

**BEFORE INDEPENDENT HEARING COMMISSIONERS
FOR FAR NORTH DISTRICT COUNCIL**

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER Submissions and further submissions in relation to the
proposed Far North District Plan (Hearing Stream 15C)

**STATEMENT OF PRIMARY EVIDENCE OF MARCUS HAYDEN LANGMAN ON
BEHALF OF LUCKLAW FARM LIMITED (#551, FS373), TRUSTEES OF THE
TARANAKI TRUST (#552) AND GRACE ANNE STURGESS (#553)**

Dated: 9 June 2025

TABLE OF CONTENTS

TABLE OF CONTENTS	1
INTRODUCTION	1
Code of conduct	2
EXECUTIVE SUMMARY	4
SCOPE OF EVIDENCE	4
STATUTORY TESTS	5
SUMMARY OF SUBMISSIONS RELEVANT TO HEARING STREAM 15C 6	
THE SITE AND ENVIRONS	9
CONSULTATION WITH OTHER PARTIES	11
LONG TERM VISION FOR THE MANAGEMENT OF THE LUCKLAW FARM SITE	12
THE RELEVANT OPTIONS	14
NATIONAL POLICY STATEMENTS	15
RELEVANT NRPS PROVISIONS	22
EFFECTS OF THE ACTIVITY	23
WHETHER THE REQUEST IS THE MOST APPROPRIATE WAY TO ACHIEVE THE OBJECTIVES OF THE PFNDP	30
EVALUATION CRITERIA SET OUT IN MINUTE 14	31
CONCLUSION	33

INTRODUCTION

1. My full name is Marcus Hayden Langman. I hold the degree of Bachelor of Resource Studies from Lincoln University (1998). I am an independent planning consultant engaged by Lucklaw Farm Limited¹ and Trustees of the Taranaki Trust² to provide expert evidence on the on its submissions on the proposed Far North District Plan in relation to rezoning of land at Rangiputa and Puwheke.
2. I have 24 years' experience in planning, of which 23 have been in New Zealand. For the last eleven years I have been a sole practitioner, working for a range of private developers, local authorities and non-governmental organisations on consenting and policy matters in the Canterbury, Otago, Nelson and Auckland regions. I am currently the lead author for a number of proposed chapters for the district plan review process for Waitaki District Council, and led the development of the Residential and Subdivision chapters for Waimakariri District Council through to notification. I have also recently been awarded the contract for the review of the first stage of the Kaikōura District Plan as part of a joint bid process. I was Otago Regional Council's section 42A reporting officer for the Energy Infrastructure and Transport on the proposed Otago Regional Policy Statement.
3. I have appeared as an expert planning witness on a range of plan changes to the operative Selwyn District Plan. I have assisted Queenstown Lakes District Council (**QLDC**) with rezoning requests in the Wakatipu Basin as part of the district plan review. I was the section 42A reporting officer on those matters, and further assisted QLDC as an expert in the Environment Court on a number of the related rezoning request appeals.
4. I assisted the Hearing Panel as part of the Our Space 2018-2048: Greater Christchurch Settlement Pattern Update Whakahāngai O Te Hōrapa Nohoanga process, which constituted the future development strategy (**FDS**) for Greater Christchurch prepared under the National Policy Statement on Urban Development Capacity (**NPS-UDC**).
5. I was contracted as the Principal Planning Advisor to the Independent Hearings Panel for the Christchurch Replacement District Plan, between 2016 and 2018, and assisted the Panel with procedural matters, drafting and review. I have been engaged by a number of district councils on subdivision

¹ Submission #551

² Submission #552

and rural residential plan change matters, as both reporting officer and planning expert. I have also served as an independent planning commissioner on resource consent matters for the Kaikōura District Council.

6. Prior to becoming a consultant, I was a contracted Senior Advisor for the Canterbury Earthquake Recovery Authority, and Principal Planner and Team Leader – Policy at Environment Canterbury. I led the review of the Canterbury Regional Policy Statement (**CRPS**) from 2008 until the CRPS was made operative in January 2013, as well as Chapter 6 of the CRPS that was included with the Land Use Recovery Plan (**LURP**), having re-written the residential component of Proposed Change 1 for inclusion in the LURP to respond to the Canterbury Earthquakes. I was also the project manager for, and provided planning input into, the Canterbury Regional Landscape Study Review 2010 (prepared by Boffa Miskell).
7. I also have experience preparing a number of district plan changes for the Auckland City District Plan, and presenting evidence as a planning witness at numerous plan change and resource consent hearings in Auckland on behalf of the former Auckland Regional Council.
8. I have appeared in the Environment Court as an expert planning witness, including appeals on the proposed Queenstown Lakes District Plan as an expert witness for QLDC, the Partially Operative Otago Regional Policy Statement 2019 on behalf of the Environmental Defence Society and the Royal Forest and Bird Protection Society in relation to Port-related Activities, Mackenzie District Plan Indigenous Vegetation Clearance provisions in the Mackenzie Basin for Environment Canterbury, and the Rodney District Plan for the former Auckland Regional Council.

Code of conduct

9. While this is a Council hearing, I have read the Code of Conduct for Expert Witnesses (contained in the Environment Court Practice Note 2023) and agree to comply with it. Except where I state I rely on the evidence of another person, I confirm that the issues addressed in this statement of evidence are within my area of expertise, and I have not omitted to consider material facts known to me that might alter or detract from my expressed opinions.
10. Of particular relevance in relation to the preparation of this evidence regarding the submission of Council, I am aware of my role to assist the

Panel as an independent planning expert. As such, the recommendations made in this evidence are my own, based on my expertise.

11. In preparing this evidence I am familiar with and have reviewed the following documents:

- (a) the Resource Management Act 1991 (**RMA, the Act**);
- (b) the New Zealand Coastal Policy Statement 2010 (**NZCPS**);
- (c) the National Policy Statement on Indigenous Biodiversity 2023 (**NPSIB**);
- (d) the National Policy Statement on Urban Development 2020 (**NPSUD**);
- (e) the National Policy Statement on Freshwater Management 2020 (**NPSFM**);
- (f) the Regional Policy Statement for Northland (**NRPS**);
- (g) the operative Far North District Plan (**oFNDP**);
- (h) the proposed Far North District Plan (**pFNDP**)
- (i) the s32 material for the pFNDP;
- (j) the submissions of Lucklaw Farm Limited, Trustees of the Taranaki Trust, and Grace Anne Sturgess;
- (k) Final Minute 14 from the Independent Hearings Panel;
- (l) draft evidence of Ms Bridget Gilbert (Landscape) for Lucklaw Farm Limited;
- (m) draft evidence of Ms Melanie Dixon (Ecology) for Lucklaw Farm Limited;
- (n) draft evidence of Mr Gavin Sole (Infrastructure) for Lucklaw Farm Limited; and
- (o) draft evidence of Mr James Blyth (Hydrology) for Lucklaw Farm Limited.

12. I confirm that I have visited the site that is the subject of the rezoning submission and its surrounds in March 2025, undertaking a site visit with the owners, Mr John Sturgess and Mrs Andrea Sturgess, Ms Bridget Gilbert

(expert landscape witness for Lucklaw Farm), Mr Jack Earl (assisting Ms Gilbert) and Ms Melanie Dixon (expert ecology witness for Lucklaw Farm).

EXECUTIVE SUMMARY

13. My evidence recommends that the submissions of Lucklaw Farm Limited, Trustees of the Taranaki Trust, and Grace Anne Sturgess as they relate to the rezoning of land at Rangiputa and Puwheke to a mixture of Mixed Use, Residential and Rural Lifestyle, be accepted. I consider that:
 - (a) the request for Residential and Mixed Use development, as well a Rural Lifestyle Zone as set out in Figure 1, will assist the Council with carrying out its functions and achieve the purpose of the Act, and that the zoning as expressed in my evidence will accord with Part 2;
 - (b) the zone request as proposed will implement the higher order documents that are relevant to the submissions;
 - (c) regard has been had to the actual or potential effects of the activities (as recommended to be amended), in particular any adverse effects;
 - (d) the changes are the most appropriate for achieving the objectives of the pFNDP, taking into account the costs and benefits associated with the changes; and
 - (e) while there is some uncertainty around the cultural values of the site, the existing known archaeological sites are located away from the main areas proposed to be developed, suitable protocols and assessments can take place as part of subdivision, and that there is little risk in acting on the request to change zones as set out in the submissions.
14. As such, I recommend that the Panel accept the zoning request as outlined in my evidence.

SCOPE OF EVIDENCE

15. The purpose of my evidence is to address matters that were set out in Lucklaw Farm, Trustees of the Taranaki Trust, and Grace Anne Sturgess' submissions requesting alternative zoning of the land surrounding the Rangiputa settlement. My evidence sets out my understanding of the legislative context for the plan review and zoning of the land that is the subject of the submission, including the statutory tests for determining the most appropriate provisions in a district plan.

16. My assessment then considers the relief sought in the Lucklaw Farms, Trustees of the Taranaki Trust, and Ms Sturgess' submissions, and includes a further section 32AA evaluation of those provisions as compared to the notified zoning.
17. My statement of evidence generally addresses the following matters:
- (a) Summary of submissions relevant to Hearing Stream 15C;
 - (b) The site and environs;
 - (c) Long term vision for management of the Lucklaw Farm site;
 - (d) The relevant options;
 - (e) National Policy Statements;
 - (f) The NRPS;
 - (g) Effects of the activity;
 - (h) Whether the request is the most appropriate way to achieve the objectives of the pFNDP; and
 - (i) The evaluation criteria set out in Minute 14.
18. I address each of these points in my evidence below.

STATUTORY TESTS

19. The statutory tests to be applied for determining the most appropriate provisions in a district plan are:³
- (a) whether the provisions accord with and assist the Council in carrying out its functions and achieve the purpose of the Act (section 74(1) of the Act);
 - (b) whether the provisions accord with Part 2 of the Act (section 74(1)(b));
 - (c) whether the provisions give effect to the regional policy statement (section 75(3)(c));
 - (d) whether the provisions give effect to a national policy statement (section 75(3)(a));

³ Adapted from *R Adams and Ors v Auckland Council* [2018] NZEnvC 008.

- (e) whether the territorial authority has had regard to the actual or potential effects on the environment of activities, including, in particular, any adverse effect (section 76(3));
 - (f) the extent to which the objectives are the most appropriate way to achieve the purpose of the Act (section 32(1)(a));
 - (g) whether the policies and methods are the most appropriate way to achieve the objectives, having regard to their efficiency and effectiveness (section 32(1)(b)) and taking into account (under section 32(2)):
 - (i) the benefits and costs of the proposed policies and methods; and
 - (ii) the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules of other methods.
20. I have incorporated the evaluation set out at (a)-(g) above into my discussion of the various topics below, in particular noting additional matters for consideration under section 32AA, as well as providing a separate s32AA evaluation.

SUMMARY OF SUBMISSIONS RELEVANT TO HEARING STREAM 15C

21. A number of submissions were filed in relation to the land that is the subject of the submissions. I confirm I am authorised to provide evidence on behalf of the following submitters:
- (a) Lucklaw Farm Limited (Submission #551)
 - (b) Trustees of the Taranaki Trust (Submission #552)
 - (c) Grace Anne Sturgess (Submission #553)
22. In addition to the primary submissions above, Lucklaw Farm Limited also filed a further submission that is relevant to this hearing stream.⁴
23. I note that in relation to both submissions, the purpose of seeking development potential within the area subject to the zoning request is to:

⁴ FS373

- (a) Provide for a commercial zoning for the settlement at Rangiputa, where there is currently none;
 - (b) Provide for the residential expansion of the settlement in a planned manner;
 - (c) Enable sensitive and well designed rural lifestyle development in close proximity to Rangiputa; and
 - (d) Contribute to a long-term sustainable development strategy for the management of the wider Lucklaw Farm site, in a manner that provides funding to restore, rehabilitate and enhance the significant landscape and indigenous biological values of the site.
24. The notified Rural Production Zone, while providing for some development through management subdivisions, limits the ability to utilise the land in the most efficient manner, which includes some provision for residential and commercial use.

Lucklaw Farm Limited

25. Lucklaw Farm Limited filed a submission⁵ on the pFNDP seeking that land set out in the diagram below is zoned a mixture of Mixed use or Residential (identified as **A**), Rural Lifestyle (identified as **B**), and Rural Production (identified as **C**). The relief sought in paragraph 27 of the submission notes the relief sought for the rezoning be subject to master planning. A full copy of the submission is provided as **Appendix 1**.

⁵ Submission #551



Figure 1 – Requested zoning

26. The land forming the Lucklaw Farms owned land is set out below:



Figure 2 – Dotted outline showing the Lucklaw Farm site, with Trustees of the Taranaki Trust on the block to the northwest

Trustees of the Taranaki Trust

27. The Trustees of the Taranaki Trust filed a similar submission to the submission from Lucklaw Farms Limited. The Trust sought to amend the zoning of the land in the manner set out Figure 1 above. In addition, it sought an alternative of Rural Lifestyle or Rural Settlement zoning for the

property at 700 Rangiputa Road. The submission also sought any further consequential relief amending the objectives, policies and other provisions of the plan in order to give effect to the submission.

28. The land owned by the Trustees of the Taranaki Trust is located directly to the northwest of the land identified in Figure 2, and extends to the right hand portion of the headland at the western end of Puwheke Beach.

Grace Anne Sturgess

29. Ms Sturgess filed a similar submission to the Trustees of the Taranaki Trust and Lucklaw Farm Limited. However, she also sought alternative zoning as Rural Residential for her property at 2B Motutara Drive. This relief is not being pursued at this point in time, and no evidence is presented on it, given that the primary relief is preferable.

THE SITE AND ENVIRONS

30. Rangiputa is located at the western end of the Karikari Peninsula, and is contained at the beach and atop the coastal escarpment at the mouth of Rangaunu Bay. The main settlement of Rangiputa has approximately 125 sites, with a winter population of approximately 100 people, increasing to around 400 over the summer period.⁶
31. The area that is the subject of the rezoning submissions is located to the north and northeast of the settlement of Rangiputa. The areas are accessed both off Motutara Drive, and Rangiputa Road. Updated masterplanning for the site has a new indicative access extending from Rangiputa Road to access the proposed new Residential zoning.
32. Parts of the Lucklaw Farm site were previously managed pine forest. While much of the forest has been removed, there remains wilding pine on the western headland that runs towards the dune system of Puwheke Beach. Parts of this headland have been planted with introduced manuka, which is presently used and managed for honey production. The site includes Lake Rotokawau, and another lake to the east (Rotokawu East), with the hill of Puwheke and the road to Puwheke Beach forming the eastern boundary. To the west of Lake(s) Rotokawau, the land rises towards the western headland of the site.

⁶ <https://www.fndc.govt.nz/services/wastewater-and-stormwater/Wastewater/wastewater-treatment-plants/Rangiputa-Wastewater-Treatment-Plant>

33. The Trustees of the Taranaki Trust land extends along the northern portion of the western ridgeline, and out to the headland. Three large rural lifestyle blocks owned by other owners are located to the west of the Trustees and Lucklaw sites.
34. Parts of the Lucklaw site was previously been obtained under the Public Works Act to:
 - (a) Enable a road to be constructed to the lower Rangiputa township beach area; and
 - (b) To provide a site for the Rangiputa Wastewater Treatment Plant (Rangiputa WWTP), which includes a series of two oxidation ponds, with a final wetland treatment pond.
35. Lucklaw Farm has submitted and presented evidence on the performance of these ponds in the infrastructure hearing. The Rangiputa WWTP serves the township of Rangiputa. Adjacent to the oxidation ponds are two sites that are owned independently, but are within the area proposed to be rezoned (2B and 2C Motutara Drive). 2B Motutara Drive is owned by Ms Grace Sturgess (#553), who has filed a submission on the proposed plan seeking similar relief to the zoning sought in the submissions of Lucklaw Farms and the Trustees of the Taranaki Trust.
36. Within the cleared parts of the farm, limited grazing is undertaken with cattle. The land is relatively infertile, and is not considered highly productive land. Two airstrips have also been developed on the land, one that extends from Lake Rotokawau towards the township of Rangiputa, and a larger one in the eastern part of the site towards Puheke Road.
37. Throughout the property, and in addition to the lakes, there are a number of areas of wetlands in the lower lying parts of the property. A significant dune system exists on the northern boundary of the Lucklaw site and extends along the length of Puwheke Beach. Discussions with Mr John Sturgess have indicated that this is a mobile dune system, with some of the dunes now moving south into areas planted with Pohutukawa by the previous owner.
38. The main drainage catchment from the area proposed to be rezoned is to a stream that passes through the dune system to Puwheke Beach (rather than Lake Rotokawau).

39. Marginal strips extend along the beachfront at Puwheke Beach, around the headland to Rangiputa, and around the lakes on the Lucklaw site. It is understood these are managed by the Department of Conservation on behalf of the Crown with input from Ngati Kahu as allowed for in the in-principal Treaty Settlement which I understand is in place.
40. A further description of the landscape, ecology, and hydrology values of the sites is contained in the evidence of:
- (a) Bridget Gilbert (landscape);
 - (b) Melanie Dixon (Ecology); and
 - (c) James Blyth (Hydrology).
41. Those descriptions include discussion around the natural and landscape values of the site, including identification of outstanding natural landscape value, high natural character, and significant ecological values

CONSULTATION WITH OTHER PARTIES

42. Consultation has been undertaken with landowners directly to the west of the Lucklaw Farm site and the Trustees of the Taranaki Trust site. This is comprised of three coastal strip sections accessed from the end of Motutara Drive:
- Lot 3 DP 550168
 - Lot 2 DP 424279
 - Lot 1 DP 424279
43. At the time of filing evidence, a final confirmation of those parties' position has not been determined. The parties were not aware of the district plan review process, and as such may seek leave to join as further submitters. It is my understanding that regardless of the parties' position, a late further submission would not be opposed.
44. In addition to those parties, consultation has also been undertake with the owner of 2C Motutara Drive. The outcome of that consultation can be reported as part of rebuttal evidence.
45. Consultation has also been undertaken with Grace Sturgess, who has lodged a similar submission seeking changes to Lucklaw and the Trustees. Ms

Sturges has confirmed that she supports the zoning request. Ms Sturges is the owner of 2B Motutara Drive.

46. I am not aware of any other consultation having been undertaken, however I advise that further consultation with FNDC staff is likely in the process leading up to the hearing, as well as with other external parties.

LONG TERM VISION FOR THE MANAGEMENT OF THE LUCKLAW FARM SITE

47. As part of considering the submissions sought by both Lucklaw Farms Limited, and Trustees of the Taranaki Trust, BGLA was engaged to develop a long term masterplan (Preliminary Spatial Strategy) for the site. The purpose of this was to develop a design-driven solution that enables sensible development of the sites, with a focus on protection, maintenance and restoration of ecological values. The ecological values are addressed by Ms Dixon in her evidence. It is not proposed at this stage to include the masterplan in the pFNDP, however it represents the longer term aspirations of the landowner, who recognises the need for long term management of the land and the special qualities associated with it. To enable that ongoing management, there is a need to provide for some development in the right locations to fund ongoing restoration work.
48. The vision includes the development of a range of rural lifestyle living opportunities, as well as mixed use development to provide for a commercial centre for Rangiputa (for which there is no current commercial zoning), and residential activity which builds on and attaches to the existing settlement of Rangiputa.
49. Mr Gavin Sole addresses the matter of infrastructure capacity within the existing Rangiputa WWTP. Given that Lucklaw Farms own the land immediately to the south, west and north of the WWTP, options are available to extend the plant within the existing designated area, or alternatively provide for a separate WWTP to service new development within the Lucklaw Farm site.
50. The masterplan is included in the evidence of Ms Gilbert. Given the long term nature of the masterplan, it is not proposed to have this included in the district plan at this stage. The submitters acknowledge that the entirety of the masterplan is not facilitated by the proposed rezoning as sought in its submission, however the rezoning is fundamental for providing for the future development of the site. Various consents will be required in the area

marked “C” (Rural Production) to facilitate rural lifestyle development in the area to the north of the rural residential zoning, and the area marked “Coastal Lifestyle Living”, through the management plan subdivision provisions of the pFNDP.

51. In relation to the Rural Lifestyle Living component of the submission, Ms Gilbert has identified those areas most appropriate for clustered rural residential development within the Trustees of the Taranaki Trust land, based on constraint mapping as set out in her evidence. Under the notified provisions of the pFNDP, development within the overall area within the Lucklaw Farms site and Trustees site (approximately 64ha) would enable 16 rural lifestyle dwellings as a controlled activity, and 32 dwellings as a fully discretionary activity. A copy of the draft masterplan is set out below as attached to the evidence of Ms Gilbert.

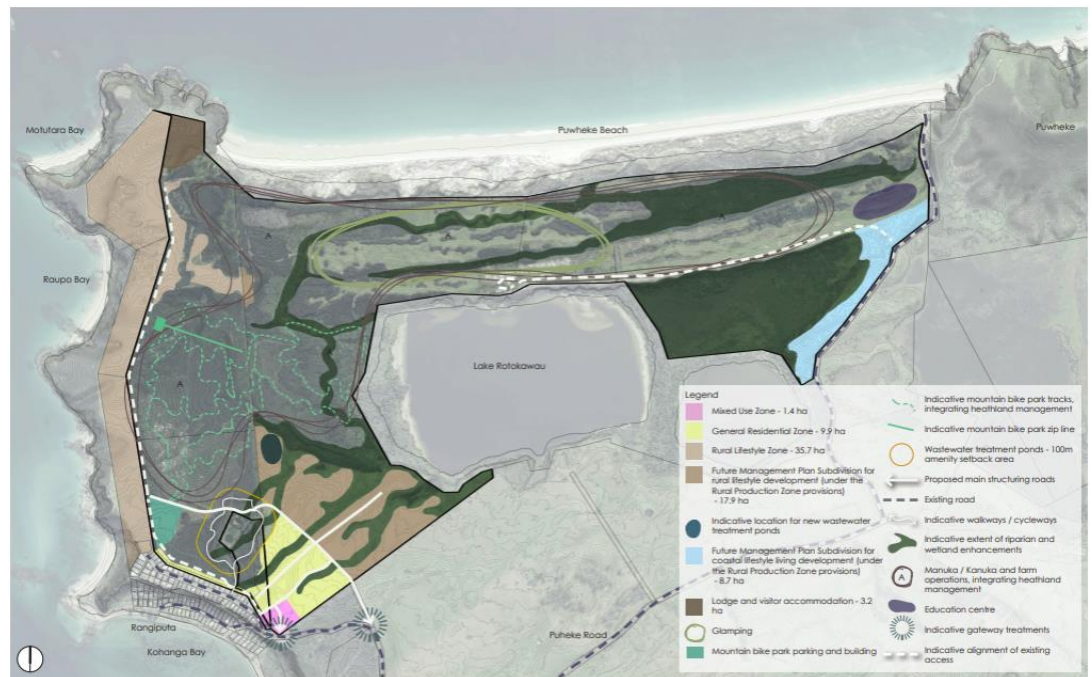


Figure 3 – Preliminary spatial strategy for development at Puwheke

52. The masterplan provides for a 100m setback from the existing Rangiputa WWTP, in order to manage reverse sensitivity effects. It is noted that on the existing properties directly adjacent to the designated site (2B and 2C Motutara Drive), there already exists a limitation on the titles for buildings within 150m of the WWTP boundary.
53. The masterplan also provides for a lodge and visitor accommodation on the northern headland, a possible mountain bike park, glamping behind the dunes of Puwheke Beach, and a visitor centre at the eastern end of the

Lucklaw property. Development within those areas is not provided by the rezoning request, and would be subject to future resource consents.

THE RELEVANT OPTIONS

54. The relevant options for the zoning of the area subject to the submissions are:
- (a) Retain the notified Rural Production zoning for all of the sites within the area subject to the submission; and
 - (b) Amend the zoning in accordance with the submission from Lucklaw Farm and Trustees for the Taranaki Trust, providing for a mixture of Mixed Use/Residential zoning in Area A shown in Figure 1, and Rural Lifestyle zoning in Area B shown in Figure 1 (the amending proposal).
55. A third option is to include the masterplan in the district plan setting out the development of the site. This option is not being pursued at this stage, but would be consistent with the relief sought in submissions. Should this option be pursued, it would involve the insertion of a Development Areas chapter into the district plan (there is currently no such chapter) with a finalised masterplan (in accordance with the National Planning Standards – District Plan Structure Standard mandatory direction 12, which direct areas subject to masterplans to be inserted into such a chapter).
56. The key issue with the zoning of the land subject to the submissions as Rural Production, in particular Area B, is that the ability to develop land in Area B is significantly restricted. It does not reflect the existing development of a number of smaller allotments in Area B, which have been subdivided for rural lifestyle use, but do not presently have residential dwellings on them. The Rural Production Zone as notified does not provide a certain development right to establish a dwelling on an undeveloped, undersized site. The operative plan provides for this type of “grandfathering” clause, however the s32 evaluation for the Rural chapters expressly notes that this right is removed from the proposed plan.⁷
57. In addition to this, the zoning of the site as Rural Production does not suitably recognise that there remains capacity within the landscape for

⁷ At para 1.1 bullet 4 – S32 Rural Environment
https://www.fndc.govt.nz/_data/assets/pdf_file/0017/18071/Section-32-Rural-Environment.pdf

sensitively designed rural lifestyle development in Area B, as well as a mixture of residential and mixed use development in Area A.

NATIONAL POLICY STATEMENTS

58. A review of relevant national policy statements has identified that the following NPSs are relevant to the zoning request:

- (a) The NPSIB; and
- (b) The NZCPS

59. I note that as the area that is the subject of submissions was notified as a Rural Production Zone, the NPS-HPL was considered. However the land that is the subject of the submissions is not identified as any of LUC classes 1-3, and as such, the NPS-HPL is not relevant. In addition, the NPSUD was also considered, however I do not consider that the settlement of Rangiputa, or its surrounding area, constitutes an “urban environment” as defined in the NPSUD, as it does not supply a labour market of at least 10,000 people. As such, it does meet the application requirements set out in Clause 1.3.

60. The National Policy Statement on Freshwater Management (**NPSFM**) is peripherally relevant to the zoning request, but only to the extent that the wider area includes a number of wetlands and waterways. The NPSFM largely relates to the functions of a regional council, and only contains a singular direction to specific to territorial authorities at Clause 3.5(4) which states:

Every territorial authority must include objectives, policies, and methods in its district plan to promote positive effects, and avoid, remedy, or mitigate adverse effects (including cumulative effects), of urban development on the health and well-being of water bodies, freshwater ecosystems, and receiving environments.

61. No amendments are sought to the objectives and policies of the plan. It is my opinion that the above matters, as they relate to development of the urban component sought through the submissions, can be addressed at subdivision stage and do not have a direct impact on the zoning request. In addition, they provide a broad framework for avoiding, remedying and mitigating adverse effects, and as such, are not a barrier to urban development.

National Policy Statement on Indigenous Biodiversity

62. The NPSIB manages the way in which subdivision use and development is managed in relation to indigenous biodiversity, including significant natural areas (SNAs). It is understood that SNAs were removed from the pFNDP prior to notification. In her evidence, Ms Dixon discusses the mapping of SNAs on the site by Wildlands Consultants, but notes that while there are significant areas located on the Lucklaw and Trustees' sites, these need to be ground-truthed to show their extent, as they include areas that are existing (or former areas of) pine, as well as replanted non-native manuka that is used for honey production.
63. In terms of timing, the NPSIB was gazetted on 7 July 2023 after the district plan was notified in 2022. Notwithstanding that, I consider that it is correct that the district plan, as amended, should give effect to the NPSIB where practicable.
64. The NPSIB does not give any direction around zoning, but rather manages how development should occur in relation to indigenous biodiversity and SNAs. It contains a single objective that seeks to maintain indigenous biodiversity across Aotearoa New Zealand so there is at least no overall loss of indigenous biodiversity after the commencement date, through recognising the mana of tangata whenua as kaitiaki of indigenous biodiversity, recognising people and communities including landowners as stewards of indigenous biodiversity, protecting and restoring indigenous biodiversity to achieve the overall maintenance of it, and doing these while providing for the social, cultural and economic wellbeing of people and communities now and into the future.
65. In my opinion, the relevant policies in the NPSIB that relate to the rezoning request include:
- (a) Policy 3 – Adopting a precautionary approach when considering adverse effects;
 - (b) Policy 4 – Indigenous biodiversity is managed to promote resilience to climate change;
 - (c) Policy 6 – Significant indigenous vegetation and significant habitats of indigenous fauna are identified as SNAs using a consistent approach;

- (d) Policy 7 – SNAs are protected by avoiding or managing adverse effects from new subdivision, use and development;
 - (e) Policy 9 – Certain established activities are provided for within and outside of SNAs;
 - (f) Policy 13 – Restoration of indigenous biodiversity is promoted and provided for; and
 - (g) Policy 14 – Increased indigenous vegetation cover is promoted in both urban and non-urban environments.
66. Ms Dixon considers the overall potential risks associated with development on the site, along with the potential benefits, in particular if development is utilised to benefit restoration, pest management, and enhancement of the site. She considers that the management of biodiversity values can be addressed during subdivision, and considers that the long-term sustainability of wetlands, heathlands and dune vegetation is compatible with a change in zoning. I rely on Ms Dixon's expertise on this matter.
67. In relation to Clause 3.10 of the NPSIB, I consider that there is a pathway through for development within the zones, in particular Clause 3.11(3) which provides for use or development for the purpose of maintaining or restoring an SNA, and Clause 3.21 which sets out that plans include provisions that prioritise areas and incentives for restoration. I consider that provision of Rural Lifestyle Zoning will enable such an approach, and development of a management approach that is appropriate for the site, and that can be considered through a subdivision consent. It is noted that the controlled activity criteria for subdivision in SUB-R3 Matter of Control (e) enables control of adverse effects on a range of matters, including wetlands, lakes and rivers and their margins, and indigenous biodiversity values. By tying restoration outcomes to subdivision, the vision sought in the masterplan can be achieved.
68. In relation to the General Residential Zone, and proposed Mixed Use Zone, the impacts on indigenous biodiversity are relatively minimal, if at all, given the cleared nature of the existing landform. Notwithstanding that, there are opportunities for enhancement and restoration within these areas, which will provide opportunities for corridors and further biodiversity enhancement.

69. Overall, I consider the zoning request gives effect to the NPSIB, and provides a clear pathway to enabling enhancement and restoration of biodiversity values on the submitters' sites.

New Zealand Coastal Policy Statement

70. The New Zealand Coastal Policy Statement (**NZCPS**)⁸ is relevant to the extent that a portion of the land that is subject to the zone request, falls within mapping of the Coastal Environment in the planning maps as notified in the pFNDP. That area is set out in Figure 4 below.



Figure 4 – Blue hatching indicating the extent of the notified Coastal Environment

71. The NZCPS provides national direction for the management of activities in the coastal environment. There are a number of relevant policies, which I set out below with a summary of their content where they are relevant to the proposal:
- (a) Policy 3: Precautionary approach – adopt a precautionary approach towards proposed activities whose effects on the coastal environment are uncertain, unknown or little understood, but potentially adverse
 - (b) Policy 6: Activities in the coastal environment:

8

<https://web.archive.org/web/20240418165851/https://www.doc.govt.nz/globalassets/documents/conservation/marine-and-coastal/coastal-management/nz-coastal-policy-statement-2010.pdf>

- (i) Consider the rate at which built infrastructure and associated public infrastructure should be enabled to provide for growth without compromising the other values of the coastal environment
 - (ii) Encourage the consolidation of existing coastal settlements where this will contribute to avoidance or mitigation of sprawling or sporadic patterns of development
 - (iii) Consider how adverse visual impacts of development can be avoided in areas sensitive to such effects such as headlands and prominent ridgelines
 - (iv) Set back development from the coastal marine area and other waterbodies to protect natural character, open space, public access and amenity values of the coastal environment
 - (v) Where appropriate buffer areas and sites of significant indigenous biodiversity or historic heritage value
- (c) Policy 7: Strategic Planning:
- (i) Consider where, how and when to provide for future residential, rural residential, settlement, urban development and other activities in the coastal environment
 - (ii) Identify areas of the coastal environment where particular activities are inappropriate, and may be inappropriate without consideration of effects through a resource consent application and provide protection from inappropriate subdivision use and development
 - (iii) Identify in regional policy statements and plans coastal processes, resources, or values that are under threat or at significant risk from adverse cumulative effects
- (d) Policy 11: Indigenous biological diversity:
- (i) Avoid adverse effects on significant indigenous biodiversity
 - (ii) Avoid significant adverse effects and avoid, remedy or mitigate other adverse effects on areas of predominantly indigenous vegetation, habitats and ecological corridors

- (e) Policy 13: Preservation of natural character - Preserve the natural character of the coastal environment by:
 - (i) Avoiding adverse effects on areas with outstanding natural character
 - (ii) Avoiding significant adverse effects on natural character in all other areas
- (f) Policy 14: Restoration of natural character - Promote restoration or rehabilitation of natural character, including by:
 - (i) Identifying areas and opportunities for restoration or rehabilitation
 - (ii) Providing policies, rules and other methods directed at restoration or rehabilitation
 - (iii) Where practicable, imposing or reviewing restoration or rehabilitation conditions on resource consents and designations (including a range of methods to achieve restoration)
- (g) Policy 15: Natural features and natural landscapes – Protect natural features and natural landscapes from inappropriate subdivision use and development by:
 - (i) Avoiding adverse effects on Outstanding Natural Features and Landscapes (**ONF/Ls**)
 - (ii) Avoiding significant adverse effects on other natural features and landscapes in the coastal environment
- (h) Policy 17: Historic heritage identification and protection – Protect historic heritage from inappropriate subdivision, use and development by:
 - (i) Identifying, assessing and recording historic heritage including archaeological sites
 - (ii) Providing for the integrated management of such sites in collaboration with relevant councils, heritage agencies, iwi authorities and kaitiaki
 - (iii) Recognising that heritage to be protected may need conservation

72. The zoning as sought by the submitters interacts with the coastal environment in a number of ways. It is noted that the specific urban zoning (Mixed Use and/or General Residential) sought through the submission is located outside of the coastal environment. Notwithstanding that, the hydrological catchment for that urban area does interact with systems that are located in the coastal environment. Mr Blyth addresses the high standards for stormwater runoff and wastewater management that will be required to minimise impacts on coastal water quality values. In addition to the requested urban zoning, approximately half of the requested Rural Lifestyle Zone is located in the coastal environment shown in Figure 4.
73. The subdivision provisions in the pFNDP provide for a broad spectrum of matters to be considered, with clear guidance through the objectives and policies of the Subdivision chapter to manage adverse effects. The Rural Lifestyle component of the request within the submitter's land (at approximately 64 ha), enables the development of approximately 10 additional dwellings (on top of the 6 already on the Trustee's block) as a controlled activity with a minimum size of 4ha, or up to 32 as a fully discretionary activity with a minimum size of 2ha.
74. Policy 3 requires a precautionary approach to management of activities whose effects are uncertain, unknown or little understood. The effects of both urban and rural lifestyle development are well understood. Controls exist within the subdivision provisions to ensure that important values are protected from inappropriate development.
75. In relation to Policy 6, the development of the land is likely going to require additional infrastructure to be developed to manage stormwater and wastewater. Mr Sole outlines in his evidence that the existing WWTP will not have capacity to cater for the proposed development. As such, there will be a need to upgrade and expand the existing Rangiputa WWTP, or alternatively establish a new facility to manage wastewater for the proposed residential and mixed use area. Sufficient land is available to do so within the Lucklaw Farm site.
76. Policy 6 also seeks consolidation of existing settlements, avoiding sprawling or sporadic patterns of development. The proposed zoning does this by providing for growth outside of the identified coastal environment, while still attached to the main settlement. It seeks that consideration is given as to how adverse visual effects can be avoided, and that setbacks are provided

from the CMA and other coastal waterbodies. The zoning proposed by the submitters achieves this, and in particular, it is reflected in the draft masterplan for development of the site.

77. Policy 7 provides for strategic planning, and how and where development is provided for. I note that this no particular approach that states where rural lifestyle development is inappropriate in the coastal environment, with the exception of managing buildings and built form in the Coastal Environment chapter. It is noted that all new dwellings that are constructed in the coastal environment are very likely to be discretionary activities as set out on CE-R1, if those provisions are not amended from the notified version of the plan. This enables a thorough consideration of the impact of buildings on landscape and natural values.
78. Policy 11 seeks the avoidance of adverse effects on significant indigenous biodiversity, and avoidance, remediation and mitigation of effects on other activities. When view as a whole, the provision of the Rural Lifestyle Zone along with suitable controls on restoration and enhancement and management of effects on indigenous biodiversity, the proposed zoning can and will give effect to Policy 11.
79. Policy 14 seeks to promote restoration and rehabilitation of natural character. This is one of the fundamental underpinning of the masterplan for development of the site. While the masterplan is not currently proposed to be included in the plan, the outcomes sought in the masterplan can be implemented through subdivision consents. Similarly, Policies 15 and 17 seek the same outcomes for natural character, and historic heritage. Again, these matters are covered in the matters of control for subdivision, and provision can be made for avoiding inappropriate subdivision, use and development.

Summary in relation to National Policy Statements

80. Overall, it is my opinion that the requested rezoning gives effect to the relevant provisions of the relevant National Policy Statements, in accordance with section 75(3)(a) of the RMA.

RELEVANT NRPS PROVISIONS

81. The NRPS sets out the strategic direction for the Northland region. Of particular relevance are the policies and methods that implement the objectives of the NRPS. In my evidence, I have focused on the relevant

policies, rather than the objectives of the plan, as it relates to the amending proposal.

82. Given the volume of relevant policies and methods, I have included an evaluation of the relevant NRPS provisions in a table in **Appendix 1**.
83. Having evaluated the provisions, I conclude that the amending proposal gives effect to the provisions of the NRPS.

EFFECTS OF THE ACTIVITY

84. A range of effects are likely to arise from the implementation of the proposed zoning. Those effects can be broadly categorised as:
- (a) Landscape effects
 - (b) Urban form effects
 - (c) Effects on infrastructure, including demand for infrastructure
 - (d) Indigenous biodiversity effects
 - (e) Cultural effects
 - (f) Transport and traffic effects
 - (g) Natural hazard effects
85. I address each of these in my evaluation below.

Landscape effects

86. Landscape effects are addressed in the evidence of Ms Gilbert. It is relevant to note that on the northern headland, in the Trustees site, that there already exists 6 consented dwellings. Within the submitters' sites, under the proposed Rural Lifestyle zoning, an additional 10 sites would be possible (as a controlled activity and assuming the other existing dwellings were subdivided), and up an additional 26 sites as a discretionary activity. Practically speaking, the likelihood of development at the upper end of that figure is unlikely, given the existing mapping of possible SNAs. However, there would likely be refinement on further investigation of the previously mapped SNAs undertaken by Wildland Consultants, following further ground-truthing, as set out in the evidence of Ms Dixon.

87. The spatial strategy for the site, having mapped constraints based on the physical characteristics of the site, indicates a more limited area for development. I consider this the most likely development scenario given existing constraints, although there is potential for some house sites extending further south which may enable some development nestled along the ridgeline. This will depend on site specific assessments at the time of subdivision.
88. From a planning perspective, it is my opinion that the landscape effects of residential and mixed use development is relatively limited. In terms of views from public places, this is some significant distance from Puwheke Beach and the dune system on the marginal strip.
89. Ms Gilbert considers that with careful refinement, through a more detailed design process, the scale and character of the development anticipated by the preliminary spatial strategy (masterplan) could be successfully absorbed into the local landscape from a landscape effects perspective.

Urban form effects

90. The extension to the north of the existing Rangiputa township is the logical location for urban development, considering the topography of the coastal area to the south of Rangiputa, and the existing cleared nature of the farmland in the southern corner of the Lucklaw farm site. In my view, the existing WWTP provides a physical barrier to further residential development to the west of the WWTP. This is expressed in the masterplan prepared for the site. Development to the west of the WWTP may result in a somewhat fragmented urban form. Completely surrounding the WWTP may also limit future expansion if that was considered desirable.
91. The provision of mixed use development provides the opportunity for a range of typologies for residential development, with above ground floor residential development provided as a permitted activity. The provision of a commercial centre to Rangiputa would in my view, create a significant benefit to the form of the settlement, providing a focus for commercial activities.
92. Overall, I consider that the proposed extension creates significant positive opportunities in the most optimal location for the Rangiputa settlement, including the fact that it occurs away from the coastal environment, and is not subject to natural hazard risk.

Effects on infrastructure, including demand for infrastructure

93. Wastewater capacity is addressed in the evidence of Mr Sole, and aspects of stormwater management are addressed in the evidence of Mr Blyth. In terms of potable water, the settlement at Rangiputa is not currently reticulated. It would be proposed that rainwater is utilised for potable water which is the same for the existing settlement.
94. Mr Sole concludes that the existing Rangiputa WWTP does not have sufficient capacity to cope with the requested Residential and Mixed Use zoning. He recommends that to cater for the General Residential and Mixed Use zoning, a new plant would be required, one that allows for flow from the current catchment and additional development as proposed. He considers that the current treatment plant could be repurposed for primary treatment and flow attenuation.
95. Mr Blyth notes the need for water sensitive design (**WSD**) for the whole development, so that it can be undertaken in an holistic manner. He notes that it is expected that any development proposed by Lucklaw Farm within the Rangiputa settlement will adopt WSD principles. He notes that at a high level, this would likely include:
- (a) *Minimising significant earthworks (cut and fill), working with the natural topography of the land and avoiding the infilling of ephemeral and perennial flow paths (see Appendix A) which will be enhanced through WSD principles such as through restoration planting proposed in **Error! Reference source not found.***
 - (b) *Adoption of low yielding material, such as coloursteel roofs or green roofs to minimise zinc and copper loading to the natural environment.*
 - (c) *Planning the design of the site to incorporate the anticipated effects of climate change, with the Northland Region likely to experience an increase in large and intense storms, interspaced with longer dry periods^d. This may take the form of utilising swales and open channels (planted) to transmit water, bioretention (raingardens) and rainwater reuse and/or stormwater detention tanks.*

- (d) *Minimising the impervious footprint of the site and maintaining hydraulic neutrality, in order to reduce downstream erosion risks while maintaining the natural hydrograph⁹.*
 - (e) *Attenuation and treatment of all impervious areas from residential and commercial lots through to road runoff. This should follow a treatment train approach, starting at the source (for example, selection of roof material on a property), and consideration of all aspects of the stormwater cycle where treatment can occur on and off site.*
 - (f) *Consideration of catchment scale treatment solutions, if possible, such as downstream constructed wetlands, which will add a final treatment and flood attenuation from developed areas upstream.*
96. These matters would need to be considered as part of discharge consents from the regional council for the development. Mr Blyth concludes that Appropriate WSD and environmental enhancement would help to mitigate the effects of the proposed change in landuse from low intensity pastoral farming to rural lifestyle and general residential/commercial. This would require a comprehensive erosion and sediment control plan to mitigate sediment discharges during earthworks, and adoption of a best practice development approach to minimise effects, but ultimately seek to enhance the receiving freshwater environment. In addition to this, a new and improved wastewater treatment system for Rangiputa has the ability to improve treatment and increase capacity for the balance of development within the existing settlement.
97. It is my opinion that the infrastructure design matters can, and should be addressed at subdivision stage. Given the opportunities for land management and wastewater disposal as outlined above, I consider that the effects of three waters infrastructure management as a result of the requested rezoning can be suitably managed.

Indigenous biodiversity effects

98. Ms Dixon provides an outline of the ecological context of the area that is the subject of the submissions, and also recognised that the site contains

⁹ Natural hydrograph refers to a graph of the existing rate of water flow during a storm event, and how this changes over time at a specific point in a stream or channel. Urban growth can result in a 'flashier' hydrograph that may have more rapid runoff with higher peak flows (due to impervious surfaces), while also reducing baseflows (due to reduced infiltration). WSD attempts to manage peaks through hydraulic neutrality, while also attenuating and slowing the flow of stormwater to mimic natural (or restored) systems.

significant natural areas. She sets out what she considers to be the main threats to the ecological values of the area, in particular:

- (a) Introduced pest animals
- (b) Introduced pest plants
- (c) Grazing
- (d) Increased nutrients
- (e) Human disturbance of dune habitat

99. She also considers potential effect to ecological values from development as a result of the proposed zoning:

- (a) the potential loss of indigenous vegetation (and associated habitat for fauna) from within proposed development areas;
- (b) water quality and quantity impacts, for example from sedimentation (during construction) or stormwater (post construction);
- (c) an increase in pest plants (through gardens) and an increase in pets (especially cats) that can harm wildlife, from additional dwellings.
- (d) wildlife disturbance from an increased human presence

100. Ms Dixon also identified potential benefits associated with development, including restoration through riparian planting and ecological enhancement, specific restoration of heathlands, effective management of pest animals and pest plants, and reduction in nutrient levels. She also identifies a potential benefit, is passive surveillance potentially deterring rule breaking such as driving on the Puwheke Beach marginal strip and the associated NRC Vehicle Exclusion Zone. It is her opinion that future ecological impacts resulting from development of the area is likely to be relatively minor in scale and intensity, and can be appropriately managed through consent (including, where relevant, for vegetation, earthworks, and through subdivision). She considers that the long term sustainability of the sites' wetlands, heathlands, and dunelands vegetation is compatible with a zone change.

101. I rely on Ms Dixon's ecological expertise and opinion on these matters. In addition, I consider that there are strong provisions in place, through the provisions in the subdivision chapter, to adequately avoid, remedy, or

mitigate adverse effects, both on SNAs, and more generally in relation to indigenous biodiversity on the site.

Cultural effects

102. There are a number of known archaeological sites recorded by the New Zealand Archaeological Association within the wider Lucklaw Farm area, and in the Marginal Strip on Puwheke Beach. Where earthworks occur, standard protocols for accidental discovery are used. Figure 5 below shows the location of the known archaeological sites.

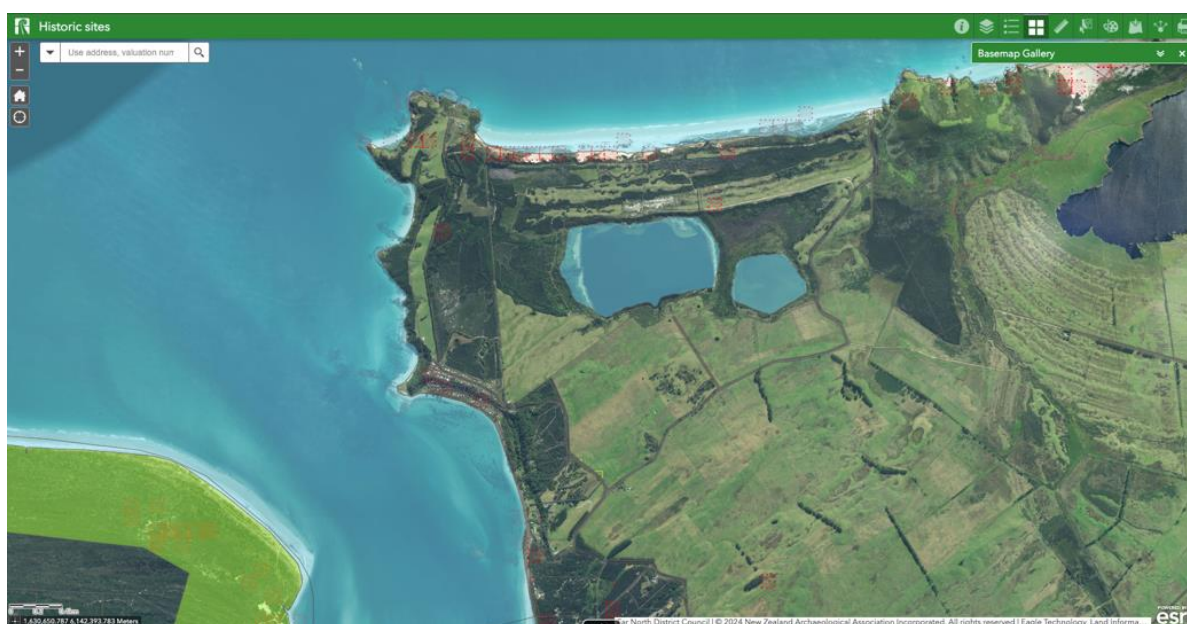


Figure 5 – NZAA Archaeological sites

103. At the time of filing evidence, I understand that general engagement has been undertaken with tangata whenua on the masterplan where there are identified sites of heritage sites identified in the plan. The submitter will continue to engage with mana whenua in order to understand whether any parts of the proposal may affect Part 2 considerations. The overall principles that have underpinned the development of the masterplan reflect similar values to tangata whenua, including enhancing indigenous biodiversity, improving water quality, and providing for low impact use of the site while protecting the more sensitive coastal areas.

Transport and traffic effects

104. New access points are proposed to the Mixed Use and Residential areas on the Lucklaw Farm site, including from Motutara Drive, and from Rangiputa Road. An indicative roading layout is shown in the masterplan,

but requires further consideration to maximise access to appropriately designed sites within the rezoned area. I consider this appropriate for consideration as part of subdivision, noting that the subdivision chapter expressly addresses these matters. Further traffic engineering evidence can be filed in rebuttal prior to the hearing if the Council considers it is required.

Natural hazard effects

105. The area subject to the zone request is relatively free from natural hazard risk, being elevated land away from the coastal environment. The extract below shows the Tsunami Risk area, which is well away from proposed areas for development.



106. The area subject to the zone request is relatively free from natural hazard risk, being elevated land away from the coastal environment. The extract below shows the Tsunami Risk area, which is well away from proposed areas for development.
107. The rules in the pFNDP already make provision for risk from wildfire. Rule NH-R5 notes that water supply for fire-fighting needs to be in compliance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice. The code provides for alternative water sources where a reticulated water supply is not available. It is noted that there is a fire station located in Rangiputa, and close to the urban area that is sought to be rezoned. Design of buildings constructed within the new urban area would need to satisfy Fire and Emergency New Zealand that adequate supply is able to be provided.
108. There are no other known natural hazard risks that affect the area that is the subject of the zoning request.

WHETHER THE REQUEST IS THE MOST APPROPRIATE WAY TO ACHIEVE THE OBJECTIVES OF THE PFNDP

109. There are a range of objectives in the plan that are relevant to rezoning request sought by Lucklaw Farms and Trustees of the Taranaki Trust. These have been considered against the notified version of the provisions, given that at the date of preparation of this evidence, no decisions had been issued.
110. The evaluation needs to examine the extent to which the policies and methods are the most appropriate way to achieve the objectives, having regard to their efficiency and effectiveness (section 32(1)(b)) and taking into account (under section 32(2)):
- (i) the benefits and costs of the proposed policies and methods (section 32(2)(a); and
 - (ii) the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules of other methods (section 32(2)(c).
111. The relevant provisions of the Strategic directions chapter include:
- (i) SD-CP-O1-O5
 - (ii) SD-SPO1-O4
 - (iii) SD-EP-O1-O5
 - (iv) SD-UFD-O1-O4
 - (v) SD-IE-O1-O2
 - (vi) SD-RE-O1-O2
 - (vii) SD-EP-O1-O6
112. An evaluation of the Strategic directions chapter is included as Appendix 2.

EVALUATION CRITERIA SET OUT IN MINUTE 14

113. The Hearing Panel set out general guidance criteria for rezoning in Minute 14. The table below references my evidence and where these matters have been addressed.

Criteria	Matters to be addressed	Location in evidence
Strategic direction	How the rezoning request is consistent with the PDP Strategic Direction	Appendix 2
Alignment with zone outcomes	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	Appendix 3
Higher order direction	How the request “gives effect to” higher order documents in accordance with section 75(3) of the RMA? Consideration of all relevant national policy statements, the national planning standards, and the Northland Regional Policy Statement.	Paragraph 58-83 and Appendix 1
Reasons for the request	The reasons for the rezoning request, including an assessment of why the notified zoning is not appropriate for the subject land.	Paragraph 23-24
Assessment of site suitability and potential effects of rezoning	Assessment of the suitability of the land for rezoning, including an assessment of: The risks from natural hazards (refer Part 2 – District Wide Matters and the Northland Regional Policy Statement) Effects on any natural environment values, historic heritage, coastal environment, or other PDP overlay (refer Part 2 – District Wide Matters) Effects on surrounding sites, including compatibility of the	Paragraphs 105-108 Paragraphs 98-101 (Indigenous biodiversity) Paragraphs 86-89 (Landscape) Paragraphs 102-103 (Cultural effects and historic heritage) Paragraphs 70-79 (Coastal Environment/NZCPS) Paragraphs 49-52 (reverse sensitivity on WWTP)

	rezoning with surrounding land-uses and potential reverse sensitivity effects.	
Infrastructure (three waters) servicing	<p>How the rezoning request (including subdivision and development potential enabled by the request) will be supported by adequate infrastructure servicing. This assessment should set out, as applicable:</p> <p>Any proposed connections to existing infrastructure systems.</p> <p>Any outcomes of discussions with infrastructure providers and any assumptions about infrastructure servicing/sequencing or capacity, including demands from other plan-enabled development.</p> <p>Any on-site provision of infrastructure.</p> <p>Note: if the rezoning request would result in any substantive demand on Council's infrastructure or alternative bulk infrastructure solutions, we encourage submitters to engage with Council's Infrastructure representative/consultant via the PDP generic email address.</p>	Paragraphs 93-97
Transport infrastructure	<p>How the rezoning request will be supported by existing or proposed transport infrastructure, including how new or upgraded transport infrastructure is required.</p> <p>Note: if the rezoning request includes any access to a State Highway, engagement with Waka Kotahi is strongly encouraged, and the outcomes of this engagement should be recorded in evidence.</p>	Paragraph 104

Consultation and further submissions	Any consultation undertaken with key stakeholders or tangata whenua in relation to the rezoning request. A list of any further submissions on the rezoning request and a response to those further submissions	Paragraphs 42-46
Section 32AA evaluation	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	Paragraphs 109-112 Appendix 2

CONCLUSION

114. I consider that:

- (a) the request for Residential and Mixed Use development, as well a Rural Lifestyle Zone as set out in Figure 1, will assist the Council with carrying out its functions and achieve the purpose of the Act, and that the zoning as expressed in my evidence will accord with Part 2;
- (b) the zone request as proposed will implement the higher order documents that are relevant to the submissions;
- (c) regard has been had to the actual or potential effects of the activities (as recommended to be amended), in particular any adverse effects;
- (d) the changes are the most appropriate for achieving the objectives of the pFNDP, taking into account the costs and benefits associated with the changes; and
- (e) while there is some uncertainty around the cultural values of the site, the existing known archaeological sites are located away from the main areas proposed to be developed, suitable protocols and assessments can take place as part of subdivision, and that there is little risk in acting on the request to change zones as set out in the submissions.

115. As such, I recommend that the Panel accept the zoning request as outlined in my evidence.

Marcus Hayden Langman

Date: 9 June 2025

Evaluation of the relevant provisions of the NRPS

Evaluation of the strategic objectives in the pFNDP

(s32AA Evaluation)

Alignment with zone outcomes
