



SECTION 42A REPORT

Kauri Cliffs Special Purpose Zone

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Appendix 1: Recommended amendments to Kauri Cliffs Special Purpose Zone Chapter

Appendix 2: Recommended decisions on submissions on the Kauri Cliffs Special Purpose Zone Chapter

Appendix 3: Technical memos on the Kauri Cliffs Special Purpose Zone Chapter



List of Abbreviations

Table 1: List of Submitters and Abbreviations of Submitters' Names

Submitter Number	Abbreviation	Full Name of Submitter
S512	FENZ	Fire and Emergency New Zealand
S454	Transpower	Transpower New Zealand Limited
S463	WBF	Waiaua Bays Farm Limited

Table 2: Other abbreviations

Abbreviation	Full Term
CMA	Coastal Marine Area
FNDC	Far North District Council
Master Plan	Kauri Cliffs Development Concept and Master Plan
KCZ	Kauri Cliffs Special Purpose Zone
NPS	National Policy Statement
NRP	Proposed Northland Regional Plan
NZCPS	New Zealand Coastal Policy Statement 2010
ODP	Operative District Plan
PDP	Proposed District Plan
RMA	Resource Management Act 1991
RPS	Regional Policy Statement for Northland 2016



1 Executive summary

1. The Far North Proposed District Plan (PDP) was publicly notified in July 2022. The Kauri Cliffs Special Purpose Zone (KCZ) is located in the Area-Specific Matters (Part 3) section of the PDP under the Special Purpose Zone heading.
2. There are 24 original submission points and 32 further submission points on the KCZ Chapter. The submissions on the KCZ Chapter can be categorised into the following themes:
 - a. A request from Waiaua Bay Farms Limited (S463) to reconfigure the three sub-zones (Golf Living, Lodge, Golf Playing) to better provide for the development outcomes sought
 - b. A range of requests from Waiaua Bay Farms Limited (WBF) to amend the provisions in the KCZ which primarily relate to improving workability and better aligning the provisions with the intended activities and outcomes for each of the sub-zones
 - c. Requested amendment from WBF to SUB-R3 as it relates to the Golf Living sub-zone to enable smaller lots while managing adverse effects on natural character and landscape values
 - d. General submissions requesting common relief across the PDP zones.
3. WBF subsequently decided to “opt in” to the reverse timetable for rezoning submission set out in Minute 14 from the Hearing Panel. This process has allowed WBF to provide evidence and information to support their requested changes to the KCZ sub-zones, including a Master Plan with more details on the development outcomes anticipated in each sub-zone. As a result of this, there are some changes to the relief sought by WBF from their original submission with the key changes summarised in this report.
4. The key amendments recommended in this report are:
 - a. Amendments to the extent and location of the three sub-zones as requested by WBL, with the key change being the relocation of the Golf Living sub-zone further north
 - b. Amendments to the KCZ policies and rules to improve workability (e.g. using defined terms) and to clarify the intended activities within each sub-zone
 - c. Amendments to the KCZ rules and standards to better align with recommended changes to the Coastal Environment Chapter in Hearing 4, including modified building GFA and height limits and a new colour and material standard for new buildings



- d. Amendments to the matters of discretion to ensure all relevant effects are considered and managed
- e. Amendments to SUB-R3 as it relates to the Golf Living sub-zone to reduce the minimum lot size for residential development while including additional conditions (e.g. landscape assessment and plan) and considerations to ensure that future subdivision is subject to a robust consenting process.

2 Introduction

2.1 Author and qualifications

- 5. My full name is Jerome Wyeth. I am a Technical Director – Planning at SLR Consulting based in Whangarei.
- 6. I hold the qualification of Bachelor of Science (Geography) and Masters of Science (Geography), with First Class Honours. I am a Full member of the New Zealand Planning Institute.
- 7. I have over 20 years of experience in resource management and planning with roles in central government, local government and the private sector. My primary area of work is policy planning for local and central government, and I am the New Zealand Policy Portfolio Lead at SLR Consulting. I have worked on a number of district and regional plans at various stages of the RMA Schedule 1 process and have prepared planning evidence for local authority and Environment Court hearings on a range of resource management issues.
- 8. I have been closely involved in the development and implementation of numerous national direction instruments under the RMA (national policy statements and national environmental standards), from the policy scoping stage through to policy decisions and drafting, the preparation of section 32 evaluation reports and implementation guidance. This includes close involvement in national direction instruments relating to highly productive land, indigenous biodiversity, renewable electricity generation and electricity transmission, climate change, plantation forestry and telecommunication facilities.
- 9. I have been working with the Far North District Council (FNDC) on the PDP since 2021. I am the reporting officer for a number of PDP topics, including other special purpose zones, coastal environment, indigenous biodiversity, infrastructure, natural hazard and rezoning topics. I have not been involved in KCZ prior to notification of the PDP.

2.2 Code of Conduct

- 10. I confirm that I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023 and that I have complied with it when preparing this report. Other than when I state that I am relying on the advice of another person, this evidence is within my area of



expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

11. I am authorised to give this evidence on behalf of FNDC to the Hearings Panel.

3 Scope/Purpose of Report

12. This report has been prepared in accordance with section 42A of the RMA to:
 - a) Assist the Hearings Panel in making their decisions on the submissions and further submissions on the PDP; and
 - b) Provide submitters with an opportunity to see how their submissions have been evaluated and the recommendations being made by reporting officers prior to the hearing.
13. Separate to the section 42A report recommendations in response to submissions, Council has made a number of Clause 16 corrections to the PDP since notification¹. These changes are neutral and do not alter the effect of the provisions. The Clause 16 corrections relevant to Infrastructure Chapter are reflected in Appendix 1 to this report (Officer's Recommended Provisions in response to Submissions). For clarity and consistency with the PDP, these corrections are not shown in strikethrough or underlined in **Appendix 1**.

4 Statutory Requirements

4.1 Statutory documents

14. The section 32 evaluation report for the KCZ provides a summary of the relevant statutory considerations applicable to this topic, including key provisions in the RMA, the New Zealand Coastal Policy Statement 2010 (NZCPS) and Northland Regional Policy Statement (RPS). As such, it is not necessary to repeat that statutory assessment here. However, it is important to highlight the higher order documents which have been gazetted or amended following notification of the PDP.

4.1.1 Resource Management Act

15. On the 24 March 2025, the Government announced that RMA will be replaced with two new pieces of legislation:
 - a. A Natural Environment Act – focused on managing the natural environment

¹ [Clause 16 Amendments | Far North District Council \(fndc.govt.nz\)](https://fndc.govt.nz/Clause-16-Amendments).



- b. A Planning Act – focused on planning to enable development and infrastructure.
16. In the announcement, the Government stated that the new legislation will narrow the scope of the resource management system and the effects it controls, with the enjoyment of private property rights as the guiding principle. It was also signalled that there will be a shift has from a precautionary to a more permissive approach to better enable development, streamline processes, and enhance New Zealand’s ability to meet its housing, infrastructure, and environmental objectives. This includes nationally standardised land use zones, one combined plan per region (including a regional spatial plan) and more cohesive and streamlined national direction. The intention is that the two new pieces of legislation will be introduced to Parliament by the end of 2025, with a Select Committee process in 2026, and passage into law before the 2026 general election. The RMA continues to be in effect until when and if this new replacement legislation is passed

4.1.2 National Policy Statements

4.1.2.1 National Policy Statements Gazetted since Notification of the PDP

17. 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 the KCZ, that have been gazetted since notification of the PDP. As District Plans must be “*prepared in accordance with*”² and “*give effect to*”³ a National Policy Statement, the implications of the relevant National Policy Statements on the PDP must be considered.
18. The National Policy Statement for Indigenous Biodiversity (NPS-IB) came into effect on 4 August 2023 after the PDP was notified (27 July 2022). The NPS-IB is a comprehensive NPS with an overarching objective to maintain indigenous biodiversity so there is at least no overall loss in indigenous biodiversity from the commencement date. The NPS-IB was considered in detail as part of the Ecosystems and Indigenous Biodiversity topic (Hearing 4). I was the reporting officer for that topic where I made a number of recommendations in relation to how the NPS-IB should be given effect to through that chapter. The NPS-IB has been considered at a high-level in the planning evidence of Mr Tuck with reference to the ecological evidence of Dr Bramley on behalf of WBF. This concludes that, at a high-level, future residential development within the KCZ Golf Living sub-zone can be configured to avoid areas of significant indigenous vegetation and habitats. The ecological effects of the changes to the sub-zones in the KCZ are discussed further under Key Issue 1 in this report below.

² Section 74(1)(a) of the RMA.

³ Section 75(3)(a) of the RMA.



19. The National Policy Statement for Highly Productive Land (NPS-HPL) came into 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"*. I note that the NPS-HPL will be primarily given effect to through the suite of Rural Zones in the PDP and the Subdivision chapter, which have or are being considered in Hearing 9 and 17 respectively. The NPS-HPL does not apply to the KCZ due to Clause 3.5(7)(b) in the NPS-HPL so is not considered further in this report.

4.1.3 National Planning Standards

20. The National Planning Standards 2019 provide standards for the format, structure and content of district plans. In relation special purpose zones, the National Planning Standards outline eight standard special purpose zones and state that *"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."*
21. The section 32 evaluation report for the KCZ concludes in relation to the above criteria that: *"The KCZ will provide for a significant development and on-going maintenance of an international golf course and is significant for tourism and economy of the district. Kauri Cliffs development is provided for in the ODP by way of a complicated set of site-specific provisions linked directly to a Kauri Cliffs subzone plan. It is impracticable to manage the development by way of spatial layer or through another zone proposed in the PDP. It is considered appropriate to create a special zone for Kauri Cliffs."*⁴

4.1.4 Treaty Settlements

22. 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.

4.1.5 Iwi Management Plans – Update

23. When the PDP was notified in July 2022, Council had 14 hapū/iwi management planning documents which had been formally lodged with Council, as listed in the PDP section 32 overview report. Council took these management plans, including the broader outcomes sought, into account

⁴ Refer, pg. 10: [section-32-kauri-cliffs.pdf](#)



in developing the PDP. Of the 14 hapū/iwi management planning documents, only two have been revised since notification of the PDP –

- a. Ngā Tikanga mo te Taiao o Ngāti Hine' the Ngāti Hine Environmental Management Plan
 - b. Ahipara Takiwā Environmental Management Plan
24. However, these plans are not relevant to the KCZ as the rohe/geographic extent of each plan does not extend to the area covered by the KCZ.

4.2 Section 32AA evaluation

25. This report uses “key issues” to group, consider and provide reasons for the recommended decisions on similar matters raised in submissions. Where amendments to the provisions of the PDP are recommended, these are evaluated in accordance with section 32AA of the RMA.
26. Where applicable, the section 32AA further evaluation for each key issue considers:
- a. Whether the amended objectives are the best way to achieve the purpose of the RMA
 - b. The reasonably practicable options for achieving those objectives
 - c. The environmental, social, economic and cultural benefits and costs of the amended provisions
 - d. The efficiency and effectiveness of the provisions for achieving the objectives
 - e. The risk of acting or not acting where there is uncertain or insufficient information about the provisions.
27. The section 32AA further evaluation contains a level of detail that corresponds to the scale and significance of the anticipated effects of the recommended amendments. Recommendations that relate to editorial, minor and consequential changes without changing the policy intent are not evaluated under section 32AA of the RMA in this report.

4.3 Procedural matters

28. WBF choose to “opt in” to the reverse timetable for rezoning submissions set out in Minute 14 from the Hearing Panel. This process allowed WBF to provide evidence and information to support the requested changes to the sub-zones in the KCZ and update the requested amendments to the KCZ provisions. The evidence and information provided by WBF is set out in paragraphs 11 to 14 of Mr Tuck’s planning evidence on behalf WBF and includes:



- a. A more detailed set of graphics and maps on the requested changes to the sub-zones (Appendix 2 of Mr Tuck's planning evidence)
 - b. An updated set of requested amendments to the KCZ provisions (Appendix 3 of Mr Tuck's planning evidence)
 - c. A "Kauri Cliffs Development Concept and Master Plan" and supporting technical assessments (Appendix 6 of Mr Tuck's planning evidence)
 - d. An assessment against the Minute 14 criteria (Appendix 4 of Mr Tuck's planning evidence).
29. Following the lodgement of evidence by WBF on 5 May 2025, I undertook a number of informal discussions and meetings with WBF. This includes:
- a. Initial discussions on the proposal with Mr Tuck on 16 May 2025 following lodgement of WBF's evidence
 - b. Site visit on 19 June 2025 with Melean Absolum on behalf of Council and Mr Tuck and Ms Robinson on behalf of WBF
 - c. Email correspondence followed by a response to a number of queries provided by Mr Tuck on 26 June 2025.

4.4 Expert advice

30. In preparing this report, Council sought technical reviews of the evidence provided by WBF as follows:
- a. Archaeology advice from Dr Andrew Brown, Horizon Archaeology, dated 6 June 2025
 - b. Ecological advice from Ms Andrews, Wildlands Consultants, dated 23 June 2025
 - c. Geotechnical advice from Mr Collins, Geologix Consulting Engineers, dated 27 June 2025.
 - d. Landscape advice from Melean Absolum Limited, 25 June 2025.
31. This technical advice is attached to this report as **Appendix 3** and summarised in Key Issue 1 below.

5 Consideration of submissions received

5.1 Overview of submissions received.

32. A total of 24 original submissions and 32 further submissions were received on the KCZ Chapter.
33. The main original submissions on the KCZ Chapter are from:



- a. Waiaua Bay Farms Limited (WBF) (S463) who are the owners of the Kauri Cliffs landholding to which the KCZ applies
 - b. Iwi submitters, including Haititaimarangai Marae Kaitiaki Trust (S394) and Te Rūnanga o Ngāti Rēhia (S559)
 - c. Organisations making general submissions on the PDP zone chapters, including Transpower (S454) and Fire and Emergency New Zealand (FENZ)(S512).
34. The main further submitter on the KCZ is Moanna Kiff (FS91) who are in opposition to WBF's original submissions. Moanna Kiff has also filed evidence from Te Whanaunui o Waiaua o Ngati Kura in support of her further submissions.
35. The key issues identified in this report to respond to submissions on the KCZ are:
- a. Key Issue 1: Rezoning the KCZ sub-zones
 - b. Key Issue 2: General submissions
 - c. Key Issue 3: Overview to the KCZ
 - d. Key Issue 4: KCZ objectives
 - e. Key Issue 4: KCZ policies
 - f. Key Issue 5: KCZ rules and advice notes
 - g. Key Issue 6: KCZ standards
 - h. Key Issue 7: Subdivision rules SUB-R3 and SUB-R20.
36. Of note, Mr Tuck is requesting amendments to the KCZ provisions that are generally much more refined and focused compared to the original submission from WBF. The reasons for these changes are explained by Mr Tuck in paragraph 84 of his evidence as follows:
- "...The departure arises because the Master Plan was prepared after WBF's submission on the Proposed Plan was lodged, and in light of the section 42A recommendations on the Coastal Environment provisions that emerged in Hearing Stream 4."*
37. As such, the key issue sections below provide a summary of the amendments sought in the original submission from WBF and the revised amendments requested by Mr Tuck in Appendix 3 of this evidence as applicable.



38. Section 5.2 constitutes the main body of the report and considers and provides recommendations on the decisions requested in submissions. Due to the large number of submissions received and the repetition of issues, it is not efficient to respond to each individual submission point raised in the submissions. Instead, this part of the report groups similar submission points together under the key issues sections outlined above. This thematic response assists in providing a more concise response to, and recommended decisions on the submission points on the KCZ Chapter.

5.2 Officer Recommendations

39. A copy of the recommended amendments to KCZ Chapter is provided in **Appendix 1 – Recommended provisions** to this report.
40. A full list of submissions and further submissions on the KCZ Chapter and my recommended decisions on those submissions is contained in **Appendix 2 – Recommended Decisions on Submissions** to this report.

5.2.1 Key Issue 1: Rezoning the KCZ sub-zones

Overview

Provision(s)	Officer Recommendation(s)
Planning maps	Amend the reconfiguration of the KCZ sub-zones as set out in Appendix 2 of Mr Tuck's planning evidence

Analysis of Submissions on Key Issue 1: Rezoning the KCZ subzones

Matters raised in submissions

41. In addition to submission points on specific provisions, WBF has a general submission point (S463.097) which requests changes to the sub-zone configuration (and associated mapping) and a track-change version of the KCZ Chapter as set out in the original WBF submission. Key points from WBF in this general submission point, include:
- a. The KCZ is a bespoke "Special Purpose Zone" with evolving requirements
 - b. A "roll-over" of the KCZ zoning and provisions from the ODP into the PDP is not the most appropriate method as the next stage of development at Kauri Cliffs will deliver development outcomes that necessitate reconfiguration of the KCZ sub-zones.
42. The requested reconfiguration of the sub-zones (Golf Living, Lodge, and Golf-Playing) is shown on the maps attached to WBF submission. Appendix 2 of Mr Tuck's planning evidence also provides more detailed mapping of the requested changes to the sub-zone mapping. The proposed reconfiguration of the sub-zones in the planning evidence of Mr



Tuck is the same as sought in the WFL submission. However, since the time of WBF submission, Master Planning has been undertaken (Appendix 4 of Mr Tuck's evidence) which includes identification of "indicative" building platforms under the reconfigured sub-zone layout. Mr Tuck notes that the Master Plan is not intended as an extensive analysis of, or detailed design for, a future residential subdivision and development. Rather the Master Plan is intended to demonstrate the feasibility of the proposed rezoning of the sub-zones.

43. The table below provides a summary of the requested reconfiguration of the sub-zones in the WBF submission and supporting reasons (NB: no changes are requested to the Natural Heritage sub-zone).

Request from WBF	Reasons
Lodge sub-zone Remove the Golf Playing and Golf Living sub-zones from land adjacent to the Lodge sub-zone and replace it with the Lodge sub-zone to increase the extent of the Lodge sub-zone from 8 to 25.8ha.	<p>The rationale for increasing the extent of the Lodge sub-zone to the south of the existing area is to enable future construction of a separate Golf pro shop and café/restaurant building to distinguish these offerings from the other offerings in the existing Lodge building.</p> <p>Extension of the Lodge sub-zone to the north of the existing area would incorporate a portion of land that is subject to a 16-lot subdivision that was consented in 2017. Roding, services, and indigenous replanting have been completed in the subdivided area but only three of the lots have been developed with visitor accommodation buildings. WBF advise that no longer seek to establish residential dwellings in the subdivided area and instead seek to establish visitor accommodation associated with the Lodge in this area. The subdivision consent and associated infrastructure means that the Golf Playing sub-zone over part of the subdivision is now irrelevant.</p>
Golf Living and Golf Playing sub-zones Reconfigure the Golf Living and Golf Playing sub-zones to reduce the extent of the Golf Living sub-zone from 283 ha to 122.4 ha and increase the Golf Playing sub-zone from 708 ha to 862 ha.	<p>WBF consider that the existing Golf living sub-zone to the west and southwest of the Lodge is inappropriate for premium residential development for a variety of reasons. The reasons identified include that the area is steep, nearby to existing plantation forestry, and in proximity to the helipad and the first tee of the golf course. Therefore, residential amenity of any residential development in this location would be compromised. As such, WBF are requesting to relocate the Golf Living sub-zone to a contiguous area north of the Lodge and Golf Playing sub-zones. This would also result in some of the Rural Production Zone being rezoned to Golf Living sub-zone.</p>

44. The spatial extent of the requested changes to the sub-zones and zones are summarised below (source: Table 1 in the evidence of Mr Tuck).



Kauri Cliffs Zone	PDP	WBF Proposal	Change in area
Lodge Sub-zone	8 ha	25.8 ha	+17.8 ha
Golf Playing sub-zone	707.7 ha	861.6 ha	+153.9 ha
Golf Living sub-zone	282.7 ha	122.4 ha	-160.3 ha
Natural Heritage sub-zone	13.8 ha	13.8 ha	0 ha
Sub-total A	1,011.7 ha	1,023.6 ha	+11.9 ha
Rural Production Zone	PDP	WBF Proposal	Change
Rural Production Zone	1,285.8 ha	1,274.4 ha	-11.4 ha
Sub-total B	1,285.8 ha	1,274.4 ha	-11.4 ha
Totals			
Sub-totals A + B	2,298 ha	2,298 ha	0 ha

45. The general submission from WBF (S463.123) on the KCZ also request the following changes to the maps:
 - a. Delete ONC80 from the KCZ due to the restrictive nature of the overlay.
 - b. With the agreement of Ngāti Rehia, WBF request the addition of the Piakoa wāhi tapu site to Schedule 3 of the PDP as described in their submission.
46. There is also a submission point from Far North District Council (S368.001) requesting that the Natural Heritage sub-zone within the KCZ be rezoned Natural Open Space Zone. This submission states that the Natural Heritage sub-zone has been incorrectly applied and this should be replaced with the Natural Open Space Zone in accordance with the section 32 evaluation report for the KCZ. This submission point is supported in part in a further submission from WBF (FS534.060) subject to the amendments in its submission associated with the Natural Heritage sub-zone within the KCZ be rezoned Natural Open Space Zone.

Relocation of the Golf Living sub-zone

47. The rationale for the requested changes to the Golf Living sub-zone is set out in detail in paragraph 18 to 36 of Mr Tuck's evidence. This states that the notified Golf Living sub-zone is centred on a gully system that faces constraints relating to environmental management, development economics, amenity and servicing which will limit the delivery of the premium residential outcomes WBF is seeking.
48. More specifically, Mr Tuck notes that:
 - a. The Pararuhi Stream and its tributaries flow through the middle of the sub-zone and the surrounding topography is hilly. This means



development would encounter challenges in terms of earthworks, geotechnical risk, wastewater and stormwater. The southern extent of the sub-zone also includes regenerating indigenous vegetation that WBF has no intention of removing.

- b. Residential amenity in the sub-zone would be compromised by sloping sites and the location of the golf course in close proximity which would limit visual and aural privacy.
 - c. A large part of the west side of the sub-zone has existing plantation forestry that is intended to continue, and future plantation forestry activities (particularly harvesting) will have adverse effects on residential amenity.
 - d. The southern extent of the sub-zone is located a significant distance from the Lodge meaning a significant investment would be required to provide adequate infrastructure servicing.
49. For these reasons, the relocated Golf Living sub-zone requested by WBF retains some flatter areas in the north of the notified Golf Living sub-zone and extends the sub-zone into new areas of flatter areas of land to the north. This area is expected to deliver significantly improved amenity for future residents, including coastal views, access to Waiaua Bay, and surrounding indigenous vegetation.

Lodge sub-zone

50. The rationale for the Lodge sub-zone changes are set out in paragraph 37 to 63 of Mr Tuck's evidence. In short, an increase in the extent of the Lodge sub-zone is being sought due to the lack of suitable land to develop in the notified sub-zone. I understand that the intent of WBF is to develop another building area near to the existing lodge which would be used for a dedicated golf pro-shop and additional café/dining experience, which would alleviate pressure on the main Lodge building. This requires the Lodge sub-zone to be extended further south.
51. In addition, WBF is requesting to extend the northern extent of the Lodge sub-zone to cover an area occupied by a 16-lot subdivision that was consented in 2017. The southern end of the subdivision is occupied by three visitor accommodation villas. The subdivision has been constructed but the section 224 notice has not been issued due to a condition limiting any further subdivision in the Golf Living sub-zone to 46 lots⁵.
52. WBF has now signalled change in intent of the subdivision towards non-residential use, potentially as visitor accommodation. Mr Tuck therefore considers that this area forms a logical extension to the Lodge sub-zone

⁵ My understanding from Mr Tuck is that this condition was intended to ensure residential development across the KCZ is capped at 60 residential lots and WBF does not want to limit development yield in the Golf Living sub-zone as stipulated in this subdivision consent.



as this area is physically contiguous, serviced and already used for visitor accommodation. Mr Tuck also states that, in his view *"...including the 2017 subdivision footprint within the proposed Lodge sub-zone and providing conservative settings within the sub-zone rules and performance standards is an appropriate method to control future development activities, regardless of whether they are residential, visitor accommodation or another type of land use"*⁶.

Analysis

53. Firstly, it is important to understand the location of the KCZ sub-zones and requested changes in relation to the PDP overlays. The KCZ includes the following overlays:
 - a. The Coastal Environment overlay, including a number High Natural Character Areas⁷
 - b. Outstanding Natural Chapter overlay (ONC80), which is a small inland totara forest located immediately north of the Lodge.
54. The requested changes to the sub-zones do not affect the HNC areas and WBF is no longer requesting any changes to the ONC⁸. However, the requested changes to the sub-zones would enable more residential development within the broader coastal environment overlay. Therefore, in my view, the main issues to consider in relation to the requested reconfiguration of the KCZ sub-zones are:
 - a. Relocation of the Golf Living sub-zone north
 - b. The expanded Lodge sub-zone.

Relocation of the Golf Living sub-zone north

55. The reasons for relocating the Golf Living sub-zone north from a land development and residential amenity perspective are clear in my view and this was reinforced when visiting the site. Nonetheless, there is a need to consider the potential environmental effects of enabling residential development to be located further north, particularly in relation to the coastal environmental overlay.
56. In this respect, it is important to note that the Golf Living sub-zone in the ODP and notified in the PDP enables up to 60 residential lots subject to a restricted discretionary activity consent process (discussed further under Key Issue 7). Therefore, the question in my view is not whether this level of development is appropriate, but rather whether the relocated area for this residential development is appropriate and whether the provisions

⁶ Paragraph 57.

⁷ HNC228, parts of HNC232 and HNC231.

⁸ This request was also addressed in Hearing 4 in the Coastal Environment Section 42A Report, pg.126: [Microsoft Word - Coastal Environment S42A report](#)



enable for the potential environmental effects of residential development in this location to be appropriately managed.

57. The environmental effects of the proposed sub-zoning have been assessed in the supporting technical evidence from WBF and has been reviewed by technical experts appointed by Council. The table below provides a high-level summary of the key conclusions in this evidence.

Effect	Assessment
Archaeology	The review by Dr Brown of the archaeological evidence from WBF concludes that <i>"The archaeological evidence presented in support of the rezoning at Waiaua Bay Farm Limited's Kauri Cliffs development reflects archaeological best practice. The information presented is drawn from several technical reports carried out on the property since 2022 and clearly reflects the author's knowledge of the archaeological landscape. I support the conclusions drawn in the report and do not believe there are any archaeological matters that prohibit rezoning. The preliminary plans for development following rezoning indicate a low potential for effects to recorded archaeological sites. It is appropriate that detailed plans are reviewed by an archaeologist during the consenting phase and any effects to archaeological sites identified at this time are managed through the Heritage New Zealand authority process."</i>
Cultural	<p>Mr Tuck addresses "recognition of Māori cultural values" in paragraph 155 to 162 of his evidence. This provides an outline of engagement that has been undertaken with several iwi/hapu groups, including specific engagement on the proposed rezoning of the sub-zones. Key points from this engagement include that no significant concerns have been raised from a cultural perspective, but iwi/hapu have provided clear feedback that a more detailed Cultural Impact Assessment (CIA) must be completed prior to any future subdivision consent which I understand that WBF are committed to. Mr Tuck also states in his evidence that <i>"Ultimately, if the rezoning is approved, WBF will need to collaborate with iwi/hapū over the coming years to ensure a successful and appropriate outcome"</i> (paragraph 160).</p> <p>Mr Tuck also notes that the further submission of Moanna Kiff, who represents Te Whanau Nui o Waiaua, opposing the proposed zoning. Appendix 5 of Mr Tuck's evidence addresses each of these further submissions. I also note that Moanna Kiff has lodged evidence in support of her further submissions which expresses strong opposition to the KCZ and requests to relocate the sub-zones, including a request for CIA to be prepared. I anticipate that WBF will respond to this evidence through rebuttal evidence and at the hearing.</p>
Ecological	<p>The ecological advice from Ms Andrews notes that:</p> <ul style="list-style-type: none"> Two streams occur on site, but these are not shown on the map. While the master plan is only indicative at this stage, it would be useful to provide a map of the vegetation, streams, and wetlands in relation to the masterplan to determine where features overlap building areas and accessways. The ecological constraints assessment was prepared to guide the design of the master plan which is best practice and this provides an appropriate assessment.



Effect	Assessment
	<ul style="list-style-type: none"> There are a range of ecological effects associated with proposal and a more detailed assessment is required and the subdivision/development consent stage. This should include specific consideration of a range of ecological effects and mitigation should be provided to achieve no net loss of biodiversity values. This includes consideration of the provisions in Ecosystems and Indigenous Biodiversity and Natural Character chapters of the PDP.
Geotechnical	<p>Mr Collings has reviewed the Master Plan, geotechnical evidence and Tonkin and Taylor geotechnical report provided by WBF and concludes that:</p> <ul style="list-style-type: none"> The masterplan development in general is feasible to construct but at present does not fully provide consistency with the recommendations of the T&T review. Infrastructure has not been considered from a geotechnical perspective and should be further analysed to meet the policies of the PDP. Access roading is expected to be extensive over the site, trending multiple different geological conditions, terrain and geomorphological features. It is recommended that this should be further analysed to ensure that the concepts are feasible.
Landscape	<p>The landscape advice from Ms Absolum makes the following key points:</p> <p>Master Plan</p> <ul style="list-style-type: none"> It is unclear how the condominiums outlined in the Master Plan are intended to be provided for in the KCZ provision, in particular the 300m² GFA. It is unclear how the "approximate cluster curtilage" shown around certain building clusters in the Master Plan is intended to be considered when development is proposed. Some buildings on the Master Plan are located across the coastal environment overly boundary creating uncertainty in the relevant provisions that apply. <p>Golf Living subzone</p> <ul style="list-style-type: none"> The reasons for relocating the Golf Living sub-zone are reasonable from a landscape perspective. While the relocated Golf Living sub-zone includes more residential development in the coastal environment, potential adverse effects are reduced by a number of factors. This includes that the areas are elevated and over 1km from coast and areas of vegetation and HNC areas are avoided. There is the potential for some development to be visible from Matauri Bay beach and Tepene Tablelands Road. However, with appropriate planting and careful design being demonstrated at the time of subdivision and development consent, any adverse visual effects can successfully be mitigated. Overall, this means that future development must be appropriately managed by the provisions. That being the case, I conclude that the extension of this sub-zone northwards is acceptable, from a landscape perspective. <p>Lodge sub-zone</p>



Effect	Assessment
	<ul style="list-style-type: none"> The extensions to this sub-zone are acceptable. <p>Golf Playing sub-zone</p> <ul style="list-style-type: none"> Replacing the Golf Living sub-zone areas to the west and south of the Lodge with Golf Playing sub-zone is appropriate. This change means there are no longer narrow strips of Golf Playing Sub-zone fringing the Golf Living sub-zone. <p>Ms Absolum also makes a number of recommendations in relation to the KCZ provisions which are incorporated into my recommendations below.</p>

58. In broad terms, the conclusions in this evidence (with the exception of the evidence of Ngāti Kura on behalf of Moana Kiff) are that the environmental effects of residential development in the relocated Golf Living sub-zone can be appropriately managed **subject to** more detailed design and assessment through the consenting process. It is also clear when visiting the site that the residential development anticipated through the relocated sub-zone and Master Plan could result in good or poor outcomes, depending on the detailed design and location of the residential units, particularly in relation to the coastal environment overlay and more visible locations. I therefore support the requested relocation of the Golf Living sub-zone but make further recommendations to the relevant KCZ provisions below to ensure environmental effects, and in particular landscape effects, can be appropriately assessed and managed through future consenting processes.

The expanded Lodge sub-zone

59. In my view, the requested changes to the southern extent of the Lodge sub-zone to provide are appropriate and the requested provisions for the Lodge sub-zone (discussed under Key Issue 5 and 6) can ensure that environmental effects of the expanded Lodge sub-zone are appropriately managed. In particular, I note that the provisions for the Lodge sub-zone requested by Mr Tuck would require a discretionary activity consent for additional visitor accommodation (beyond the 15 existing units), limits residential units to four (otherwise discretionary resource consent is required), and put additional controls (5m height limit) on the new area of Lodge sub-zone in north. I am supportive of these provisions as discussed further below.

Other sub-zoning location changes

60. WBF is also requesting some consequential changes to the location and extent of the Golf Playing sub-zone and I have no issues with this.

Wāhi tapu



61. In terms of the request to add the Piakoa wāhi tapu site to Schedule 3 of the PDP, this issue was considered by the reporting officer for the Sites and Areas of Significance to Māori Chapter in the PDP, along with other relevant submission points including from Te Rūnanga o Ngāti Rēhia⁹. I understand that the reporting officer has recommended that Piakoa be inserted into the Schedule 3 of the PDP, which including acknowledging that WBF support this inclusion to ensure the site is given ongoing statutory protection. I therefore recommend that this part of the WBF submission point be accepted.

Natural Heritage sub-zone and Natural Open Space Zone

62. Mr Tuck has provided a response to the submission from Far North District Council requesting that the Natural Heritage sub-zone within the KCZ be rezoned Natural Open Space Zone in paragraphs 67 to 69 of this evidence. In summary, Mr Tuck considers that the Natural Heritage sub-zone should be retained as:
- a. It is stricter than the Natural Open Space Zone as the only activity permitted in the Natural Heritage (under KCZ-R10) is “conservation activity” whereas buildings, structures and impervious surfaces are permitted in the Natural Open Space Zone. Further, the area is subject to a covenant under the QEII Trust which ensures that the area is protected (Appendix 8 of his evidence).
 - b. He is not aware of any specific requirement in the National Planning Standards for the Natural Heritage sub-zone to be rezoned to the Natural Open Space Zone, despite this being cited as the reason necessary for this change in the section 32 evaluation report¹⁰.
63. I generally concur with Mr Tuck’s conclusions and recommendations on this submission. While the National Planning Standards do not specifically provide for a Natural Heritage Zone, they provided for additional special purposes zones when certain criteria are met (as set out in section 4.1.3 above) and I am not aware of any direction in the National Planning Standards that prevents sub-zones within special purpose zones. I am also satisfied that the KCZ provisions and existing covenant are appropriate to protect this area and therefore there is no obvious need to rezone it to Natural Open Space Zone which would be more enabling. Accordingly, I do not recommend any amendments in response to this submission from Far North District Council.

⁹ Refer paragraphs 266 to 271: [Microsoft Word - Section 42A Report Sites and Areas of Significance to M ori](#)

¹⁰ Refer pg.6: [section-32-kauri-cliffs.pdf](#)



Recommendation

64. Amend the reconfiguration of the KCZ sub-zones as set out in Appendix 2 of Mr Tuck's planning evidence.

Section 32AA evaluation

65. The recommended amendments to the location of the KCZ sub-zones do not require a further evaluation under section 32AA of the RMA as that requirement relates to recommended amendments to objectives and policies. However, my evaluation of the KCZ provisions below includes consideration of how these provisions enable and manage development within the reconfigured sub-zones (e.g. through more specific consideration of effects on the natural character of the coastal environment for development in the Golf Living sub-zones).

5.2.2 Key Issue 2: General submissions

Overview

Provision(s)	Officer Recommendation(s)
Multiple	No amendments recommended
KCZ-R1	Minor amendment to the rule title to refer to relocated buildings for consistency

Analysis of Submissions on Key Issue 2: General submissions

Matters raised in submissions

66. Te Rūnanga o Ngāti Rēhia (S559.044) generally support the KCZ as notified.
67. Transpower (S454.135) requests that the provisions are amended to ensure that critical infrastructure such as transmission facilities, are provided for. In particular, Transpower is concerned that none of the SPZ in the PDP contain objectives, policies or rules that provide for critical infrastructure that may need to be located within these zones.
68. FENZ (S512.065) request insertion of a new permitted activity rule for emergency services facilities and that they be exempt from standards relating to setback distances and vehicle crossings. FENZ note that this would enable them to establish new fire stations to achieve emergency response time commitments.
69. House Movers Section of New Zealand Heavy Haulage Association (S482.015) support KCZ-R1 in part but note that the PDP definition of "building" does not clearly include relocated buildings. As such, the submitter considers that it is unclear that the permitted activity status applied in most zones to "new buildings and structures" also applies to the relocation of buildings. The submitter requests that relocated buildings are provided for as a permitted activity when they meet performance



standards and a restricted discretionary where these standards are not complied with.

70. John Riddell (S431.136) requests that KCZ-R1 be amended so that any proposal to set a building or structure less than 20-metres back from the coastal marine area (CMA), or from rivers and their banks is a non-complying activity.
71. Puketotara Lodge (S481.014) requests the PDP adequately manage stormwater discharges, particularly between sites or adjacent sites. As such, Puketotara Lodge requests that additional matters of discretion be added to KCZ-S2 (Coverage) to better control stormwater discharge effects. To provide for this, Puketotara Lodge request the addition of the following matters of discretion:

"g. avoiding nuisance or damage to adjacent or downstream properties;

h. The extent to which the diversion and discharge maintains pre-development stormwater run-off flows and volumes;

i. The extent to which the diversion and discharge mimics natural run-off patterns."

Analysis

72. The general submission points above have already been considered in previous PDP hearings on other zone chapters. The same reasoning and recommendations therefore apply to these general submissions as they relate to the KCZ.
73. Firstly, since making their original submission, Transpower has contacted Council to advise they are no longer pursuing submission points requesting changes to the zone chapters to recognise transmission lines, including submission point S454.135. The key relief sought by Transpower relates to the Infrastructure Chapter which was considered at Hearing 11. Accordingly, I recommend that this submission point from Transpower is rejected as the relief sought is no longer relevant.
74. In terms of the FENZ submission point requesting a permitted activity rule for emergency service facilities in the KCZ, I note the PDP:
 - a. Defines an emergency service facility as "*means fire stations, ambulance stations, police stations and associated ancillary facilities*". The relief sought from FENZ is therefore broader than fire stations which is the key focus of their submission point.
 - b. Enables emergency service facilities to be established as a permitted activity in certain zones (including the Light Industrial and Mixed-Use Zones with no conditions and the Rural Production Zone where the Gross Floor Area (GFA) does not exceed 150m²) while requiring



resource consent for these facilities in other zones where there is greater potential for adverse environmental effects (e.g. a discretionary activity in the General Residential Zone).

75. Under the KZC rules, an emergency service facility would require resource consent as a discretionary activity under KCZ-R11 (activities not otherwise listed in this chapter). In my opinion, this is appropriate as the KCZ is not intended to enable emergency service facilities and there are more suitable locations for such facilities. For these reasons, I recommend this submission point from FENZ is rejected.
76. The same submission point from House Movers Section of New Zealand Heavy Haulage Association was considered in Hearing 2 and 3, including in my section 42A report for the Ngawha Innovation and Enterprise Park Special Purpose Zone¹¹. In that report, I consider that no specific provision for temporary buildings is necessary as the PDP rules for buildings in the zone chapters treat new and relocated buildings the same. However, it was agreed with the PDP team a reference to relocated buildings in the rule description for buildings and structures would provide additional clarity. Therefore, I recommend the same amendment to KCZ-R1 for consistency and clarity.
77. I considered a similar submission from John Andrew Riddell requesting that any building or structure setback less than 20 metres from the CMA is a non-complying activity in the Coastal Environment Section 42A Report in Hearing 4¹². In that hearing I considered that this amendment was not necessary as the MHWS setbacks rules are sufficient and I consider the same reasoning applies to this submission. Further, the KCZ does not extend to within 20m of MHWS so this requested rule would provide no useful purpose. In addition, I note that the Natural Character chapter in the PDP already controls buildings and structures within “wetland, lakes and river margins” which are sufficient in my view.
78. The Puketotara Lodge submission has also been considered in previous hearings, including in my section 42A report for the Ngawha Innovation and Enterprise Park Special Purpose Zone¹³. In that report, I recommended amending the matters of discretion to align with the Rural Production Zone and a minor amendment in response to the Puketotara Lodge submission to refer to adjoining or downstream sites.
79. However, I note that the matters of discretion in KCZ-S2 do not align with other PDP rules relating to coverage but rather seem to replicate KCZ-S1. This appears to be a straight roll-over from Rule 18.7.6B.1.5 (impermeable surfaces) which applies the same 10% or 1,000m² threshold and the same general matters of discretion. I note that KCZ-S2 only applies to the Golf Playing sub-zone consistent with the ODP controls, where stormwater

¹¹ Refer paragraph 97 to 100: [Microsoft Word - S42A Report - Ngawha](#)

¹² Refer paragraph 494: [Microsoft Word - Coastal Environment S42A report](#)

¹³ Ibid, paragraph 101 to 103: [Microsoft Word - S42A Report - Ngawha](#)



effects are unlikely to be an issue that requires specific consideration given the scale and nature of that sub-zone. I therefore do not recommend any amendments in response to this general submission from Puketotara Lodge.

Recommendation

80. I recommend a minor consequential amendment to KCZ-R1 to refer to relocated buildings in the rule title, otherwise I do not recommend any amendments in response to the general submissions above.

Section 32AA evaluation

81. The amendment I recommend to KCZ-R1 is a minor consequential amendment arising from previous hearings therefore no further evaluation is required under section 32AA of the RMA.

5.2.3 Key Issue 3: Overview to the KCZ

Overview

Provision(s)	Officer Recommendation(s)
Overview	Minor amendments to improve clarity

Analysis of Submissions on Key Issue 3: Overview to the KCZ

Matters raised in submissions

82. WBF (S463.098) are the only submitter on the Overview section for the KCZ. The original submission from WBF states that the Overview section requires updating to reflect developments undertaken during the term of the ODP, and to recognise and provide for future development within the KCZ. To provide for this, this submission point from WBF requested substantial changes and additions to the Overview of the KCZ.
83. In contrast, Mr Tuck now requests relatively minor amendments to the Overview section to clarify the discrete location of, and anticipated activities in, the KCZ. The recommended amendments by Mr Tuck are as follows:

"The Kauri Cliffs zone ~~is located~~ applies to part of the Kauri Cliffs property located between Matauri Bay to the north and Takou Bay to the south. The zone ~~and~~ has been developed as a championship standard golf course, with an associated lodge and separate ~~guest-cottage~~ visitor accommodation....

The zone recognises and provides for the management and development of an international standard golfing facility, visitor accommodation, spa/health facilities, conference and eating/dining facilities, and residential activities, all with a focus on the protection and enhancement of the zone's natural, conservation and environmental values. The



development of the zone is controlled by rules applying to four 'environments' sub-zones within the Kauri Cliffs Zzone. ..."

Analysis

84. I am generally supportive of the recommended amendments to the Overview section of the KCZ by Mr Tuck as these add clarity, including by using more certain terms that are defined in the PDP and National Planning Standards (i.e. visitor accommodation, residential activity), and correcting some of the wording (e.g. replacing "environments" with "sub-zones"). However, I consider that the reference to "residential activities" is too broad as this not the primary purpose of the KCZ and could be interpreted as such with the requested wording from Mr Tuck outlined above. Therefore, I recommend a minor amendment in the requested wording from Mr Tuck to refer to "and limited residential activities" to recognise that there is a limitation in the maximum number of residential activities anticipated in the KCZ.

Recommendation

85. For the above reasons, I recommend that the requested amendments by Mr Tuck to the Overview section for the KCZ are accepted with a minor amendment to refer to "...and limited residential activities..".

Section 32AA evaluation

86. The recommended amendments to the Overview section of the KCZ do not require a further evaluation under section 32AA of the RMA as that requirement is limited to recommended amendments to objectives and provisions, not explanatory text.

5.2.4 Key Issue 4: KCZ objectives

Overview

Provision(s)	Officer Recommendation(s)
KCZ-O1	Replace "golf-living facilities" with "limited residential activities"
KCZ-O2	Retain as notified

Analysis of Submissions on Key Issue 4: KCZ objectives

Matters raised in submissions

Original submissions

KCZ-O1

87. The original submission from WBF (S463.099) requests a number of amendments to the wording of KCZ-O1 to clarify the range of visitor and guest services required on-site and to expressly provide for residential activities and supporting services/facilities.



88. In contrast, Mr Tuck now requests a minor amendment to KCZ-O1 to replace the undefined term "*golf-living facilities*" with the defined term "*residential activities*."

KCZ-O2

The original submission from WBF (S463.100) opposed KCZ-O2 as notified and requested it be replaced with the following wording "*New uses, development and subdivision maintain and enhance significant natural character, conservation and environmental values*".

89. However, Mr Tuck does not request any amendments to KCZ-O2.

Analysis

KCZ-O1

90. I generally support the more targeted amendments to KCZ-O1 requested by Mr Tuck to replace the undefined term "*golf-living facilities*" with the defined term of "*residential activities*". However, as with the Overview section for the KCZ, I consider that it important to clarify that the extent of residential activities anticipated in the KCZ is limited and this is not the primary purpose of the zone. I therefore recommend that the amendments sought by Mr Tuck are accepted with a slight amendment to refer to "*and limited residential activities*".

KCZ-O2

91. Mr Tuck is not requesting amendments to KCZ-O2 and, in my view, the notified wording of the objective is preferable as this seeks to "protect" the range of conservation and environmental values in the KCZ rather than "maintain" "significant" values as sought in the WBF submission. I therefore recommend that KCZ-O2 be retained as notified.

Recommendation

92. For the above reasons, I recommend a minor amendment to KCZ-O1 to replace "*golf-living facilities*" with "*limited residential activities*" and that KCZ-O2 be retained as notified.

Section 32AA evaluation

93. My recommended amendment to KCZ-O1 is a minor amendment to improve clarity by replacing an uncertain and undefined term with "residential activities" which is defined in the PDP and National Planning Standards¹⁴, while also making it clear that there are limitations on the number of residential activities anticipated in the KCZ. I therefore consider

¹⁴ However, I note that these defined terms refer to "residential activity" rather than "residential activities". Therefore, further consideration needs to be given to how the PDP identifies different terms which have the same meaning.



that this is an appropriate amendment to achieve the purpose of RMA in accordance with section 32AA of the RMA.

5.2.5 Key Issue 5: KCZ policies

Overview

Provision(s)	Officer Recommendation(s)
KCZ-P1, KCZ-P2, KCZ-P3, KCZ-P7 and KCZ-P8	Retain as notified
KCZ-P4	Minor amendment to refer to "visitor accommodation"
KCZ-P5	Amend to align with intent of the Lodge sub-zone
KCZ-P6	Amend to align with intent of the Golf Living sub-zone

Analysis of Submissions on Key Issue 5: KCZ policies

Matters raised in submissions

94. WBF are the main submitter on the KCZ policies and the original submission from WBF requested significant amendments to these policies to be split up under different headings. However, Mr Tuck is no longer requesting the same level of amendments to the KCZ policies as the WBF original submission, but both are summarised in this section for completeness.
95. I also note that Moana Kiff made several further submission points opposing all of WBF's original submission points on the KCZ policies. The reasons for opposition include the nature and impacts that the planned subdivision will have on hāpu, whenua and moana as its closest neighbours. Moana Kiff also makes reference to the section 32 evaluation report for the KCZ in terms of the assessment of tangata whenua values.

KCZ-P1

96. The original submission from WBF (S463.101) stated that KCZ-P1 is outdated and requires amendments to reflect developments undertaken during the term of the ODP. To address this concern, this submission point from WBF requested the following amendments to KCZ-P1: *Provide for land use and subdivision in the Kauri Cliffs zone ~~where it~~ that maintains or enhances the purpose of the zone as an internationally recognised golfing, recreation, tourism and luxury accommodation facility or delivers a master planned residential development.* However, Mr Tuck is not requesting any amendments to KCZ-P1.



KCZ-P2

97. The original submission from WBF (S463.102) supports the intent of KCZ-P2 but request an inclusion of ancillary structures related to "golf playing" along with staff accommodation, while also requesting amendments to the last part of the policy as follows: *KCZ-P26 Provide for the development of future golf courses and their ancillary structures and staff accommodation within the 'Golf playing subzone' in the Kauri Cliffs zone while ensuring that any adverse effects of development are avoided, remedied or mitigated managing any adverse effects of the development.* However, Mr Tuck is not requesting any amendments to KCZ-P2

KCZ-P3

98. WBF (S463.103) support KCZ-P3 and request no amendments other than re-numbering to align with WBF's other requested amendments to the policies.

KCZ-P4

99. The original submission from WBF (S463.104) requests amendments to KCZ-P4 to align with the requirements of WBF within the Lodge sub-zone by incorporating KCZ-P5 as follows:

Enable tourist and golf related activities and provide for the limited extension of the existing guest cottage visitor accommodation units in the Kauri Cliffs Lodge sub-zone where the adverse effects can be avoided, remedied or mitigated managed"

100. However, Mr Tuck now only requests a minor amendment to KCZ-P4 to clarify the anticipated activities in the KCZ by replacing the undefined term "guest cottage accommodation" with the defined term of "visitor accommodation."

KCZ-P5

101. The original submission from WBF (S463.105) requests that KCZ-P5 is deleted as their proposed amendments incorporate this policy into revised KCZ-P4 (above).
102. Mr Tuck requests different amendments to KCZ-P5 to clarify the anticipated nature and location of activity associated with the Lodge sub-zone. Mr Tuck requests the following amendments to KCZ-P5 to provide for this:

"Enable tourist and golf related limited commercial activities and associated built form in the Kauri Cliffs zone in association with thean activity node around the existing Kauri Cliffs Lodge."

KCZ-P6

103. The original submission from WBF (S463.106) on KCZ-P6 stated that it is appropriate to provide more directive policy on the matters to be addressed in future residential development and requested the following amendments to the policy:

Provide for residential activities in the Golf Living subzone more than 0.5km inland from the coast and require the siting, design and landscaping to manage effects on the rural and coastal landscape character 'golf living' activities in the Kauri Cliffs zone, where it is consistent with an open rural landscape character and located more than 0.5km inland from the coast."

104. Mr Tuck is requesting alternative amendments to KCZ-P6 to reflect the relocation of the Golf Living sub-zone and its interface with the coastal environment overlay. To provide for this, Mr Tuck recommends that KCZ-P6 is amended as follows:

"Provide for 'golf living' residential activities in the Kauri Cliffs zone, where it is consistent with an open rural landscape character and located more than 0.5km inland from the coast and adverse effects on the coastal environment and rural landscape values are avoided, remedied or mitigated."

KCZ-P7

105. The original submission from WBF (S463.107) on KCZ-P7 stated that a more specific policy direction is appropriate to guide future development and requested the following amendments to the policy: *"Ensure development in the Kauri Cliffs Zone is appropriately sited and serviced to manage adverse effects on the values of the coastal environment that the siting of buildings in the Kauri Cliffs zone is undertaken in a manner which minimises the impacts of activities and development in the coastal environment, including the provision for adequate infrastructure servicing"*. However, Mr Tuck is not requesting any amendments to KCZ-P7.

KCZ-P8

106. The original submission from WBF (S463.108) on KCZ-P8 raised concerns that the policy can be interpreted as inadvertently requiring all new use and development to maintain or improve air and road access. To address this concern, the original submission from WBF requests the following amendments to KCZ-P8: *"Ensure that any land use or development undertaken in the Kauri Cliffs zone maintains or improves road and air access to Maintain or improve road and air access to the Kauri Cliffs Zone if necessary to support new land uses or development in the zone"*. However, Mr Tuck is not requesting any amendments to KCZ-P8.



Analysis

KCZ-P1, KCZ-P2, KCZ-P3, KCZ-P7, KCZ-P8

107. KCZ-P3 is supported by WBF therefore I recommended it be retained as notified. While the original submission from WBF requested amendments to KCZ-P1, KCZ-P2, KCZ-P7 and KCZ-P8, Mr Tuck is no longer pursuing amendments to these policies. Accordingly, I recommend that these policies be retained as notified.

KCZ-P4

108. I agree with Mr Tuck that it is appropriate to replace "*guest accommodation*" with the PDP defined term "*visitor accommodation*"¹⁵. I therefore recommend that KCZ-P4 be amended accordingly.

KCZ-P5

109. The amendments that Mr Tuck is requesting to KCZ-P5 would broaden the activities enabled around the Kauri Cliff Lodge from "*tourism and golf related activities*" to "*...limited commercial activities and associated built form...*" and also insert a reference to being in associated with "*...an activity node around the...*" existing Kauri Cliff Lodge. My understanding is that this is intended to provide for a golf-pro shop and additional café/dining options next to the Lodge, particularly for day visitors to the golf course.
110. I note that "*commercial activity*" has a broad definition in the PDP that is from the National Planning Standards¹⁶, potentially creating a risk of enabling a range of commercial activities in the KCZ. However, I consider that the recommended wording to enable "*limited commercial activities...*" that are "*...in association with the existing Kauri Cliffs Lodge*" is sufficient to avoid this risk and ensure that any commercial activities are limited in number and support the existing Lodge. Additionally, I note that KCZ-R4 (Commercial activity) effectively limits the types of commercial activities that can be undertaken as permitted activities in the Lodge sub-zone, including limiting retail activities to those associated with golf and ancillary recreation. In my view, it would be beneficial to limit the application of KCZ-P5 to the Lodge sub-zone to make that intent clear which would also align with KCZ-R4 and avoid the risk of commercial activities establishing elsewhere in the KCZ.
111. However, I consider the requested wording from Mr Tuck in KCZ-P5 to refer "*and associated built form*" and "*an activity node*" is unnecessary and potentially confusing. I therefore recommend that this submission

¹⁵ A term also defined in the National Planning Standards that "*means land and/or buildings used for accommodating visitors, subject to a tariff being paid, and includes any ancillary activities*".

¹⁶ The definition of commercial activity in the PDP is: "*means any activity trading in goods, equipment or services. It includes any ancillary activity to the commercial activity (for example administrative or head offices)*".



point from WBF is accepted in part and KCZ-P5 is amended as follows:
"Enable ~~tourist and golf-related~~limited commercial activities in the Kauri Cliffs Lodge sub-zone in association with the existing Kauri Cliffs Lodge".

KCZ-P6

112. I am broadly supportive of the requested amendments to KCZ-P6 by Mr Tuck. However, I consider that the intent of the policy can be better achieved through further amendments to the policy refer to:
- a. "...limited residential activities" (for the same reasons as outlined above)
 - b. The Golf Living sub-zone (as per the WBF original submission) to make it clear that residential activities are only anticipated in that sub-zone
 - c. The "...*characteristics, qualities and values...*" of the coastal environment (for consistency with the Coastal Environment chapter).
113. I therefore recommend that this submission point from WBF is accepted in part and KCZ-P6 is amended as follows: *Provide for 'golf living' limited residential activities in the Kauri Cliffs Living sub-zone, where these are # is consistent with an open rural landscape character and located more than 0.5km inland from the coast and adverse effects on the characteristics, qualities and values of the coastal environment and on rural landscape values are avoided, remedied or mitigated.*

Recommendation

114. For the above reasons, I recommend that:
- a. KCZ-P1, KCZ-P2, KCZ-P3, KCZ-P7 and KCZ-P8 are retained as notified
 - b. KCZ-P4 is amended to replace "*guest cottage accommodation*" with the defined term of "*visitor accommodation*"
 - c. KCZ-P5 is amended to align with the intent of the Lodge sub-zone to provide for limited commercial activities around the existing Lodge
 - d. KCZ-P6 is amended to clarify how residential activities to be provided for in the Golf Living sub-zone.
115. My recommended amendments to the KCZ policies are shown in full in **Appendix 1.**

Section 32AA evaluation

116. My recommended amendments to the KCZ policies are primarily to improve clarity, better align with terms defined in the National Planning



Standards and PDP, and help clarify the anticipated activities in the sub-zones. I therefore consider that my recommended amendments to the KCZ policies are an appropriate, efficient and effective way to achieve the relevant PDP objectives in accordance with section 32AA of the RMA.

5.2.6 Key Issue 6: Rules and Advice Notes

Overview

Provision(s)	Officer Recommendation(s)
KCZ-R1	Amend to clarify reference to matters of discretion
KCZ-R2	Amend to limit visitor accommodation to 15 units and clarify terms and matters of discretion
KCZ-R3	Amend to be more specific on location of residential activities and allow for up to four residential units in the Lodge sub-zone
KCZ-R5, KCZ-R6, KCZ-R9	Minor amendment to clarity terms
KCZ-R7	Amend to provide a restricted discretionary pathway for accessways, vehicle crossings etc. in Golf Living sub-zone

Analysis of Submissions on Key Issue 6: Rules and Advice Notes

Matters raised in submissions

117. As with the KCZ policies, Mr Tuck is now requesting alternative amendments to the KCZ rules or no longer requesting amendments that were sought in the original submission from WBF. However, both are summarised here for completeness.
118. I also note that Moana Kiff made a number of further submission points opposing all of WBF's original submission points on the KCZ rules. The reasons for this opposition to the WBF submission points from Moana Kiff are the same as those outlined above.

Advice Notes

119. The original submission from WBF on the advice notes above the rules table (S463.109) raises concern that the provisions in the Coastal Environment Chapter are incompatible with the KCZ planning framework. To address this, WBF requested an amendment to Advice Note 1 to state the KCZ provisions prevail over the provisions in the Coastal Environment Chapter in the event of conflict.
120. However, Mr Tuck is no longer requesting this amendment as the changes sought in this WBF submission point are no longer necessary.



KCZ-R1 (Buildings and structures)

121. The original submission from WBF (S463.110) supports KCZ-R1 and requests it be retained as notified.
122. However, Mr Tuck recommends amendments to KCZ-R1 to align the recommendations to the rules in the Coastal Environment Chapter in Hearing 4. More specifically, Mr Tuck requests that PER-4 in KCZ-R1 is amended to align the activity status with that in CE-R1 PER-1 and CE-R1 CON-1 (i.e. a controlled activity when PER-4 is not complied with rather than a restricted discretionary activity). Mr Tuck also recommends:
 - a. An amendment to PER-1 to refer to "*gross floor area*" as a defined term rather than "*GFA*".
 - b. An amendment to PER-4 to refer to "*the matters of discretion of standard KCZ-S1 - Buildings and structures*" rather than "*any infringed standard*".

KCZ-R2 (Visitor accommodation)

123. The original submission from WBF (S463.111) request a number of amendments to KCZ-R2. Firstly, WBF considers that the reference to "Kauri Cliffs Zone" in the left-hand column of KCZ-R2 appears to extend the permitted allowance for visitor accommodation to the entirety of the KCZ, which is not the intent. WBF recommends the reference to Kauri Cliff Zones in the left-hand column of the rule is deleted to address this concern and requests the same amendments to the other KCZ rules.
124. The original submission from WBF also requests amendments to the wording of PER-1 in KCZ-R2 to align with the request to extend the Lodge sub-zone to cover the existing residences and the 2017 subdivision. The requested amendments to KCZ-R2 in this original submission point from WBF are as follows:

"New buildings for the purpose of visitor accommodation does not exceed 8 guest cottages. No more than 22 visitor accommodation units including the existing Owner's Cottage and Residences."
125. WBF also request that PER-2, which provides for accommodation and accessory buildings, within the Golf Living sub-zone is deleted as the sub-zone is not intended to provide for visitor accommodation.
126. Mr Tuck is requesting similar but different amendments to KCZ-R2 as follows:
 - a. An amendment to PER-1 to increase the number of visitor accommodation units permitted in the Lodge sub-zone from eight to 15 (rather than 22).



- b. An amendment to the last matter of control in CON-1 as follows: *d. any adverse visual effects and the extent to which mitigation measures ensure that such effects are no more than minor~~the degree to which the landscape will retain its open character and visual nature.~~*
- c. An amendment to PER-2 to refer to "visitor accommodation" as a defined term (rather than deleting this).

KCZ-R3 (Residential activity)

- 127. The original submission from WBF (S463.112) generally supports KCZ-R3 but requests that the reference to the KCZ in the left-hand column is deleted to make it clear this rule limited to the Golf Living sub-zone.
- 128. However, Mr Tuck is recommending different amendments KCZ-R3 to align with the controlled activity rule in CE-R1 recommended in Hearing 4 and to recognise the existing cottage and three guest villas constructed in the 2017 subdivision that are proposed to be part of the expanded Lodge sub-zone. To provide for this, Mr Tuck recommends the following amendments to KCZ-R3:
 - a. An amendment to PER-2 (Golf Living sub-zone) as follows: *The residential unit is located within a defined building platform, where the defined building platform has been identified through a professional landscape assessment and approved as part of an existing subdivision consent~~building platform identified on an approved subdivision plan.~~*
 - b. A new PER-3 to enable residential activity within the Lodge sub-zone where *"Buildings for the purpose of residential activity in the Lodge sub-zone do not exceed four (4) units".*

KCZ-R4 (Commercial activity)

- 129. The original submission from WBF on KCZ-R4 (S463.113) considers that the rule requires updating to reflect the range of activities in the Lodge sub-zone, and requests amendments to also refer to tourism and hospitality including tours and events, and visitor accommodation. However, Mr Tuck is not requesting any amendments to KCZ-R4.

KCZ-R5 (Infrastructure activity)

- 130. The original submission from WBF on KCZ-R5 (S463.114) requests that PER-1 is amended to broaden the types of activities infrastructure may be associated with as follows:

"~~Infrastructureal facilities~~ are associated with the operation and maintenance of the Lodge or golfing, recreation, hospitality or visitor



accommodation activities in the Lodge subzone the Lodge and associated accommodation."

131. However, Mr Tuck is now only requesting a minor amendment to PER-1 in KCZ-R5 to refer to "*infrastructure*" rather than "*infrastructure facilities*". Mr Tuck also recommends the matters of control are replaced with a cross-reference to "*the assessment matters of standard KCZ-S1*" for efficiency (as the assessment matters are identical).

KCZ-R6 (Recreation activity)

132. The original submission from WBF on KCZ-R6 (S463.115) requests a number of amendments to the rule that they consider simplifies the recreational activities that are permitted within the sub-zones.
133. However, Mr Tuck is requesting a minor amendment to KCZ-R6 PER-1 to refer to "*lodge and golf course*" to recognise that recreation activity is centred on both the Lodge and the golf course. As with KCZ-R5, Mr Tuck also recommended that the matters of discretion are simplified to refer to the matters under KCZ-S1 for efficiency (as the assessment matters are identical).

KCZ-R7 (Access)

134. The original submission from WBF on KCZ-R7 (S463.116) support the permitted activity pathway for works associated with pedestrian access, as well as vehicle access, and requests minimal changes to the rule.
135. However, Mr Tuck raises an issue that there are provisions in the Transport and Subdivision Chapters of the PDP that require a discretionary activity consent for accessways serving more than eight lots. Mr Tuck considers that this will conflict with the permitted status for access under KCZ-R7 and the restricted discretionary framework under SUB-R3 for residential subdivision in the Golf Living sub-zone.
136. To address this concern, Mr Tuck recommends that KCZ-R7 is split into two with different requirements for the sub-zones as follows:
 - a. **PER-1** – would apply in the Lodge sub-zone and Golf Playing sub-zone and provide a permitted pathway for the formation, maintenance and upgrading of "accessways" (as a defined term), tracks and roads within these two sub-zones. Mr Tuck considers that this is appropriate given these two sub-zones do not interface with public roads.
 - b. **PER-2** – would apply in the Golf Living sub-zone and provide a permitted activity pathway for "*Any proposed accessways, vehicle crossings and vehicle passing bays comply with TRAN-S2, TRAN-S3 and TRAN-S4 as applicable.*" As the Golf Living sub-zone interfaces with public roads, Mr Tuck considers that it is appropriate to apply



the same transport standards that applies to other developments. The requested amendments by Mr Tuck to PER-2 also include the following note "Rule KCZ-R7 applies in place of rules TRAN-R2 and SUB-R4, which do not apply in the Golf Living sub-zone". The requested amendments also provide a restricted discretionary activity or discretionary activity pathway where compliance is not achieved with the transport standards as follows:

RDIS-1

A resource consent application includes a transportation assessment approved by a suitably qualified and experienced transport professional.

Matters of discretion are limited to:

- a. the extent to which the design provides for a safe, efficient and connected transport network;
- b. any adverse effects on the safety and efficiency of road operations;
- c. any adverse effects on the character and amenity of the surrounding environment; and
- d. the recommendations of a transport assessment.

Activity status where compliance not achieved with RDIS-1: Discretionary.

KCZ-R8 (Farming)

- 137. WBF (S463.117) support KCZ-R8 and request that it be retained as notified.

KCZ-R9 (Helicopter landing areas)

- 138. The original submission from WBF (S463.118) opposes KCZ-R9 as the provision to comply with standard NOISE-R7 is redundant as it refers to emergency take-off and landing scenarios. To address this concern, this submission from WBF requests an amendment so that the rule requires compliance with NOISE-S4 as this relates to noise generated from typical helicopter movements and landings and better reflects the use of helicopters within the KCZ.
- 139. Mr Tuck does not recommend any amendments to PER-1 (which refers to compliance with NOISE-R7) but notes that the matters of control have little relevance to a helicopter landing area and appear to have been referred to in error. As such, Mr Tuck requests that the matters of control refer to "*the matters of standard NOISE-S4.*"



KCZ-R16 (Primary production (excluding farming))

140. The original submission from WBF (S463.119) on KCZ-R16 suggests that the PDP could more appropriately differentiate and provide for modest primary production activities in the KCZ. As such, WBF requested the non-complying activity status focus on sub-sets of primary production that are not contemplated in the zone, i.e., mining and aquaculture. However, Mr Tuck is not requesting amendments to KCZ-R16.

Analysis

141. Firstly, I agree with the points made in the WBF submission that the reference to "*Kauri Cliff Zone*" in the left-hand column before referring to the sub-zones is somewhat confusing as this could imply that the rules apply across the KCZ, which is clearly not the intent. I therefore recommend that the reference to "*Kauri Cliff Zone*" in the left-hand column is replaced with a reference to the "*Kauri Cliff Zone: Lodge/Golf Living/Golf Playing (as applicable) sub-zone*" etc. as is done in the KCZ standards to avoid any potential confusion as to what sub-zone the rules apply in.

KCZ-R4, KCZ-R8, KCZ-R16

142. KCZ-R8 (Farming) is supported by WBF and therefore no further analysis is required. Mr Tuck is no longer requesting amendments to KCZ-R4 (Commercial activity) and KCZ-R16 (Primary production – excluding farming) as set out in the WBF submission. Accordingly, I recommend that these rules be retained as notified.

KCZ-R1 (Buildings and structures)

143. In terms of the requested amendments to PER-4 in KCZ-R1, I note that the controlled activity pathway CON-1 recommended to the Coastal Environment rules CE-R1¹⁷ was specific in its application, i.e. residential units on defined building platforms in **an approved subdivision** that have been subject to **a previous landscape assessment**. However, my reading of the recommended amendments to PER-4 in KCZ-R1 is that a controlled activity status would apply to any building or structure in the Golf Living sub-zone that does not comply with the building GFA and maximum building height standards in KCZ-S1, regardless of whether it is located on an identified building platform in an approved subdivision or has been subject to a previous landscape assessment.
144. The intent of the controlled activity pathway in my recommended amendments to CE-R1 in Hearing 4 was primarily to provide for residential units on approved subdivisions in "non-urban" zones in PER-2 of the rule

¹⁷ As per Appendix 3.1 in my right of reply: [Appendix-3.1-Recommended-Amendments-to-Coastal-Environment-Right-of-Reply.pdf](#) The specific wording in CON-1 in CE-R1 is "*The building is a residential unit or a minor residential unit on a defined building platform, where the defined building platform has been identified through a professional landscape assessment and approved as part of an existing or implemented subdivision consent*".



which would otherwise be subject to the more stringent gross floor area (GFA) thresholds (25m² to 100m²) whereas the Golf Living sub-zone has a more enabling 300m² threshold in PER-1 of the CE-R1. The amendments requested to PER-4 in KCZ-R1 would therefore have the effect of requiring resource consent to be granted for buildings in the Golf Living sub-zone regardless of whether these are located on identified building platforms or the degree of non-compliance with the building GFA and maximum height thresholds in KCZ-S1. I therefore do not consider that these amendments are appropriate.

145. I understand the intent is that residential development in the Golf Living sub-zone will occur after a more detailed restricted discretionary activity subdivision consent process under SUB-R3, which will include a detailed landscape assessment with defined building platforms as outlined under Key Issue 8 below. Therefore, my expectation is that this subdivision consent process will then enable residential dwellings to be established as permitted activities under PER-4 in KCZ-R1 and PER-1 and PER-2 in KCZ-R3, subject to compliance with the height and GFA thresholds in KCZ-S1. Where residential buildings do not comply with the height and GFA thresholds in KCZ-S1, then in my view it is appropriate to retain the restricted discretionary activity consent process which the notified PER-4 in KCZ-R1 provides for. Accordingly, I do not support this requested amendment from Mr Tuck and recommend that the restricted discretionary activity status is retained.
146. I note that Ms Absolum has also advised on this issue from a landscape perspective where she reiterates the point above that the controlled activity pathway recommended through Hearing 4 is intended to provide for situations where a subdivision consent, supported by a appropriate landscape assessment, has already been granted. Therefore, Ms Absolum concludes that: *"No landscape assessment has been prepared for identified building platforms within the Golf Living sub-zone at Kauri Cliffs and so, in my opinion, the restricted discretionary pathway is appropriate when the building height and footprint controls in KCZ-S1 are not complied with"*.
147. I also consider that replacing the reference to reference in PER-1 to "GFA" with "gross floor area" is unnecessary. This is because the two terms are used interchangeably in the PDP, and both include hyperlinks to the same definition which is consistent with the National Planning Standards. Further, I note that there are other rules in the KCZ that use the term GFA (e.g. KCZ-R2) and I recommend that GFA be used in KCZ-S1 (rather than "footprint") for consistency.
148. However, I do agree with the requested amendments to KCZ-R1 from Mr Tuck to replace the reference in PER-4 to "any infringed standard" with "the matters of discretion in KCZ-S1". I consider that that this should also apply for non-compliance with PER-2 as the matters of discretion (with Mr Tuck's recommended amendments) are identical.



KCZ-R2

149. The first requested amendment to KCZ-R2 is to enable up to 15 visitor accommodation units within the Lodge sub-zone as a permitted activity rather than eight as notified in the PDP. I understand from the evidence of Mr Tuck (paragraphs 113 to 115) that this simply provides for existing visitor accommodation within the KCZ (11 suites), the two bedroom owner's cottage, and the three newer guest villas located in the 2017 subdivision. Any additional visitor accommodation in the Lodge sub-zone will therefore require a discretionary activity resource consent which I consider is appropriate. Accordingly, I support Mr Tuck's recommended amendments to PER-1 in KCZ-R2, including deleting "guest cottages" as an undefined term that duplicates the defined term "visitor accommodation".
150. The rationale to replace CON-1(d) in KCZ-R2 from Mr Tuck is to "widen the matter of control regarding visual effects in the Lodge sub-zone"¹⁸. While I generally support this intent, I consider that some reference to effects on landscape values should be retained as matter of control and therefore recommend that his requested matter of control is added to CON-1 while retaining the existing matter of control in CON-1(d) in KCZ-R2.
151. I agree with the requested amendment from Mr Tuck to PER-2 in KCZ-R2 to refer to "*visitor accommodation*" as a defined term and recommend that the rule is amended to provide for this. While the original submission from WBF requested that PER-2 in in KCZ-R2 be deleted, Mr Tuck advises that they have reconsidered this element of their original submission and now want to retain the provision in the ODP (and notified PDP) for visitor accommodation subject to these units being identified through the restricted discretionary subdivision consent process. Mr Tuck also considers that the effects of visitor accommodation in the Golf Living sub-zone will be similar to residential activities (traffic, servicing, noise, lighting etc.) and will not generate adverse effects on any third parties due to the separation of this sub-zone to other properties. On this basis, I recommend that PER-2 in KCZ-R2 be retained and amended to refer to "visitor accommodation".

KCZ-R3 (Residential activity)

152. I support the requested amendments to PER-2 in KCZ-R3 to align with my recommendations to the Coastal Environment Chapter in Hearing 4 and provide greater specificity as to when residential units on defined building platforms are permitted. I therefore recommend that PER-2 in KCZ-R3 is amended as requested by Mr Tuck.

¹⁸ Pg. 21 of Mr Tuck's evidence.



153. I questioned the need for PER-3 to permit up to four residential units in the Lodge sub-zone in addition to the amendments to KCZ-R2 outlined above which would permit the existing visitor accommodation. The response from Mr Tuck was that, while 11 of the 15 of the visitor accommodation units are small, four are larger units that could be used for residential activities in the future. Mr Tuck advises that this is most likely to occur from the sale of the villas to other owners or residential use by WBF's owners while they are in New Zealand. Mr Tuck is of the view is appropriate to make the potential future use of the villas for residential activities permitted to avoid any doubt and he considers that this requested relief is not problematic given the buildings are existing and consented.
154. I agree that allowing the existing villas and two-bedroom cottages to be used for residential activities (rather than visitor accommodation) is unlikely to result in any material adverse effects and that a discretionary activity status is appropriate for any additional residential activities in the Lodge sub-zone. Accordingly, I recommend that KCZ-R3 is amended as requested by Mr Tuck.

KCZ-R5 and KCZ-R6

155. I agree with Mr Tuck that amending the matters of control and discretion in KCZ-R5 and KCZ-R6 to refer to "*the assessment matters in KCZ-S1*" is appropriate for efficiency reasons to reduce unnecessary duplication. I also agree with his minor amendments to PER-1 in each rule (referring "infrastructure" and "lodge and golf course" respectively) to improve clarity and recommend that both rules are amended accordingly. I also recommend that the title of KCZ-R5 is amended to refer to "infrastructure" as this is a well-known and defined term (in the RMA and PDP) rather than "infrastructure activity".

KC7-R7

156. Firstly, I agree that KCZ-R7 should refer to accessway as a defined term in the PDP rather than access.
157. Secondly, in terms of the requested amendments to PER-1 in KC7-R7, I note this would permit the formation, maintenance and upgrading of vehicle accessways, track and roads within the Lodge sub-zone and Golf Playing sub-zone without any conditions (therefore the controlled activity component of the rule is redundant). My understanding is that KCZ-R7 is a rollover from the rules in the ODP which permit the "*formation, maintenance and upgrading of vehicle access, tracks and roads*"¹⁹ in all three sub-zones with no conditions. While this is permissive, I agree with

¹⁹ Rule 18.7.6A.1.1(i), Rule 18.7.6B.1.1(f), and 18.7.6C.1.1(f) in the ODP which are not subject to Chapter 15.1 (Traffic, Parking and Access). Refer: [18.-Special-areas.PDF](#)



Mr Tuck that this is appropriate given these sub-zones do not access any public road.

158. Thirdly, I appreciate the concern from Mr Tuck that TRAN-R2 and SUB-R4 in the PDP could require a discretionary consent for access associated with the up to 60 lot subdivision in the Golf Living sub-zone due to the conditions in those rules restricting private accessways servicing more than eight lots. I also recognise that the National Planning Standards enable SPZ to include specific provisions relating to transport²⁰. I therefore generally agree with the intent of PER-2 in KCZ-R7 as requested by Mr Tuck.
159. I have discussed this requested rule with the reporting officer for the Transport Chapter who has advised that there are other relevant standards in TRAN-R2 to potentially incorporate into PER-2 of KCZ-R7, in particular TRAN-Table 9 (Requirements for private accessways) and TRAN-Table X – (Sealing requirements for vehicle crossings and private accessways).
160. I have discussed this with Mr Tuck and he agrees that inclusion of these two transport standards in KCZ-R7 PER-2 for access in the Golf Living sub-zone would be appropriate, because future development in that sub-zone would include the constriction of private accessways and vehicle crossings. However, he considers that there is no need to reference these two standards in rule KCZ-R7 PER-1 as the Golf Playing sub-zone is unlikely to be developed with private accessways to third party land and has various existing rural vehicle crossings to Tepene Tablelands Road. The Lodge sub-zone has no interface with public roads (Kauri Cliffs Drive is a private road) and accessways in the Lodge sub-zone are already built. The effects of any new access in the Lodge sub-zone would be entirely internalised.
161. I agree with this rationale and recommend that PER-1 in KCZ-R7 is amended as requested by Mr Tuck and PER-2 in KCZ-R7 is amended to include requirements to comply with TRAN-S2, TRAN-S3, TRAN-S5, TRAN-Table 9 and TRAN-Table X.

KCZ-R9 (Helicopter land area)

162. I agree with the requested amendment from Mr Tuck to amend the matters of control to refer to NOISE-S4 as the applicable noise standard for helicopter landing areas in the Noise Chapter. This is because the matters of control in NOISE-S4 are more relevant than the notified matters of control in KCZ-R9 which are generic and appear to be copied directly from other KCZ rules.

²⁰ Specifically, Standard 7(6) which states “*The chapters under the Energy, infrastructure and transport heading must include cross-references to any energy, infrastructure and transport provisions in a Special purpose zones chapter or sections.*”.



163. I note that Mr Tuck is no longer requesting that the reference to NOISE-R7 in PER-1 is replaced with the reference to NOISE-S4 as was requested in the original submission from WBL. I have discussed this with Mr Tuck, and he advises that this is because he supports the recommended amendments to NOISE-R7 by the reporting officer in Hearing 6/7, which includes a recommendation to delete PER-1 which states "*Flight movements are for emergency purposes such as medical emergencies, search and rescue or firefighting purposes*". Mr Tuck also advises that the relocation of the Golf Living sub-zone north would move future residential dwellings away from the helicopter landing site at Kauri Cliffs meaning helicopter noise effects would unlikely emerge as an issue.

Recommendation

164. For the reasons above, I recommend:
- a. KCZ-R1 is amended to refer to relocated buildings in the title of the rule and to refer to the matters of discretion "in KCZ-S1" rather than in "any infringed standard".
 - b. KCZ-R2 is amended to permit up to 15 units for visitor accommodation in the Lodge sub-zone and to delete the reference to "guest cottages", to add an additional matter of control in CON-1 relating to visual effects more broadly, and to use the defined term "visitor accommodation" in PER-2.
 - c. KCZ-R3 is amended to:
 - i. Require residential units within the Golf Living sub-zone to be located within a defined building platform, where the defined building platform has been identified through a professional landscape assessment and approved as part of an existing subdivision consent.
 - ii. Enable up to four residential units in the Lodge sub-zone.
 - d. KCZ-R5 is amended to consistently refer to infrastructure as a defined term and to refer to the assessment matters in KCZ-S1 for the matters of control.
 - e. KCZ-R6 is amended to refer to the "lodge and golf course" in PER-1 and to refer to the assessment matters in KCZ-S1 for the matters of discretion.
 - f. KCZ-R7 is amended to split the rule into two with additional requirements for accessways, vehicle crossings and vehicle passing bays to in the Golf Living sub-zone to comply with TRAN-S2, TRAN-S3, TRAN-S4, TRAN-Table 9 (Requirements for private accessways) and TRAN-Table X – (Sealing requirements for vehicle crossings and



private accessways) as applicable with a note to clarify that this rule applies instead of TRAN-R2 and SUB-R4.

- g. KCZ-R9 is amended to refer to “the matters in NOISE-S4” for the matters of control.

Section 32AA evaluation

- 165. The amendments that I am recommending to the KCZ rules are primarily to improve workability (e.g. by using more certain, defined terms), to better reflect the existing environment (e.g. the number visitor accommodation units), and to streamline the matters of control/discretion (e.g. by referring to the assessment matters in KCZ-S1). My recommended amendments also align with recommended changes to the subdivision rules for the KCZ by requiring residential units to be located on defined building platforms identified through a professional landscape assessment and to refine the requirements for access in KCZ-R7 so that the relevant transport standards apply within Golf Living sub-zone. On this basis, I consider that my recommended amendments to the KCZ rules are an appropriate, efficient and effective way to achieve the relevant PDP objectives.

5.2.7 Key Issue 7: Standards

Overview

Provision(s)	Officer Recommendation(s)
KCZ-S1	Amend to provide more targeted building GFA and height standards and to improve matters of discretion
KCZ-S2	Amend to improve matters of discretion

Analysis of Submissions on Key Issue 7: Standards

Matters raised in submissions

KCZ-S1 (Buildings and structures)

- 166. The original submission from WBF (S463.120) on KCZ-S1 opposes the 25m² GFA limit for permitted buildings in the Lodge sub-zone given this is a hub for the overall KCZ. WBF consider that there is ample potential to manage any environmental effects of larger structures (particularly on landscape values) in the Lodge sub-zone, including in the larger sub-zone footprint sought by their submission. Accordingly, WBF requests a maximum GFA of 350 m² in the Lodge sub-zone instead of 25 m².
- 167. Mr Tuck maintains that the 25m² GFA is inadequate for permitted buildings in the Lodge sub-zone as per WBF’s original submission. However, Mr Tuck is requesting a 300m² maximum GFA (instead of 350m²) for new buildings and structures as this aligns with the recommended amendments to Coastal Environment rules (CE-R1, PER-1.1) in Hearing 4 for the Golf Living sub-zone.



168. Mr Tuck considers that a 300m² maximum GFA provides an appropriate threshold for a future golf pro shop/ café in the Lodge sub-zone and recognises the role of the Lodge sub-zone as Kauri Cliff's main activity node.
169. The remainder of Mr Tuck's requested amendments to KCZ-S1 depart from what was sought in WBF's primary submission. Additional amendments are sought to the permitted building height limits, the Golf Living sub-zone GFA threshold for building, the matters of discretion, and other permitted activity criteria so that the standard aligns more closely with the amendments to the Coastal Environment provisions recommended in Hearing 4.
170. In summary, Mr Tuck requests the following amendments to KCZ-S1:
- a. **Lodge sub-zone:** amend to apply 5m or 9m permitted height limits in different part of the Lodge sub-zone (rather than 9m across the sub-zone). Mr Tuck recommends that the height limits are differentiated by the location of the notified Lodge sub-zone and the expanded Lodge sub-zone requested by WBF to extend north to cover the 2017 subdivision. Mr Tuck requests that the northern extension of the sub-zone is subject to a 5m permitted height limit and the existing Lodge sub-zone extent and the extension to south is subject to a 9m height limit (as per the notified provisions).
 - b. **Golf Playing sub-zone:** No changes are requested by Mr Tuck meaning a maximum height limit of 8m would apply with no controls on the GFA of buildings.
 - c. **Golf Living sub-zone:** Mr Tuck recommends a new clause that sets a maximum GFA 300m² in line with the recommended amendments to CE-R1 in Hearing 4. Mr Tuck also recommends amended height limits to differentiate between buildings located inside the Coastal Environment (5m) and outside of the Coastal Environment (7.5m) and a new "colour and materials" standard for building exteriors that mirrors the Coastal Environment standard as follows:
 - 3. The exterior roofing and cladding of new buildings must:*
 - a. be constructed of natural materials and/or finished to achieve a reflectance value no greater than 30%; and*
 - b. if the exterior surface is painted, have an exterior finish within Groups A, B or C as defined within the BS5252 standard colour palette."*
 - d. **Matters of discretion:** the requested amendments are primarily to clarify the scope of the matters, as well as the addition of two sub-clauses that require the consideration of the stability of land,



buildings and infrastructure, and servicing and infrastructure requirements. The amendments requested to the matters of discretion in KCZ-S1 by Mr Tuck are as follows:

"Where the standard is not met, matters of discretion are restricted to:

a. ~~any adverse visual effects on the natural environment and the extent to which mitigation measures ensure that adverse visual such effects are no more than minor;~~

b. ~~the means of integrating the building(s) or structure(s) into the landscape, including the use of indigenous planting~~extent to which the replacement planting of any indigenous vegetation mitigates the loss of established vegetation more than 6m in height;

c. ~~the extent to which the proposal has been formulated to avoid, remediesy or mitigates~~ adverse effects, on any archaeological resources or ecological values~~natural fauna;~~

d. ~~the extent to which any proposed measures will result in the protection and enhancement of the archaeological or ecological values of the area;~~and

e. ~~the character and appearance of new building(s) or structure(s) and the extent to which they will be compatible with the principal activity on the site and with other buildings in the same sub-zonesurrounding area;~~

f. ~~the stability of land, buildings and infrastructure;~~ and

g. ~~servicing and infrastructure requirements.~~"

e. The rationale for these amendments from Mr Tuck include:

- i. Removing reference to "natural environment" from (a) removes uncertainty and provides a wider scope to assess the effects on landscape character and visual amenity.
- ii. Amendments to (b) removes the narrow focus on the loss of trees that are greater than 6m in height. Vegetation removal is addressed separately in the PDP and this amendment focusses assessment on the design approach to development and landscaping.
- iii. Amendments to clauses (c) and (d) simplify the text, require adverse effects on ecological values to be considered and require consideration of measures to protect or enhance archaeological values.



- iv. Amendments to (e) clarify the extent of the "compatibility" test by referring to within the "same sub-zone".
- v. Addition of clauses (f) and (g) enable consideration of geotechnical and servicing-related matters for proposals not subject to these considerations under the Subdivision, Earthworks and Transport chapters of the PDP.

KCZ-S2

171. WBF did not seek any changes to KCZ-S2 in their original submission. However, Mr Tuck suggests amendments to the matters of discretion of KCZ-S2 so that they align with his recommended amendments to the matters of discretion in KCZ-S1 outlined above.

Analysis

KCZ-S1 (Buildings and structures)

172. Mr Tuck recommends some key changes to KCZ-S1, particularly as it relates to the Lodge sub-zone and Golf Living sub-zone. Overall, I support these amendments as they are aimed at aligning the controls in the standard with the recommended amendments to the Coastal Environment Chapter in Hearing 4 and managing the potential adverse effects associated with the relocated Golf Living sub-zone and expanded Lodge sub-zone. In particular, I agree with the recommended amendments to:
- a. Apply different height limits for buildings based on:
 - i. Whether the building is within (5m) or outside the coastal environment (7.5m) in the Golf Living sub-zone
 - ii. Whether the building is located within the notified Lodge sub-zone (9m) or the new areas of requested Lodge sub-zone located further north (5m).
 - b. Include a new standard for the colour and materials exterior surfaces of new buildings in the Golf Living sub-zone that is aligned with the standards for colours and materials of new buildings CE-S3 (although I recommend some minor amendments in wording to improve alignment).
173. I also support the requested amendments to the matters of discretion for the reasons outlined above by Mr Tuck. In particular, I support the additional matters of discretion relating to *"the stability of land, building and infrastructure"* and *"servicing and infrastructure requirements"*. This will ensure geotechnical issues, as identified in the technical review of Mr Collings, are appropriately considered when resource consent is required. It will also ensure that infrastructure requirements, including provision for on-site wastewater treatment, are appropriately considered when



resource consent is required. I recommend that these matters of discretion are also included in my recommended amendments to the subdivision rule (Key Issue 8) to ensure these matters are clearly considered at the time of subdivision when identifying the appropriate location and design of building platforms to ensure these are stable and that these can be serviced by appropriate infrastructure.

174. However, I have some concerns that removing reference to natural environment in clause a) would remove any specific consideration of landscape and natural character values from the matters of discretion. I therefore recommended an additional matter of discretion as follows "*adverse effects on the characteristics, qualities and values of the special purpose zone, coastal environment and natural landscapes and mitigation measures for those adverse effects*". In my view, this will improve alignment with the Coastal Environment and Natural Features and Landscapes Chapters in the PDP and ensure that there is clear consideration and management of these values when KCZ-S1 is not complied with. I note that, from a landscape perspective, Ms Absolum considers that the full range of landscape and visual matters need to be captured in the matters of discretion in KCZ-S1 and she recommended similar amendments to those outlined above.
175. I therefore recommend this submission point from WBF is accepted in part and that KCZ-S1 is amended as outlined above.

KCZ-S2

176. As with KCZ-S1, I agree with the requested amendments to the matters of discretion in KCZ-S2 by Mr Tuck. However, I note that there appears to be a typo in the requested amendments to clause (b) in KCZ-S2 which is not aligned with the requested amendments to the corresponding clause (b) in KCZ-S2, which I recommend is addressed.

Recommendation

177. For the above reasons, I recommend:
- a. KCZ-S1 is amended to apply more nuanced building GFA and height standards within the Lodge sub-zone and Golf Living sub-zone
 - b. The matters of discretion in KCZ-S1 and KCZ-S2 are amended to improve clarity and workability.

Section 32AA evaluation

178. The amendments I am recommending to KCZ-S1 and KCZ-S2 are aimed at aligning the controls in the standard with the recommended amendments to the Coastal Environment Chapter in Hearing 4, ensuring all relevant effects are captured in the matters of discretion, and managing the potential adverse effects associated with the relocated Golf Living sub-zone and expanded Lodge sub-zone. I therefore consider that my



recommended amendments to these standards are appropriate, efficient and effective to achieve the relevant PDP objectives in accordance with section 32AA of the RMA.

5.2.8 Key Issue 8: SUB-R3 and SUB-R20

Overview

Provision(s)	Officer Recommendation(s)
SUB-R3	Amend to address drafting issues and provide more specific conditions for subdivision in Golf Living sub-zone
SUB-R20	Amend to exempt subdivision in Golf Living sub-zone

Analysis of Submissions on Key Issue 8: SUB-R3 and SUB-R20

Matters raised in submissions

SUB-R3 (Subdivision to create a new allotment)

179. The original submission from WBF (S463.048) on SUB-R3 RDIS-2 requests amendments to allow some lots within the KCZ to be less than 4,000m². WBF consider that this would enable other dwelling types to be delivered alongside the large lot/detached dwelling format that notified SUB-R3 would require. Further, WBF consider that enabling some increased density in appropriate areas will assist to limit potential landscape and natural character effects compared to a more widely dispersed pattern of residential development (i.e., all 60 lots being at least 4,000m²). To provide for this relief, WBL requested an amendment for all lots to be greater than 500m² in area and at least 30 lots to be greater than 4,000 m². WBF also requested an amendment to one of the matters of discretion as follows: *Measures to manage any adverse the effects on adjoining activities on adjoining land in separate ownership...*;
180. Mr Tuck requests revised amendments to SUB-R3 as it applies to the KCZ, as a result of the Master Planning process undertaken by WBF after the original submission was lodged. In particular, Mr Tuck's requested amendments aim to capture the distinct restricted discretionary consenting pathway for subdivision in the Golf Living sub-zone provided in Rule 13.8.3 of the ODP which he considers appears to have been overlooked when the subdivision rules were transposed to the PDP.
181. To provide for this, Mr Tuck recommends that SUB-R3 has different restricted discretionary pathway for subdivision in Golf Living sub-zone compared to the other sub-zones. This would continue to enable up to 60 lots for residential purposes in the Golf Living sub-zone but delete the requirement for any lots to have minimum lot size of 4,000m² and instead apply the following restricted discretionary activity conditions:

- i. no lot is less than 500m² in area;



- ii. *on-site treatment and disposal of wastewater is provided for; and*
 - iii. *defined building platforms, identified through a professional landscape assessment, are specified;*
 - iv. *A Landscape Planting and Management Plan is provided with the application.*
182. The amendments also include the same matters of discretion but with the addition of "*the measures proposed for the implementation and ongoing management of planting within the subdivision*" and "*the matters in CE-P10*".

SUB-R20 (Subdivision within the Coastal Environment)

183. Lastly, Mr Tuck requests a consequential amendment to SUB-R20 to specifically exclude the Kauri Cliffs Golf Living sub-zone. Mr Tuck considers that this amendment is necessary to ensure that the rule does not conflict with the restricted discretionary subdivision consenting pathway discussed above under SUB-R3. Mr Tuck considers that this amendment is appropriate as the Master Plan and supporting technical assessments and the recommended amendments to the KCZ provisions provide sufficient surety that subdivision in the Golf Living sub-zone can be appropriately managed as a restricted discretionary activity.

Analysis

SUB-R3 (Subdivision to create a new allotment)

184. SUB-R3 is the general rule in the Subdivision Chapter which enables subdivision of land to create a new allotment. This rule includes a specific restricted discretionary activity pathway for subdivision in the KCZ with two restricted discretionary activity conditions:
- a. **RDIS-1** – is a generic standard which requires compliance with general subdivision standards SUB-S3 to SUB-S8
 - b. **RDIS-2** – which provides for "*up to 60 new lots for residential (golf living) purposes*" provided that the lot is not less than 4,000m², wastewater treatment and disposal is provided for, and building platforms are specified on an approved subdivision. There is also a non-notification clause for subdivision within the Golf Living sub-zone.
185. I agree with Mr Tuck that there are some drafting issues with the rule in that the pathway for subdivision in the Golf Living sub-zone is not that clear and it is also unclear whether subdivision is anticipated in the other



sub-zones and what activity status applies. This compares with the ODP where Rule 18.7.6C.2 provides a clear restricted discretionary activity pathway for subdivision in the Golf Living sub-zone, but subdivision is not specifically provided for in the other two sub-zones.

186. So, while I agree with intent of Mr Tuck's recommendations, my reading is that these would have the effect of both enabling subdivision in the Lodge and Golf Playing sub-zones as a restricted discretionary activity and allowing subdivision in the Golf Living sub-zone without any requirement to comply with subdivision standards SUB-S3 to SUB-S8 which is not the intent. In my view, the drafting of the rule can be improved by:
- a. Reframing RDIS-2 to make in clear it applies in the Golf-living sub-zone (and RDIS-1 would still apply)
 - b. Making it clear that subdivision in the Lodge and Golf Playing sub-zones is a discretionary activity.
187. Leaving aside these drafting issues, the key substantive amendment requested by Mr Tuck is reducing the minimum lot size from 4,000m² to 500m² across the Golf Living sub-zone. The basis for this recommendation is that it will provide greater flexibility and also an opportunity to reduce the overall visual and landscape effects from the residential development by clustering residential units, as illustrated in the indicative Master Plan attached to Mr Tuck's evidence. I have sought advice on this change in minimum lot size from Ms Absolum who advises that:
- a. While 500m² is relatively small size for an extensive rural property such as Kauri Cliffs, it does mean that where buildings can be grouped together in a suitable location which leaves a larger area around them where the rural character can be protected and enhanced.
 - b. To ensure this works well in practice, it is important that a comprehensive suite of matters are considered in the development of the subdivision proposal and subsequent consenting process. To achieve this, Ms Absolum recommends that the proposed requirement to prepare a Landscape and Management Plan should be supported with additional guidance on what this should cover. Ms Absolum also recommends that the "*key landscape considerations*" referred to in Mr Goodwin's evidence²¹ that are not already addressed in the matters of discretion should be included in the provisions.
188. On that basis, I am satisfied that reducing the minimum lot size to 500m² can lead to development outcomes that appropriately mitigate adverse effects on natural character and landscape values at KCZ, subject to ensuring the more detailed subdivision consent process includes

²¹ Evidence of John Goodwin, paragraph 18 to 20.



appropriate conditions and assessment matters. In this respect, I support the following amendments to RDIS-2 in SUB-R3 requested by Mr Tuck:

- a. A requirement for the subdivision to specify defined building platforms through a professional landscape assessment.
 - b. A requirement for a Landscape Planting and Management Plan to be provided with the application. Based on the advice of Ms Absolum, I consider that there should be more direction on what this plan needs to address, based on the evidence of Mr Goodwin, and have recommend amendments to the matters of discretion to achieve this.
 - c. The additional matters of discretion in clause e) and f) with the latter ensuring that all relevant effects on the characteristics, qualities and values of the coastal environment can be considered.
189. However, based on the expert advice provided, I recommend that the requirement for the Landscape Planting and Management Plan be expanded to capture purpose described in Mr Goodwin's evidence being *"to integrate development into the surrounding property and wider landscape context"*. I also recommend an addition matter relating to the *"design of the lot layout and building selection to reduce adverse visual effects, including by clustering development and being setback from high points and major ridges"*. I recommend this additional matter based on the evidence of Ms Absolum who refers to the evidence of Mr Goodwin, but I am open to alternative wording that may achieve the same intent in a more effective way. As noted above, I also recommend that the matters of discretion in SUB-R3 refer to *"the stability of land, building and infrastructure"* and *"servicing and infrastructure requirements"* to ensure these matters are clearly considered at the time of subdivision (acknowledging there is some overlap with other considerations in the subdivision chapter).
190. In my view, these additional conditions and assessment matters will help ensure a robust assessment and management of landscape effects through the future subdivision consent process.

SUB-R20 (Subdivision within the Coastal Environment)

191. Mr Tuck is also requesting a consequential amendment to SUB-R20 which is a discretionary activity rule for subdivision in the coastal environment (excluding outstanding natural character areas which is non-complying under SUB-R21). As discussed in Hearing 4, I am generally opposed to exemptions for specific zones from the coastal environment rules, including SUB-R20.
192. However, in this specific context, I agree that an exemption to SUB-R0 for subdivision in the Golf Living sub-zone is appropriate so as not to undermine the restricted discretionary activity pathway discussed above. This is because I consider that the restricted discretionary activity pathway



for subdivision in the Golf Living sub-zone can appropriately manage adverse effects on the characterises, qualities and values of the coastal environment through the specific requirements for a landscape assessment and the matters of discretion referring to CE-P10 (the “consideration” policy in the Coastal Environment Chapter). Further, I note that the majority of the relocated Golf Living sub-zone will be located outside the coastal environment overlay with only two areas of residential development located within the coastal environment overlay in the Master Plan (the “Southern Cluster” and “The Village”).

Recommendation

193. For the above reasons, I recommend that:
- a. SUB-R3 is amended as it relates to the Golf Living sub-zone to reduce the minimum lot size to 500m², to provide more specific conditions relating to an expert landscape assessment and Landscape Planning and Management Plan, and to provide expanded and more specific matters of discretion.
 - b. SUB-R20 is amended to exempt subdivision in the Golf Living sub-zone.

Section 32AA evaluation

194. The amendments I am recommending SUB-R3 as it relates to the Golf Living sub-zone are primarily to reduce the minimum lot size while including additional conditions and considerations to ensure that future subdivision is subject to a robust consenting process. The expert advice is that the smaller lots sizes may help to reduce adverse effects (e.g. by clustering development in a well-designed layout) provided that there is a process to consider and manage all relevant effects, which I consider that my recommended amendment to SUB-R3 provide for. My recommended amendments to SUB-R3 will ensure that adverse effects on the characterises, qualities and values of the coastal environment are appropriately considered and managed through the subdivision consent process and therefore I consider that an exemption to SUB-R20 is justified. On this basis, I consider that my recommended amendments to SUB-R3 and SUB-20 in relation to subdivision in the Golf Living sub-zone are appropriate, efficient and effective to achieve the relevant objectives in accordance with section 32AA of the RMA.

6 Conclusion

195. This report has provided an assessment of submissions received in relation to the KCZ Chapter. The primary amendments that I have recommended relate to:
- a. Amendments to the extent and location of the three sub-zones as requested by WBL, with the key change being the relocation of the Golf Living sub-zone further north



- b. Amendments to the KCZ policies and rules to improve workability (e.g. using defined terms) and to clarify the intended activities within each sub-zone
 - c. Amendments to the KCZ rules and standards to better align with recommended changes to the Coastal Environment Chapter in Hearing 4, including modified building GFA and height limits and a new colour and material standard for new buildings
 - d. Amendments to the matters of discretion to ensure all relevant effects are considered and managed
 - e. Amendments to SUB-R3 as it relates to the Golf Living sub-zone to reduce the minimum lot size for residential development while including additional conditions (e.g. landscape assessment and plan) and considerations to ensure that future subdivision is subject to a robust consenting process.
196. Section 5.2 considers and provides recommendations on the decisions requested in submissions. I recommend that the submissions on the KCZ Chapter be accepted, accepted in part, rejected or rejected in part, as set out in my recommendations of this report and in **Appendix 2**.
197. I recommend that provisions for the KCZ Chapter be amended as set out in **Appendix 1** below for the reasons set out in this report.

Recommended by: Jerome Wyeth, Technical Director – Planning, SLR Consulting

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

Date: 28 July 2025