

BEFORE THE PROPOSED FAR NORTH DISTRICT PLAN HEARINGS PANEL

UNDER THE

Resource Management Act 1991

IN THE MATTER OF

of a hearing into submissions on the
Proposed Far North District Plan – Hearing
15B (Special Purpose Zones)

SUPPLEMENTARY STATEMENT OF EVIDENCE OF JAMES RONALD HOOK (PLANNER)

FOR THE MOTUKIEKIE OWNERS (SUBMITTER 32)

Dated 30 June 2025



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Introduction

1. My full name is James Ronald Hook.
2. I am an Urban Planner and Director of the multidisciplinary company Envivo Limited based in Auckland.
3. A summary of my qualifications and experience is provided in my evidence-in-chief dated 12 May 2025 and is relied on for the purpose of this statement. As stated therein, this evidence has been prepared in accordance with the Code of Conduct for expert witnesses contained in the Environment Court Practice Note 2023.
4. I have been asked by the Lockwood Family (Submitter 32) to prepare his supplementary statement to introduce and assess a form of alternative relief for Motukiekie Island under the Proposed Far North District Plan (the “Proposed Plan”) that responds to feedback received from Council Officers.
5. This statement also includes two appended specialist reports:
 - a) A supplementary statement of evidence prepared by Mike Farrow of Littoralis that describes and assesses the ecological values of the identified Building Areas and potential effects on those values from future building development within those areas.
 - b) An Archaeological and Historic Heritage Assessment prepared by Jonathan Carpenter of Geometria that describes the archaeological and historic heritage features of Motukiekie and considers the potential for adverse effects on those features from future building development within the identified Building Areas.
6. As previously noted, the Proposed Plan applies a Natural Open Space Zone to Motukiekie Island (“Motukiekie”). However, unlike other islands within the Bay of Islands to which the Natural Open Space zone has been applied, Motukiekie is privately owned and managed by the Lockwood Family since 2000. The proposed District Plan applies a Natural Open Space (NOSZ) to the Island.
7. The Lockwood Family oppose the proposed zoning as it does not promote the sustainable management of Motukiekie and does not represent the most appropriate

way to achieve the objectives of the Proposed Plan. The proposed zoning prioritises the achievement of Objective 2 of the NZCPS (preservation of the natural character of the coastal environment and protect natural features and landscape values) over Objective 6 (enabling people to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use, and development).

8. The proposal to include Motukiekie within the RPZ and to incorporate specific precinct provisions addresses that imbalance, while not diminishing the emphasis on and importance of maintaining natural character, landscape values and supporting conservation activities on Motukiekie.
9. The following documents are attached to this statement:
 - a) PRECX - Motukiekie Island Precinct (draft precinct provisions).
 - b) Analysis of potential adverse ecological effects, Littoralis, July 2025.
 - c) Archaeological and Historic Heritage Assessment, Motukiekie, Bay of Islands, Geometria, 4 July 2025.

Alternative Relief

10. My evidence-in-chief presented a Special Purpose zone for Motukiekie that recognises the Islands unique history, that it is in the ownership of a single family, and that provides for the sustainable management of the Island's natural and physical resources.
11. Following the filing of that evidence feedback has been received from Council's reporting officers. A key aspect of that feedback was a view expressed that the proposal to incorporate a Special Purpose Zone for Motukiekie in the Proposed District Plan is not preferred as it is inconsistent with the spatial planning framework prescribed in the National Planning Standards (2019).
12. I have therefore undertaken a further review of the methods under the National Planning Standards that would provide the most appropriate method to address the fundamental issues for the Submitters – that are:
 - Motukiekie is not Crown land administered by Department of Conservation (DOC) and should not be subject to a Natural Open Space zoning.

- The highly restrictive nature of the proposed planning provisions that severely restrict the Lockwood Family's ability to use Motukiekie in a way that balances use, development and protection of its natural resource alongside active ecological restoration and conservation activities.
 - Inconsistency with other private owned land on the adjoining Islands that is zoned Rural Production (not Natural Open Space).
 - Because of its unique features, land use history and wholly private ownership there is no other zone within the Proposed Plan (including RPZ) that provide for the sustainable management of Motukiekie thereby necessitating an alternative approach to achieve the purpose of the Resource Management Act 1991.
13. This statement provides the details of an alternative method that results in the Island being included within the Rural Production zone and subject to specific precinct provision that provides for ongoing conservation efforts and the continued use (including limited additional building development) to meet the needs of the family.

Alternative Zoning – Rural Production (RPZ)

14. The Rural Production zone (RPZ) which is applied to the privately owned parts of other islands in the eastern Bay of Islands including six of the seven islands in the eastern Bay of Islands (the exception being Moturoa which is subject to a Special Purpose zone that has been carried over from the operative plan).
15. I initially discounted application of the RPZ to Motukiekie as use of the island for pastoral farming was discontinued approximately 50 years ago. The subsequent land uses have included the planting of exotic trees, followed more by the more recent conservation planting activities that have been the focus of the current landowners over the last 20 years.
16. I acknowledge that under the standardised planning framework introduced by the National Planning Standards (NPS), it is not always possible to achieve a perfect alignment between properties with unique characteristics or historical uses and the standard zones prescribed in the NPS. However, this limitation is anticipated within the framework, which allows for the inclusion of site-specific provisions—such as development plans or precinct plans—to address these unique circumstances.

17. Consequently, I consider that the RPZ can be reasonably applied to Motukiekie, provided the District Plan also includes a set of provisions specific to the Island in the form of a precinct. I appreciate the Council's drive for a consistent approach to zoning under the PFNDP that follows the hierarchy and structure of the National Planning Standards and consider that the alternative option provides a best fit between homogeneity (at the zoning level) and more adaptive and responsive provisions (in the form of a precinct).
18. In that respect, application of the RPZ to Motukiekie would achieve a consistent planning approach in terms of zoning and overlays that are applied to Motukiekie, Urupukapuka, Moturua, Motuarohia (Robertson Island) and to the landward coastal margins (that are not within a settlement or zone the Māori Purpose – Rural zone).
19. I note that the other planning notations common to the islands and a high percentage of landward coastal margins of the Bay of Islands include:
 - Coastal Environment
 - Outstanding Natural Landscape
 - Outstanding/ High Natural Character (e.g. HNC317 – Motukiekie Island)
20. Those provisions create a multi-layered and complementary series of planning controls that recognise the values and features of the subject land and their significance as high quality elements of the islands and related coastal areas. For those reasons, I consider the alternative approach of including Motukiekie within the RPZ along with a precinct specific to the Island represents a planning approach that is consistent with the NPS and that represents the most appropriate way to achieve the purpose of the Act.

Precinct Provisions – Supplementary Technical Assessments

21. As noted in my earlier statement – the provisions for Motukiekie have been prepared in collaboration with Mike Farrow – Landscape Architect who has assessed both landscape and ecological values in and around each of the building areas. He has recently prepared a supplementary statement of evidence that describes and assesses the ecological values of the identified Building Areas and potential effects on those values from future building development within those areas. He has prepared a set of design principles and guidelines for future development that are included within the precinct provisions.

22. Overall, his supplementary ecological assessment concludes that:

“Accordingly, any ecological effects arising from future building and development of Building Areas 2-4 that complies with the proposed Building Guidelines are assessed as being very limited and less than minor”¹.

23. An assessment of the Island’s archaeological and historic heritage values has been undertaken by Jonathan Carpenter, Senior Archaeologist at Geometria. His report describes the archaeological and historic heritage features of Motukiekie and considers the potential for adverse effects on those features from future building development within the identified Building Area
24. The precinct provisions include specific consideration of historic heritage values in the objectives and policies, and via the special information requirement that would require any future application for a building or structure within an identified building area to assess *“historic heritage values and the effects on those values”*. Those provisions sit alongside the protection for all sites of historic heritage under the Heritage New Zealand Pouhere Taonga Act 2014.
25. The Archaeological and Historic Heritage assessment concludes that²:

“There is no archaeological or historic heritage impediment to the limited future building development proposed by the Lockwood Family, providing the propped development planning includes archaeological site management and appropriate assessment of future development proposals.”

Precinct Provisions – Overview

26. A set of specific planning provisions has been prepared in the form of PRECX – Motukiekie Island that would (if accepted) be included within the Rural Production Zone (RPZ) in Part 3 of the Plan.

¹ Paragraph 24, Second Supplementary Statement of Michael Ian Farrow, Landscape Architect, dated 7 July 2025

² Paragraph 10.0 (clause 10), Archaeological and Historic Heritage Assessment, Motukiekie, Bay of Islands, by Geometria dated 4 July 2025

27. The precinct provisions follow a standard structure that commences with an Overview statement describing the background to, characteristics and purpose of the precinct. That is followed by a statement to provide clarity on which objectives and policies and which rules and standards applies to activities within the precinct.
28. In summary, there are three objectives and five policies specific to the precinct, which provide a basis for the rules and standards that follow and that are complementary to the objectives and policies of the RPZ, Coastal Environment and Natural features and landscapes chapters respectively.
29. There are seven activity rules specific to the precinct, providing for five permitted activities (extensions or alterations to existing buildings or structures (up to 20% of GFA, residential activity, conservation activity, visitor accommodation, helicopter movements) and one discretionary activity (new buildings and structures and extensions or alterations to existing buildings or structures by more than 20% GFA).
30. There are two precinct standards that specify minimum requirement for stormwater and effluent disposal, and a set of specific information requirements for the precinct (that apply to any application made for a new building or structure as a discretionary activity).
31. The Precinct Plan shows the spatial extent of the existing building and development area (referred to as Building Area 1) and the location and extent of:
 - a) Three additional building areas (2, 3 and 4)
 - b) The existing solar array (inc. provision for a doubling of the existing installation)
 - c) The existing helipad
32. Finally, the Building Guidelines specify the guidelines for the location and design of new buildings and structures within the identified building areas.

Precinct Provisions – Relationship to other plan provisions

33. The combination of a zone, precinct and two overlays - the Coastal Environment (CE) and Natural features and landscapes (NFL) – create a multi-layered and complex set of plan provisions. Accordingly, to ensure that the provisions achieve the purpose of the Act to *“...enable people and communities to provide for their social, economic, and cultural well-*

being and for their health and safety...” while sustaining the resources of the island and avoiding adverse effects, it is necessary to clearly specify which provisions apply to specific activities on the island.

34. I acknowledge that the "How the Plan Works" chapter can be used to determine the activity status of a particular activity. However, given the complexity outlined above, it is also important to clearly specify which provisions apply within the precinct—whether in conjunction with, or in place of, other provisions.
35. The section “Other District Plan Provisions that Apply to the Precinct” sets out which provisions respectively of the RPZ, CE and NFL chapters apply to the precinct. In general, the objectives, policies, rules and standards of the RPZ, CE and NFL chapters apply – subject to:
 - a) the proviso that any precinct rules for an activity prevail over the equivalent RPZ, CE and NFL rules for the same activity (so that only one activity rule applies to each activity); and
 - b) the exemptions from specific rules and standards detailed below.
36. An exemption is provided from the following provisions of the RPZ, CE and NFL chapters:
 - a) RPZ Rules RPROZ-10 to RPROZ-37 which provide for a broad range of activities, none of which could be reasonably anticipated (or would be appropriate) for Motukiekie – for example Rural produce manufacturing, catteries and dog boarding kennels). While the exemption is potentially unnecessary, it is preferable in my view to provide for a more limited range of specifically identified activities on Motukiekie than the very broad range of activities that provision is made for in the RPZ.
 - b) RPZ standards RPROZ S1 to S3 and S5 to S7 (maximum height, height in relation to boundary, setback, building or structure coverage, buildings used for intensive farming setback requirements, setback from mineral extraction overlay). The specified standards either duplicate provisions within the precinct or overlays or are simply not relevant or applicable to Motukiekie. RPROZ S4 (setback from MHWS) applies to the precinct.

- c) a specific exemption from CE rule CE-R3 and NFL rule NFL-R3 (earthworks or indigenous vegetation clearance applies only when associated with construction of a new building or structure or additions greater than 20% GFA that requires consent as a Discretionary Activity within the precinct. The exemption results in earthworks and vegetation clearance being considered as part of the discretionary resource consent process and avoids the requirement for that to be separately assessed (including whether the earthworks/vegetation clearance are either a Permitted or Non-complying activity within the CE of NFL). I note that the general earthworks rules and associated standards of the plan continue to apply to all activities.
- d) CE standards CE-S1 to CE-S3 and NFL standards NFL-S1 to NFL-S3, which specify maximum height, colours and materials, and limits on earthworks or indigenous vegetation clearance, are applied as a standard to be met in respect of “extensions or alterations to existing buildings or structures of up to 20% of GFA” which is classified as Permitted Activity if the standards are met, or a Discretionary activity if not they are not.
- e) It is noted the proposed precinct rule PRECX-R6 specifies that the colours and materials requirements of CE-S2 and NFL-S2 continue to apply as relevant standards, compliance results in Discretionary Activity status (if not met the application would become Non-complying). The maximum (5m height) limit under CE-S1 and NFL-S2 is not applied under PRECX-R6 however, the special information requirements under PRECX-S2 require consideration of the effects of “*location, height, form and massing*” and the Motukiekie Island Building Guidelines state that “[b]uildings *should be of a single storey design, generally not exceeding 5m above natural ground level*”.
- f) Similarly, the special information requirements under PRECX-S2 require consideration of the effects of “*earthworks and landform modification*” and the Motukiekie Island Building Guidelines state that “[e]arthworks and/or retaining structures *should be minimised to avoid potential landscape, visual amenity and natural drainage pattern effects*”. Consequently, a rigid framework is established for the height of any proposed building or structure, earthworks and landform modification as part of the discretionary activity assessment.

Precinct Provisions – Objectives and Policies

37. There are three proposed objectives that recognise that limited land use activities can be undertaken on Motukiekie alongside the conservation and enhancement of its natural values and features, as follows. The objectives and policies are similar to those applied to Moturoa Island.

Objectives	
PRECX-O1	Land use on <u>Motukiekie</u> Island is of a scale and type that compliments and is consistent with the <u>natural and landscape</u> values of the island.
PRECX-O2	The coastal character, natural values and environmental quality of <u>Motukiekie</u> Island is maintained and enhanced for current and future generations to enjoy and appreciate.
PRECX-O3	The ecological values of <u>Motukiekie Island</u> are protected and enhanced.

38. The five policies specific to the precinct, support and expand on the objectives by establishing a policy framework for limited future development within the three identified building platforms while supporting conservation activities on the island.
39. In particular, I note Policy PRECX-P5 lists specific matters that are relevant to the assessment of any application for resource consent for an activity within the precinct.

Precinct Provisions – Precinct Plan

40. The precinct plan shows the spatial extent of the existing building and development area and the location and extent of the three additional building areas (2, 3 and 4), along with the existing solar array and the existing helipad.
41. Essentially, the precinct plan spatially defines the “building areas” within which there is an opportunity for potential future development. The future development is limited to:
- up to three additional buildings (each requiring consent as a Discretionary Activity) within each of the three identified building areas.
 - an extension of the existing solar array, which provides a source of renewable energy to the activities on the Island.

Precinct Provisions – Permitted Activities

42. Provision is made for five permitted activities in the precinct:
 - Extensions or alterations to existing buildings or structures (up to 20% of GFA), subject to compliance with standards relating to setbacks, stormwater and effluent disposal, maximum height (CE-S1, NFL-S1), colours and materials (CE-S2, NFL-S2).
 - Residential activity (within an identified building area, and subject to a limit of 5 residential units in total)
 - Conservation activity
 - Visitor accommodation (within an identified building area, and subject to a limit of 10 guests per night per residential unit)
 - Helicopter movements (up to 5 per day)
43. In addition, the RPZ provides for the following permitted activities:
 - Impermeable surface coverage (essentially a development standard)
 - Home business
 - Education facility
 - Farming activity
 - Recreational activity
44. Three further permitted activities are provided for in the CE and NFL rules:
 - Repair or Maintenance
 - Earthworks or vegetation clearance (subject to strict limits)
 - Demolition of buildings or structures
45. In combination, the four sets of activity rules provide Motukiekie with a limited range of activities that provide a limited opportunity for the owners to provide for some modest additional development (under well-defined environmental parameters) along with continued conservation activities.

Precinct Provisions – Discretionary and Non-complying Activities

46. Under the proposed precinct the construction of a new building or structure (or an extension of more than 20% GFA) on any of the building platforms identified on the development plan would require consent as a Discretionary Activity under PRECX-R6.
47. The construction of a new building or structure would also be subject to:
 - a) the stormwater and effluent disposal requirements in PRECS-S1
 - b) the special information requirements under PRECX-S2
 - c) the colour and reflectivity standards referenced under CE-R1 and NFL-R1. An infringement of those standards would require consent as a Non-complying Activity.
 - d) the MHWS setback standard under RPROZ-S4
 - e) assessment against the Motukiekie Island Building Guidelines
 - f) assessment against the precinct, zone, CE and NFL objectives and policies
 - g) assessment against the relevant provisions of the NZCPS
 - h) assessment against the relevant provisions of the NRC - Regional Coastal Plan
48. It is noted that the construction of a dwelling of any of the building platforms identified on the development plan would be subject to the colour and reflectivity standards referenced under CE-R1 and NFL-R1. An infringement of those standards would require consent as a Non-complying Activity.
49. While not part of the precinct, I also note that the CE and NFL rules apply discretionary activity status to plantation forestry, farming, and the extension of existing mineral extraction activities (not that any are likely on Motukiekie). Additionally, those rules apply prohibited activity status to new mineral extraction activities and land fill, managed fill or clean fill activities.

Precinct Provisions – Precinct Standards

50. The first proposed standard for the precinct (PRECX-S1) is adopted from the Moturoa Island zone. It specifies the requirement for provision of a 3,000m² for the disposal and treatment of stormwater and wastewater.

51. A second standard is proposed that is specific to the precinct, it specifies the “Special Information Requirements” for any application made for a new building on Motukiekie Island and for additions greater than 20% of GFA. The proposed standard (PRECX-S2) specifies the information to be included within an AEE prepared for a new building under proposed rule PRECX-R6 and will be considered as part of the Discretionary Activity resource consent process.
52. The reference to standards CE-S2 and NFL-S2 Colours and Materials brings in the requirement for the exterior surfaces of a building to be constructed of materials and/or finished to achieve a reflectance value no greater than 30%; and to have an exterior finish within Groups A, B or C as defined within BS5252 (which are considered to be recessive colours) .
53. The *Special Information Requirements* specify that an assessment of the following matters shall be included as part of the AEE of any application submitted for a new building on Motukiekie:
 - a. Ecological effects of vegetation removal and establishment
 - b. Archaeological values and effects on those values
 - c. Cultural values and effects on those values (via consultation with mana whenua)
 - d. Landscape and visual effects of proposed buildings and land use activities on the Coastal Environment, Natural character and Landscape values
 - e. Geotechnical site suitability
 - f. Effects of earthworks and landform modification
 - g. The location, form, scape and massing of any proposed building within a building area identified on the Motukiekie Development Plan
 - h. Site servicing (site access, electrical supply, water supply, stormwater management, wastewater treatment and effluent disposal)
 - i. Building materials and finishes
 - j. All of the matters in policy PRECX-P5, which include natural character of the coastal environment; location, scale and design, the need for and location of earthworks or vegetation clearance.

Precinct Provisions – Building Guidelines

54. The final component of the precinct provisions is a set of building guidelines (developed by Mr Farrow). The building guidelines set an additional reference framework for the assessment of an application for a new building or structure as a Discretionary Activity.
55. The guidelines specify the expectation that:
- Buildings are wholly located within identified building area
 - Buildings are of a single level design (generally not greater than 5m above ground level)
 - Vegetation clearance should be minimised / vegetation retention should be maximised
 - Earthworks and retaining structures should be minimised
 - Planting should comprise indigenous species (endemic to Motukiekie)
56. In my view the building guidelines expand on and strengthen the assessment framework and development outcome expectations for the identified building areas on Motukiekie.

IHP Rezoning Criteria

57. Minute 14 of the Independent Hearings Panel set out the “*Rezoning Criteria and Process*”, which I note includes consideration of strategic matters, site suitability, national planning standards, relationship with District Wide matters and S.32AA evaluation. I have undertaken an assessment of the RPZ and precinct plan requested for Motukiekie against the specified matters and provide a S.32AA evaluation of this alternative proposal.
58. The Hearings Panel has specified general criteria for rezoning requests. I comment on each of those criteria in the following table:

Criteria	Matters to be addressed
<i>Strategic direction</i>	<ul style="list-style-type: none"> • <i>How the rezoning request is consistent with the PDP strategic direction (refer Hearing 1)</i> <p>The objectives under the Strategic Direction Chapter (reviewed with the proposed amendments as per Officers’ S42 Report) most applicable to Motukiekie are those relating to the “Natural Environment”. In respect of Objectives SD-NE01 to SD-NE02 the following comments are made:</p>

	<ul style="list-style-type: none"> - SD-NE01: for over 24 years the Lockwood Family have exercised stewardship over the Island in a manner that has substantially enhanced its biodiversity and environmental sustainability. They are highly committed to continuing conservation activities on the Island. - SD-NE02: the Lockwood Family have a mutually respectful relationship with mana whenua and are open to mana whenua input in respect of its kaitiaki role for Motukiekie. - SD-NE03: via its own self-funded conservation efforts (planting and pest control) undertaken by a resident Caretaker the Lockwood Family are demonstrating their commitment to ecosystem restoration and management. - SD-NE04: the continued efforts by the Lockwood Family to actively restore the Islands vegetation and their use of renewable energy demonstrate their contribution to Climate Change mitigation. - SD-NE05: vegetation restoration on Motukiekie along with well-designed buildings of appropriate scale, materials and finishes in suitable locations is consistent with maintaining and managing the natural features and landscape values of Motukiekie. - SD-NE06: the application of the RPZ zone and a set of precinct provisions along with the ONL and HNC overlays to Motukiekie will retain tight controls on vegetation clearance and earthworks that will continue to be effective methods of ensuring the protection of vegetation and associated habitat values of Motukiekie.
<i>Alignment with zone outcomes</i>	<ul style="list-style-type: none"> • <i>When rezoning request relates to existing PDP zone, an assessment of how the proposal is aligned with the objectives, policies and intended outcomes for the zone</i> <p>The RPZ zone is the most appropriate zone available under the PDP to apply to Motukiekie Island and to uphold the principles, structure and hierarchy of the National Planning Standards (when applied in conjunction with a precinct specific to the Island).</p>
<i>Higher order direction</i>	<ul style="list-style-type: none"> • <i>How the request “gives effect to” higher order documents in accordance with section 75(3) of the RMA?</i> • <i>Consideration of all relevant national policy statements, the national planning standards, and the Northland Regional Policy Statement.</i> <p>The NZCPS, the Northland Regional Policy Statement and Northland Regional Coastal Plan are relevant to the management, use and development of Motukiekie. The</p>

	<p>Proposed Motukiekie Island Precinct Plan and related planning provisions have been prepared in a manner that is consistent with the higher order documents, and that “gives effect to” the following provisions that are relevant and applicable to Motukiekie.</p> <ul style="list-style-type: none"> - NZ Coastal Policy Statement (Objective 2) - <i>To preserve the natural character of the coastal environment and protect natural features and landscape values through:</i> <ul style="list-style-type: none"> • <i>recognising the characteristics and qualities that contribute to natural character, natural features and landscape values and their location and distribution;</i> • <i>identifying those areas where various forms of subdivision, use, and development would be inappropriate and protecting them from such activities; and</i> • <i>encouraging restoration of the coastal environment</i> - NZ Coastal Policy Statement (Objective 6) - <i>To enable people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use, and development, recognising that:</i> <ul style="list-style-type: none"> • <i>the protection of the values of the coastal environment does not preclude use and development in appropriate places and forms, and within appropriate limits...</i> - Regional Policy Statement (Objective 3.14) – identify and protect the qualities and characteristics that make up the natural character of the coastal environment and the qualities and characteristics that make up outstanding natural features and outstanding natural landscapes from inappropriate subdivision, use and development. - Regional Policy Statement (Objective 3.15) – <i>Maintain and/or improve; (a) The natural character of the coastal environment and fresh water bodies and their margins; (b) Outstanding natural features and outstanding natural landscapes; (c) Historic heritage; (d) Areas of significant indigenous vegetation and significant habitats of indigenous fauna (including those within estuaries and harbours); (e) Public access to the coast; and (f) Fresh and coastal water quality</i> - Regional Coastal Plan (Objective 7.3) – preserve and protect the natural character of the CMA from inappropriate subdivision, use and development. - Regional Coastal Plan (Objective 8.4) – the identification and protection of outstanding natural features and landscapes within the CMA from inappropriate subdivision, use and development. <p>In my opinion, the proposed RPZ and precinct (along with the CE, NFL and District-Wide provisions) would be equally as effective as the proposed Natural Open Space zone in giving effect to the higher order documents as the Proposed Plan in respect of Motukiekie.</p>
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Reasons for the request	<ul style="list-style-type: none"> <i>The reasons for the rezoning request, including an assessment of why the notified zoning is not appropriate for the subject land.</i> <p>Refer to preceding discussion.</p>
Assessment of site suitability and potential effects of rezoning	<ul style="list-style-type: none"> <i>Assessment of the suitability of the land for rezoning, including an assessment of:</i> <ul style="list-style-type: none"> <i>The risks from natural hazards (refer Part 2 – District Wide Matters and the Northland Regional Policy Statement)</i> <i>Effects on any natural environment values, historic heritage, coastal environment, or other PDP overlay (refer Part 2 – District Wide Matters)</i> <i>Effects on surrounding sites, including compatibility of the rezoning with surrounding land-uses and potential reverse sensitivity effects.</i> <p>The NRC Natural Hazards mapping of Coastal erosion and flood hazards does not identify any areas of risk on Motukiekie Island. The lower parts of the Island are identified as a Tsunami “evacuation area” as are all coastal areas within 100m of MHWS (irrespective of land contour).</p> <p>Effects on natural environment values, historic (and cultural) heritage and the coastal environment have been considered in preparation of the proposed precinct provisions and will require detailed assessment at the time any future resource consent application is made for a building on the Island.</p> <p>There are no adjoining sites, the existing and proposed use of Motukiekie is consistent with the use of Moturua and Urupukapuka Islands (with continued conservation effects to enhance the habitat for native birds within a pest-free environment). The proposed provisions do not create the potential for reverse sensitivity effects.</p>
Infrastructure (three waters) servicing	<ul style="list-style-type: none"> <i>How the rezoning request (including subdivision and development potential enabled by the request) will be supported by adequate infrastructure servicing</i> <p>N/A – the proposed precinct requires no public three water infrastructure (on-site servicing solutions are relied upon)</p>
Transport infrastructure	<ul style="list-style-type: none"> <i>How the rezoning request will be supported by existing or proposed transport infrastructure, including how new or upgraded transport infrastructure is required.</i> <p>N/A – the proposed precinct requires no transport infrastructure (no roading or vehicle access)</p>

Consultation and further submissions	<ul style="list-style-type: none"> Any consultation undertaken with key stakeholders or tangata whenua in relation to the rezoning request. <p>Consultation is in process with Tangata Whenua with mana whenua status for Motukiekie. Outcomes from the consultation will be reported at the hearing.</p> <ul style="list-style-type: none"> A list of any further submissions on the rezoning request and a response to those further submissions <p>N/A no further submissions were made on Submission 32 – the rezoning request for Motukiekie.</p>
Section 32AA evaluation	<ul style="list-style-type: none"> How the rezoning request is a more appropriate, effective and efficient way to achieve the PDP objectives (compared to the notified zoning) in accordance with section 32AA of the RMA <p>Refer to discussion below.</p>

59. The Hearings Panel has specified additional criteria for special purpose zone (SPZ) requests. I have treated these as relevant to a proposed precinct (noting the similarity between special purpose zones, precincts and developments as alternative methods with similar purpose and outcomes) and comment on each of the criteria in the following table:

Criteria/information	Matters to be addressed
National planning standards criteria	<ul style="list-style-type: none"> How the SPZ meets all of the following three criteria for additional special purpose zones in the national planning standards (8.3), i.e. the activities or outcomes sought from the SPZ are: <ul style="list-style-type: none"> Significant to the district, region or country; and Impractical to be managed through another zone; and Impractical to be managed through a combination of spatial layers. <p>The sustainable management of land use activities on the Islands in the eastern Bay of Islands is of significance to the district and region, noting the high number of visitors to Urupukapuka Island and the surrounding coastal environment.</p> <p>A detailed analysis of the alternative zoning options has identified significant impracticalities and poor alignment of objectives and policies would result from application of another zone to Motukiekie.</p> <p>Introduction of the RPZ and precinct provisions would maintain the standard approach under the Proposed Plan to manage activities through a combination of spatial layers but with a higher degree of certainty, clarity and alignment.</p>

Relationship with Part 2 – District Wide Matters	<ul style="list-style-type: none"> <i>How the SPZ is intended to interact with the provisions in Part 2 – District Wide Matters, including more stringent rules for overlay areas (e.g. coastal environment, natural features and landscape etc.)</i> <p>The precinct provisions continue to maintain the applicability and integrity of the Coastal Environment and Natural Features and Landscapes overlay. Those overlays continue as effective measures to manage the effects of activities within the proposed precinct and continue to establish the status of building activities within the proposed zone.</p> <p>The proposal is to specify potential future building areas on Motukiekie via the precinct plan and to specify special information requirements for any future resource consent application complement and reinforce the efficacy of those District Wide Matters.</p>
Consultation on the precinct proposal	<ul style="list-style-type: none"> <i>An assessment of parties directly affected by the precinct proposal, any consultation undertaken, and any further consultation proposed</i> <p>There are no directly affected parties apart from the Lockwood Family</p>
Precinct provisions	<ul style="list-style-type: none"> <i>The requested precinct provisions (objectives, policies, rules, matters of control/discretion and standards), which should be consistent with other PDP zone chapters</i> <p><i>Refer to Attachment 1</i></p>
Section 32AA evaluation	<ul style="list-style-type: none"> <i>A section 32AA evaluation that assesses (compared to the PDP provisions):</i> <ul style="list-style-type: none"> <i>How the precinct objectives are the most appropriate way to achieve the purpose of the RMA</i> <i>How the precinct provisions are the most appropriate to achieve the precinct objectives</i> <p><i>Refer below</i></p>

S.32AA Evaluation

60. I have applied the S.32AA evaluation criteria to application of the Rural Production zone (as applied to adjacent Islands) along with a precinct specific to Motukiekie. My evaluation concludes that:

- a) Application of the NOSZ under the proposed plan would not achieve the purpose of the Act in respect of the sustainable management of Motukiekie Island. Such an approach would effectively treat the island as conservation land with almost no ability to undertake any activity (use or development). The objectives and policies of the zone are not reflective of the ownership, current use or intended future use of the

Island (apart from that they allow for, support and encourage the conservation activities already undertaken by the Lockwood Family).

- b) The option of applying the Rural Production zone to Motukiekie Island is consistent with the zoning approach applied to privately owned land on the adjacent Islands in the eastern Bay of Islands. It would provide for a broader range of activities on Motukiekie than the proposed NOS zoning. However, the objectives and policies of the RPZ do not recognise the current use, characteristics, natural and landscape values of the Island. Without the addition of a set of specific precinct provisions, the RPZ would fail the statutory test under S.32AA. However, the incorporation of a specific Motukiekie precinct in conjunction with the RPZ would resolve that inconsistency and would represent “the most appropriate way” to achieve the sustainable management purpose of the Act in accordance with the framework established by the National Planning Standards.
 - c) The proposed Motukiekie precinct is adapted from the Moturoa Island Zone (MIZ) that already forms part of the Proposed Plan. The objectives and policies, activity rules and standards are therefore specifically tailored to a privately owned Island located within the Bay of Islands that is also subject to High Natural Character and Outstanding Natural Landscape overlays. In my view the precinct provisions represent the “most appropriate” method to achieve the sustainable management purpose of the Act for Motukiekie Island.
61. The objectives and policies prioritise the management of land use activities to ensure they are of a scale and type that complements the natural and landscape values of the Island, preserve and protect its natural characteristics and qualities, and protect and enhance its ecological qualities. The proposed objectives and policies recognise the specific context of Motukiekie, its natural character, ecological and landscape values and the need to balance conservation activities with use and development of the Island.
62. The provisions of the precinct (activity rules and standards) enable a limited range of activities that are consistent with the existing long-standing activities on the Island. The precinct rules and standards provide for future resource consent(s) to be obtained for limited additional buildings and activities that are complementary to the ecological,

landscape and natural character values of the Island within the identified building areas that have been subject to landscape and ecological assessment. The methods applied via the precinct provisions are considered to be practicable and appropriate to achieving sustainable management of the Island.

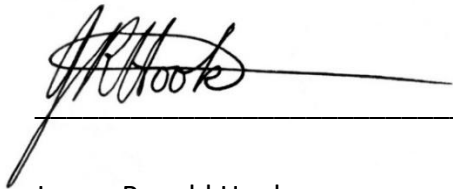
63. My assessment is that the proposed provisions will be highly effective in achieving the objectives and as they relate to existing and anticipated future land use activities on Motukiekie will be highly effective in their application, alongside the provisions of the High Natural Character and Outstanding Natural Landscape overlays, which provide a high level of management of those special characteristics and features of Motukiekie and the associated Islands and coastal landscapes. The integrity of the overlays as key methods under the Proposed Plan is therefore maintained.
64. There are no environmental, social, economic or cultural costs associated with the proposed precinct. However, there are environmental, social and economic benefits – both in terms of supporting continued conservation and ecological restoration activities on Motukiekie and in respect of enabling the Lockwood Family to provide for their health and safety and well-being by enabling the opportunity for limited use and building development on Motukiekie (noting that any new building within an identified building area would require consent as a Discretionary Activity and will be subject to the normal notification tests under the Act).

Summary and Conclusion

65. In respect of the Panel's criteria for rezoning requests, the analysis above demonstrates both why the proposed zoning would not be efficient or effective in achieving the purpose of the Act, the policy intent of the higher order documents, or the Strategic Direction of the Proposed Plan as it omits any consideration of the Lockwood Family's ability (under the provisions of the plan) to provide for social, economic, and cultural well-being and for their health and safety on an ongoing basis.
66. The alternative relief of applying the RPZ to Motukiekie Island along with a set of precinct provisions addresses the imbalance under the Proposed Plan, and rebalances the achievement of Objective 2 of the NZCPS (preservation of the natural character of the coastal environment and protect natural features and landscape values) alongside

Objective 6 (enabling people to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use, and development). The proposal to include Motukiekie within the RPZ with a specific precinct of provisions sets a planning framework for limited additional development on the Island, recognises the importance of maintaining natural character and landscape values, and supports continued conservation activities on Motukiekie.

67. For the reasons set out in this statement, I conclude the alternative relief involving the inclusion of Motukiekie within the RPZ and incorporation of specific precinct provisions within that zone represents the most appropriate way to achieve the purpose of the Act and the objectives of the Proposed Plan.

A handwritten signature in black ink, appearing to read 'J. Hook', is written over a horizontal line.

James Ronald Hook

Planning Consultant
Dated: 7th July 2025

Attachments:

1. Motukiekie Precinct (including Precinct Plan and Building Guidelines)
2. Second Supplementary Statement of Michael Ian Farrow, Landscape Architect, dated 7 July 2025.
3. Archaeological and Historic Heritage Assessment, Motukiekie, Bay of Islands, by Geometria dated 4 July 2025.