

**BEFORE THE HEARING COMMISSIONERS
AWANUI**

IN THE MATTER of the Resource Management Act 1991
(**RMA or the Act**)

AND

IN THE MATTER of Proposed Far North District Plan 2022

**SUMMARY OF EVIDENCE OF STEVEN TUCK (PLANNING) ON BEHALF
OF WAIUAU BAY FARM LIMITED**

25 AUGUST 2025



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SUMMARY OF EVIDENCE

1. The Kauri Cliffs Zone (**KCZ**) is unique to part of Waiaua Bay Farm Limited's (**WBF**) property. The KCZ comprises the Lodge, Golf Living, Golf Playing and Natural Heritage sub-zones.
2. My evidence in chief describes¹ how master planning work has informed the proposed reconfiguration of the KCZ by:
 - (a) shifting the Golf Living sub-zone north, reducing its extent, and applying the Golf Playing sub-zone to areas where the Golf Living sub-zone is removed; and
 - (b) extending the Lodge sub-zone, mainly to the north.
3. I support the section 42A Report recommendations, with minor refinements recommended in my rebuttal evidence. Before discussing those, to assist the Panel I provide contextual observations about comments in Ms Milovan's rebuttal evidence on accidental discoveries, a Cultural Impact Assessment (**CIA**) and walking trails.²

Rebuttal Evidence of Ms Milovan

4. Ms Milovan notes that future development may encounter unrecorded archaeological sites, especially near the cliffs. The proposed KCZ reconfiguration does not enable, or position, development sites near the cliffs.
5. I consider that the conditions of any future resource consents for residential subdivision in the KCZ would specify an accidental discovery protocol. This is typical, and indeed is reinforced by rule EW-R1 and standard EW-S3 of the Proposed Plan.³ This approach could be supplemented by a consent condition for earthworks monitoring, as has been the case for previous resource consents at Kauri Cliffs.
6. Ms Milovan considers that a CIA should be prepared. I agree that a CIA is important to identify and address potential effects on Māori cultural values.⁴ I do not consider that a CIA

¹ Evidence of Steven Tuck (5 May 2025) at [18] - [26] and [37] - [53].

² Rebuttal evidence of Andrea Milovan (11 August 2025) on behalf of Te Whanaunui of Waiaua o Ngāti Kura.

³ Appendix 1 to the 14/11/2024 section 42A Report Writers Right of Reply on the Earthworks topic.

⁴ Paragraph [80] of Appendix 6 to Evidence of Steven Tuck (5 May 2025).

is a mandatory precursor to deciding the zone reconfiguration. Iwi/hapū who engaged directly with WBF in this process did not advise that a CIA must be prepared now.

7. I consider that a CIA would add most value when developed in conjunction with, and to inform, future subdivision design work and a subsequent resource consent application.
8. To that end, my recommended drafting of KCZ-S1 requires effects on archaeological resources in the KCZ to be considered in land use consenting processes. For subdivision consent applications, my drafting of SUB-R3(f) reserves the consent authority's discretion over policy CE-P10 matters. CE-P10 requires consideration of effects on values significant to tangata whenua, pursuant to a comprehensive policy, TW-P6. A CIA would therefore be required to address these provisions.
9. Lastly, Ms Milovan's rebuttal evidence raises concerns about development of walking trails, particularly to Whakarara Maunga. WBF's submission on the Proposed Plan briefly refers to existing and future walking trails at the property. It did not identify a proposal to develop trails around the maunga. No trails around the maunga are proposed in the Master Plan.
10. The archaeological review of the Master Plan notes that a future residential subdivision might incorporate walking tracks with historic/archaeological interpretation.⁵ It does not discuss developing trails around the maunga as this is not part of WBF's current proposal. Any such future development would require consideration against the District Plan at the time.

KCZ Overview, Objectives and Policies

11. The section 42A Report recommends amendments to the KCZ Overview, Objective KCZ-O1 and policies KCZ-P4, KCZ-P5 and KCZ-P6. I am comfortable with those amendments.

Golf Living sub-zone provisions

12. I have recommended amendments to standard KCZ-S1 to ensure the considerations for activities in the reconfigured Golf Living sub-zone generally align with the new Coastal Environment chapter. Broadly, my recommendations entail a

⁵ Appendix A to Evidence of Kim Tatton (2 May 2025).

conservative approach, with less enabling permitted activity performance standards when compared to the notified Plan.

13. Otherwise, I recommend minor amendments to the Golf Living sub-zone provisions for clarity.

Golf Playing sub-zone provisions

14. My rebuttal evidence notes that rule currently permits farming in the Golf Living sub-zone only, but should be amended to permit farming in the Golf Playing sub-zone too.
15. This is a minor amendment arising from the zone reconfiguration. But it is important, because where the Golf Playing sub-zone replaces the Golf Living sub-zone, grazing should be able to continue as a permitted activity. I understand Mr Wyeth has no concerns with this amendment.
16. My other recommended amendments to the Golf Playing sub-zone provisions are minor and ensure consistency with the rest of the KCZ provisions.

Lodge sub-zone provisions

17. I recommend amending the provisions to account for the expansion of the Lodge sub-zone. These amendments include updating permitted activity rules to account for the existing residential and visitor accommodation activities, and amending the permitted GFA and height limits to align with the Coastal Environment standards.
18. There is a minor disagreement about matter of control (d) to rule KCZ-R2 CON-1. My evidence in chief recommends replacing the text of clause (d). However, the section 42A Report retains clause (d) and my recommended text is added as a new sub-clause (e). In my view, if my recommended clause (d) text is adopted, the notified text of clause (d) is superfluous and can be deleted.

KCZ Performance Standards and Matters of Discretion

19. I recommend amendments to KCZ-S1 to align building height, GFA and external colour/material performance standards with the new Coastal Environment performance standards. This is somewhat conservative compared to the notified provisions, but recognises the introduction of the Coastal Environment layer to the eastern part of the KCZ.

20. The section 42A Report recommends amending KCZ-S1 matter of discretion (a) and adding a new matter of discretion (h). Mr Goodwin's rebuttal evidence recommends a minor refinement to matter of discretion (a). In my view if Mr Goodwin's recommendation is adopted, matter of discretion (h) recommended by the section 42A Report is not needed.

Subdivision provisions

21. The section 42A Report recommends amending rule SUB-R3 RDIS-2(1)(f) and matter of discretion SUB-R3(i).
22. Mr Goodwin's rebuttal evidence recommends refinements to both provisions. I support his recommendations as I consider their precision will assist interpretation of the Proposed Plan.

Mapping Error

23. Paragraphs [181] to [184] and the last map at Appendix 2 to my evidence in chief identify a mapping error in the notified plan. The Rural Production Zone is newly applied to land already subject to the Golf Playing sub-zone, but the Golf Playing sub-zone is retained as well. The section 32 and section 42A reports do not address this. However, I understand that Mr Wyeth agrees with my recommendation to delete the Rural Production Zone overlap and retain the Golf Playing sub-zone.

Conclusion

24. There are no major differences between my recommended provisions and those of the section 42A Report. The section 42A Report differs from my recommendations on minor elements of four rules. The rebuttal evidence prepared by Mr Goodwin and I provides solutions to those minor matters.

Steven Tuck

25 August 2025