</li> <li>c. the location, scale and design of any proposed development;</li> <li>d. any means of integrating the building, structure or activity;</li> <li>e. the ability of the environment to absorb change;</li> <li>f. the need for and location of earthworks or vegetation clearance;</li> <li>g. the operational or functional need of any regionally significant</li> </ul>	<p>The site has existing residential uses, associated access, and urban infrastructure.</p> <p>It is surrounded by similar activities / uses.</p> <p>The uses on the site sit at high points on the site.</p> <p>Any future development promoted by the zoning submission would most likely be residential in nature.</p> <p>Given contours, they would be located below existing development on the site.</p> <p>Earthworks would be required and some scale vegetation clearance. These aspects can be mitigated through consent conditions.</p> <p>Integration of buildings into the environment in an urban environment would potentially be through landscaping and colour treatment. This could be applied to future development if undertaken.</p>



<p>infrastructure to be sited in the particular location;</p> <p>h. any viable alternative locations for the activity or development;</p> <p>i. any historical, spiritual or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6;</p> <p>j. the likelihood of the activity exacerbating natural hazards;</p> <p>k. the opportunity to enhance public access and recreation;</p> <p>l. the ability to improve the overall quality of coastal waters; and</p> <p>m. any positive contribution the development has on the characteristics and qualities.</p>	<p>There are no known historical, spiritual or cultural associations held by tangata whenua for the site.</p> <p>There are no known natural hazards that impact the site.</p> <p>Enhancing public access is not relevant as the site does not adjoin the CMA or any waterway.</p> <p>The site would rely on council infrastructure for stormwater, and if development is above permitted standards would promote attenuation on site back to that standard. This would ensure that any discharge to the CMA is within any consented limits of Council's discharge consent.</p>
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Table 4: Assessment of Paihia Heritage Area B

Matter	Assessment
HA-O1 The heritage values of Heritage Area Overlays, as derived from the sites, buildings and objects of historic significance, archaeological sites and landform, are identified and protected.	The rezoning aspect of the submission has no impact on this matter.
HA-P1 To protect the unique heritage values of each Heritage Area overlay by: <ul style="list-style-type: none"> <li>a. identifying and protecting the heritage buildings, objects and sites, and archaeological sites within the Heritage area overlay;</li> <li>b. maintaining the architectural and historical integrity of scheduled Heritage Resources;</li> <li>c. acknowledging the surrounds or setting of the Heritage area overlay which has an important relationship with the values of the Heritage Resources;</li> <li>d. providing for construction and alteration of buildings or structures when they contribute to the cultural values, character and heritage values of the Heritage area overlay; and</li> <li>e. providing for the demolition of non-heritage buildings or structures when they do not contribute to the cultural values, character and heritage values of the Heritage area overlay.</li> </ul>	<p>Identification has already occurred / is proposed.</p> <p>The remaining matters would be considered at time of development. There are no listed / scheduled heritage in close proximity to the site.</p>

<p>HA-P10 To maintain the integrity of the Paihia Heritage area overlay and protect the heritage values by recognising and providing for:</p> <ul style="list-style-type: none"> <li>a. Paihia's context value as an integral component of a network of Heritage Resources contained within the Bay of Islands, including the Waitangi Treaty Grounds and the Russell Township;</li> <li>b. the topography, foreshore and scenic reserves located on higher ground and on headlands at either end of Paihia Beach which contribute to the heritage landscape; and</li> <li>c. the contribution of the non-contiguous relationship of Heritage Resources throughout the Heritage area overlay to its overall historic value.</li> </ul>	<p>The rezoning aspect of the submission has no impact on this policy which can be assessed at time of development, if relevant.</p>
<p>HA-P11 To recognise and provide for the protection of potential archaeological sites and Sites and Areas of Significance to Māori along the foreshore, within scenic reserves and near Horotutu Creek through the use of accidental discovery protocols.</p>	<p>The rezoning aspect of the submission has no impact on this policy.</p>

## ANNEXURE 4 – HIGHER ORDER DIRECTION

Table 1: Assessment of National Policy Statements

Matter	Assessment
National Policy Statement for Freshwater Management	Not relevant.
National Policy Statement for Greenhouse Gas Emissions from Industrial Process Heat	Not relevant.
National Policy Statement for Highly Productive Land	Not relevant [Class 6 soils]
National Policy Statement for Indigenous Biodiversity	Not relevant.
National Policy Statement for Renewable Electricity Generation	Not relevant
National Policy Statement on Electricity Transmission	Not relevant
National Policy Statement on Urban Development	Paihia is not known to be an area in which the NPS-UD applies.
New Zealand Coastal Policy Statement  Objectives	<p><u>Objective 1</u></p> <p>The rezoning application does little to affect the integrity, form, function or resilience of the coastal environment.</p> <p><u>Objective 2</u></p> <p>The site is not ONL or ONF. There is no HNC / ONC either. The specific characteristics and qualities of the coastal environment relevant to the site is best undertaken at time of development.</p> <p><u>Objective 3</u></p> <p>Noting the role tangata whenua have within the objective, there is no known information about how this role could be activated or considered in relation to the site or the rezoning submission.</p> <p><u>Objective 4</u></p> <p>Public access is not specifically a matter of concern. The site is not adjacent to the CMA or a waterway.</p> <p><u>Objective 5</u></p> <p>Coastal hazard risks are not present on the site.</p>

	<p><u>Objective 6</u> If development is undertaken in the future, it can appropriate balance the requirements within this objective.</p> <p><u>Objective 7</u> The rezoning submission does not impact New Zealands international obligations.</p>
<p>New Zealand Coastal Policy Statement</p> <p>Policies</p>	<p><u>Policy 1</u></p> <p>The extent of the Coastal Environment has been mapped. This is not in contention.</p> <p><u>Policy 2</u></p> <p>Refer Objective 3 above.</p> <p><u>Policy 3</u></p> <p>A precautionary approach is required in terms of activities and for the use and management of resources subject to climate change. Rezoning is not an activity and the site does not contain coastal resources subject to climate change.</p> <p><u>Policy 4</u></p> <p>Not relevant.</p> <p><u>Policy 5</u></p> <p>Not relevant.</p> <p><u>Policy 6</u></p> <p>These matters are best considered at time of development.</p> <p><u>Policy 7</u></p> <p>Not relevant.</p> <p><u>Policy 8</u></p> <p>Not relevant.</p> <p><u>Policy 9</u></p>

	<p>Not relevant.</p> <p><u>Policy 10</u></p> <p>Not relevant.</p> <p><u>Policy 11</u></p> <p>The site has minimal flora and fauna.</p> <p><u>Policy 12</u></p> <p>Not relevant.</p> <p><u>Policy 13</u></p> <p>This can be considered at time of development.</p> <p><u>Policy 14</u></p> <p>This can be considered at time of development.</p> <p><u>Policy 15</u></p> <p>Not relevant.</p> <p><u>Policy 16</u></p> <p>Not relevant.</p> <p><u>Policy 17</u></p> <p>This is identified through the Paihia Heritage Area B.</p> <p><u>Policy 18</u></p> <p>Not relevant.</p> <p><u>Policy 19</u></p> <p>Not relevant.</p> <p><u>Policy 20</u></p> <p>Not relevant.</p> <p><u>Policy 21</u></p>
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	Not relevant
	<u>Policy 22</u>
	This can be considered at time of development.
	<u>Policy 23</u>
	Not relevant.
	<u>Policy 24</u>
	Not relevant.
	<u>Policy 25</u>
	Not relevant.
	<u>Policy 26</u>
	Not relevant.
	<u>Policy 27</u>
	Not relevant.
	<u>Policy 28</u>
	Not relevant.
	<u>Policy 29</u>
	Not relevant.

Table 2: Assessment of National Environment Standards

Matter	Assessment
National Environmental Standards for Commercial Forestry	Not relevant.
National Environmental Standards for Air Quality	Not relevant.
National Environmental Standards for Sources of Drinking Water	Not relevant.
National Environmental Standards for Telecommunications Facilities	Not relevant.
National Environmental Standards for Electricity Transmission Activities	Not relevant.
National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health	Not relevant.

National Environmental Standards for Freshwater	Not relevant.
National Environmental Standards for Marine Aquaculture	Not relevant.
National Environmental Standard for Storing Tyres Outdoors	Not relevant.
National Environmental Standards for Greenhouse Gas Emissions from Industrial Process Heat	Not relevant.

Table 3: Assessment of Regional Policy Statement

Objective / Policy	Comment
Integrated Catchment Management	Not relevant
Region Wide Water Quality	Not relevant
Ecological Flows and Water Quality	Not relevant
Indigenous Ecosystems & Biodiversity	There are no SNA's on the site.
Enabling Economic Wellbeing	The proposal would allow for increased economic wellbeing on the site following increased valuation and density potential.
Economic Activities – Reverse Sensitivity And Sterilization	The proposal does not result in any reverse sensitivity or sterilization effects.
Regionally Significant Infrastructure	The proposal does not impact any regionally significant infrastructure.
Efficient and Effective Infrastructure	The proposal seeks to use existing FNDC infrastructure where available.
Security of Energy Supply	Power is existing to the site.
Use and Allocation of Common Resources	Not relevant.
Regional Form	The proposal seeks a logical continuation of urban and regional form that more appropriately sets out the rural / urban boundary in this location.
Tangata Whenua Role in Decision Making	The submitter acknowledged the role of tangata whenua.
Natural Hazard Risk	Refer primary evidence.
Natural Character, Outstanding Natural Features, Outstanding Natural Landscapes And Historic Heritage	Not relevant.

There rezoning aspect, and any future residential development, is not expected to trigger any consents under the Proposed Regional Plan. Therefore, the objectives and policies are considered to be adhered to.