

**BEFORE THE HEARING COMMISSIONERS  
AWANUI**

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

**AND**

**IN THE MATTER** of the Proposed Far North District Plan  
2022

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**STATEMENT OF REBUTTAL EVIDENCE OF JOHN GOODWIN  
(LANDSCAPE) ON BEHALF OF WAIUAU BAY FARM LIMITED**

**11 AUGUST 2025**

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**HOLM | MAJUREY**

Mike Holm/Nicole Buxeda  
PO Box 1585  
Shortland Street  
AUCKLAND 1140

Solicitor on the record  
**Contact solicitor**

Mike Holm  
Nicole Buxeda

Mike.Holm@holmmajurey.nz  
Nicole.Buxeda@holmmajurey.nz

(09) 304 0428  
(09) 304 0424

## **INTRODUCTION**

### **Qualifications and experience**

1. My full name is John Lewis Goodwin.
2. My qualifications and experience are set out in my Evidence in Chief (5 May 2025).
3. I confirm this evidence complies with the Expert Witness Code of Conduct.

### **Rebuttal evidence**

4. This rebuttal evidence is given in response to the Landscape Review by Melean Absolum and the section 42A Report authored by Jerome Wyeth.
5. I have focussed my recommendations on the aspects arising below:
  - (a) Amendments to the section 42A Report recommendation to include an additional matter of discretion (i) for rule SUB-R3;
  - (b) Amendments to direct the subject matter required by the Landscape Planting and Management Plan required by rule SUB-R3 RDIS-2;
  - (c) Amendments to matter of discretion (a) for Standard KCZ-S1; and
  - (d) Amendments to matter of control (d) for rule KCZ-R2 CON-1.

### **RULE SUB-R3**

6. The section 42A Report author has added in a further matter of discretion (i) to SUB-R3 as follows:<sup>1</sup>
  - i. design of the lot layout and building selection to reduce adverse visual effects, including by clustering development and being setback from high points and major ridges.
7. In my opinion there are a range of techniques that should be considered when designing the subdivision and building layout. These would not necessarily be confined to setting development back from ridges and high points unless such

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<sup>1</sup> Section 42A Report at [189].

features had been identified as part of a regional or district wide assessment. There are many other techniques besides setbacks available to manage adverse visual effects, such as avoiding development on steep slopes, avoiding the removal of existing indigenous vegetation, minimising earthworks and the like. I do not consider it will assist to achieve a better landscape outcome to single out setbacks from ridges and high points in this matter of discretion. In any event, the performance standard at rule SUB-R3 RDIS-2(1)(e)<sup>2</sup> requires a landscape assessment undertaken by a professional landscape architect to be included as part of the subdivision consent application, whereby building platforms are to be identified. In my opinion this provides the appropriate method to ensure the subdivision lot layout and building platforms are located and designed to minimise adverse landscape and visual effects.

8. I also consider that the additional matter of discretion (i) should refer to "landscape" as well as "visual" effects, and to "minimising" rather than "reducing" adverse visual effects.
9. I recommend the following amendments (shown in **bold**) to the drafting recommended by the section 42A Report author:
  - i. design of the lot layout and building **platforms** ~~selection~~ to **minimise** ~~reduce~~ adverse **landscape and** visual effects, ~~including by clustering development and being setback from high points and major ridges.~~

#### **RULE SUB-R3 RDIS-2**

10. Rule SUB-R3 RDIS-2(1)(e) is a performance standard requiring a Landscape Planting and Management Plan to be provided with the subdivision consent application. In my evidence in chief, I provide a list of key landscape considerations to be further detailed in a Landscape Planting and Management Plan at the time the subdivision and development planning for the Golf Living sub-zone is undertaken.<sup>3</sup>
11. Ms Absolum recommends that in her opinion "those 'key landscape considerations' that are not already addressed in the proposed matters of discretion, should be included in the provisions."<sup>4</sup>

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<sup>2</sup> Reference is to the rule as shown in Appendix 1.1 to the section 42A Report.

<sup>3</sup> John Goodwin Evidence in Chief (5 May 2025) at [18].

<sup>4</sup> Report of Melean Absolum (25 June 2025) at pg 6.

12. While I agree that this is a useful list at this point in time and was something I developed as part of the preliminary layout<sup>5</sup> for the revised Golf Living Sub-zone, I do not consider it is necessary or appropriate to include the list of landscape considerations in SUB-R3 RDIS-2(1)(e). Over time, prior to any subdivision consent application being made there could be changes to the existing landuse which could render some of the landscape considerations redundant. This could include such things as removing areas of pasture from grazing, and revegetating with indigenous species and/or forestry.
13. The section 42A Report author does not support including the list of landscape considerations, and instead recommends an additional performance standard (f), as follows:<sup>6</sup>
  - f. a landscape planning and management plan is provided with the application with a purpose to integrate development into the surrounding property and wider landscape context.
14. I support having a purpose as part of this provision and consider the drafting proposed by Mr Wyeth concisely and appropriately directs the scope of considerations without the need for a list. However I suggest a minor change to the wording as follows (in **bold**):
  - a landscape ~~planning~~ **planting** and management plan is provided with the application with ~~a~~ **the main** purpose to integrate development into the surrounding property and wider landscape context.
15. The use of “main purpose” is consistent with my evidence in chief and emphasises that this is an overall purpose or objective, while there could be other techniques to assist achieve the main objective such as connecting areas of remnant indigenous vegetation, planting steep gullies and waterways, providing a backdrop to built development, and the like.<sup>7</sup>

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<sup>5</sup> Figure 14: Kauri Cliffs Development Concept & Master Plan – Final Draft March 2025

<sup>6</sup> Section 42A Report at [189].

<sup>7</sup> John Goodwin Evidence in Chief (5 May 2025) at [19].

## STANDARD KCZ-S1

16. Ms Absolum recommends amending matter of discretion (a) as follows:<sup>8</sup>

~~(a) any adverse visual effects on the natural environment and the extent to which mitigation measures appropriately manage potential adverse effects on the characteristics, qualities and values of the special purpose zone and Golf Living sub-zone ensure that adverse visual such effects are no more than minor;~~

17. This wording is then amended by the section 42A Report author Mr Wyeth in a new matter of discretion (h), to say:

(h) adverse effects on the characteristics, qualities and values of the special purpose zone, the coastal environment and natural landscapes and mitigation measures for those adverse effects.

18. I consider the following drafting of matter of discretion (a), which (in line with Ms Absolum's suggested wording) more clearly and properly addresses the extent to which mitigation measures should manage potential adverse effects (my amendments to Ms Absolum's drafting shown in **bold**):

~~(a) any adverse visual effects on the natural environment and the extent to which mitigation measures appropriately manage potential adverse effects on the characteristics, qualities and values of the **landscape within the** special purpose zone and Golf Living sub-zone ensure that adverse visual such effects are no more than minor;~~

19. My changes are to include the words "landscape within the" to ensure that it is these characteristics, qualities and values that are managed, and to delete the reference to the "Golf Living sub-zone" as this is inherent in the overall special purpose zone referenced earlier in the text of this provision. With these changes, an additional clause (h) would in my opinion not be needed. This is also addressed in the rebuttal evidence of Mr Tuck.

## RULE KCZ-R2 CON-1

20. The section 42A Report author recommends retaining matter of control (d) and adding (e) to the matters of control in KCZ-R2 CON-1, as follows:

d. the degree to which the landscape will retain its open character and visual value; and

e. any adverse visual effects and the extent to which mitigation measures ensure that such effects are no more than minor.

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<sup>8</sup> Report of Melean Absolum (25 June 2025) at pg 4.

21. My preference is for the approach set out in Mr Tuck's evidence in chief and rebuttal evidence (shown below), which recommends that matter of control (e) would replace, rather than be additional to, matter of control (d). I prefer this approach because the Lodge sub-zone does not have an "open character", and furthermore, "visual value" is not a phrase that I, or that I consider other landscape architects, would typically use. I prefer the amended matter of control (d) as set out in the rebuttal evidence of Mr Tuck which states:

d. any adverse visual effects and the extent to which mitigation measures ensure that such effects are no more than minor~~the degree to which the landscape will retain its open character and visual value.~~

**John Goodwin**

11 August 2025