

**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

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

11 AUGUST 2025



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 name is Steven John Tuck.
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 section 42A Report authored by Jerome Wyeth. I have also reviewed the technical memoranda filed with the section 42A Report:
 - a. Archaeological Review by Dr Andrew Brown;
 - b. Ecology Review by Phoebe Andrews;
 - c. Geotechnical Review by Edward Collings; and
 - d. Landscape Review by Melean Absolum.
5. Prior to publication of the section 42A Report, Ms Tapper and I had the opportunity to accompany Mr Wyeth and Ms Absolum on an inspection of the areas at Kauri Cliffs that WBF's proposed zoning configuration applies to. Since the publication of the section 42A Report, I have corresponded with Mr Wyeth to clarify a few minor matters raised in the Report. The engagement between Council and WBF has been productive and there are no major areas of disagreement between Mr Wyeth and I.
6. Consequently, the focus of this rebuttal evidence is on refinements to a few provisions, building on recommendations Mr Wyeth and Ms Absolum have set out in the section 42A Report and Landscape Peer Review respectively.
7. In this rebuttal evidence, I:
 - a. Identify corrections to minor errors that appear in the provisions recommended in appendices 1.1 and 1.2 to the section 42A Report;
 - b. Note my agreement with the section 42A Report recommendation for a restricted discretionary activity

status to apply to activities that do not comply with rule KCZ-R1 PER-4;

- c. Provide recommendations about the approach towards matters of control (d) and (e) to rule KCZ-R2 CON-1;
 - d. Identify an amendment to address a gap in the scope of rule KCZ-R8, which should permit farming activities in the Golf Playing sub-zone as well as in the Golf Living sub-zone;
 - e. Note my support for the amendments to standard KCZ-S1(a) recommended in Mr Goodwin's rebuttal evidence, which entail a slight amendment of Ms Absolum's recommended drafting, in preference to Mr Wyeth's approach of adding a sub-clause (h) to KCZ-S1;
 - f. Note my support for the amendments to rule SUB-R3 recommended in Mr Goodwin's rebuttal evidence, in response to Ms Absolum's and Mr Wyeth's recommendations for changes to standard (f) and matter of discretion (i) of the rule;
 - g. Record my agreement with Mr Child's response in rebuttal evidence to matters raised in the geotechnical peer review memorandum; and
 - h. Record my agreement with Dr Bramley's response in rebuttal evidence to matters raised in the ecology peer review memorandum.
8. Appendix 1 to this rebuttal evidence sets out my amended recommended KCZ and Subdivision provisions. These adopt the section 42A Report recommendations that I agree with, and my recommended further amendments are identified by comments which cross-reference to the relevant paragraphs of this evidence.

Correction of minor errors

9. In Appendix 1.1 to the section 42A Report, the end clause of policy KCZ-P6 is stated as "...and adverse effects on the characteristics, qualities and values coastal environment and rural landscape values are avoided, remedied or mitigated". It appears that the words "of the" should be inserted between the words "values" and "coastal".
10. The second row of rule KCZ-R7 refers to the "Kauri Cliffs Zone: Golf living playing sub-zone". The word "playing" should be deleted because this rule is specific to the Golf living sub-

zone.¹ This is a typographical error, as there is no Golf “living playing” sub-zone in the Proposed Plan. The Golf *playing* sub-zone is separately addressed in the first row of this rule. This part of the rule applies to the Golf *living* sub-zone.

11. Matter of control (f) “the matters of any infringed standard” is retained in KCZ-R7 PER-1. It appears to have been retained in error, as in his recommended provisions Mr Wyeth seems to agree with my global recommendation for this phrase to either be deleted, or replaced with reference to KCZ-S1, as appropriate to each rule. If retained, matter of control (f) does not provide useful direction, because KCZ-R7 PER-1 is self-contained. It refers to “The formation, maintenance and upgrading of vehicle accessways, tracks and roads” and does not cross-refer to specific standards that could be infringed.
12. Matter of control KCZ-R7(f) does not need to be replaced with a reference to KCZ-S1, because that standard applies separately to all buildings and structures, via rule KCZ-R1. Therefore, I recommend that matter of control (f) be deleted from rule KCZ-R7.
13. In Appendix 1.2 to the section 42A Report, clause (e) of rule SUB-R3 RDIS-2 refers to “defined building platforms footprints identified...”. The term “footprints” here is likely an error and should be deleted to avoid confusion with the phrase “building platforms”.
14. Clause (f) of rule SUB-R3 RDIS-2 refers to a “landscape planning and management plan”. I believe the word “planning” should be recast as “planting”, given the references to a “Landscape Planting and Management Plan” at paragraphs 32 of my evidence in chief, 20 of Mr Goodwin’s evidence in chief and 188(b) of the section 42A Report, as well as the reference to “planting within the subdivision” at matter of discretion (e) to rule SUB-R3.
15. The section 42A Report does not comment on the mapping error discussed in paragraphs 181 to 184 of my evidence in chief. I continue to recommend correction of that error. In correspondence after the section 42A Report was published, Mr Wyeth indicated that he agrees.

¹ As per paragraphs 122 and 123 of my evidence in chief and paragraphs 136(b) and 158-160 of the section 42A Report.

Rule KCZ-R1 PER-4 activity status

16. In my evidence in chief, I recommended a controlled activity status for activities that do not comply with rule KCZ-R1 PER-4. Mr Wyeth and Ms Absolum recommend a restricted discretionary activity status instead. Reasons are given at paragraphs 143-6 of the section 42A Report. I concur with their reasoning and support the section 42A Report recommendation for a restricted discretionary activity status.

Rule KCZ-R2 CON-1 matters of control

17. Rule KCZ-R2 CON-1 addresses additions/alterations to buildings in the Lodge sub-zone. As the Lodge sub-zone is not an area of "open character" and further development is anticipated in this central activity "hub" of the property, I recommended in Appendix 3 to my evidence in chief that matter of control (d) to this rule be amended as follows:

Matters of control are limited to:

[...]

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.~~

18. Mr Wyeth's recommended provisions retain the text of matter of control (d) and insert my recommended text as a new matter of control (e). At paragraph 150 of the section 42A Report Mr Wyeth comments "I consider that some reference to effects on landscape values should be retained as a matter of control".
19. Mr Goodwin's rebuttal evidence gives reasons why, from a landscape assessment perspective, the drafting of sub-clause (d) is sub-optimal. Mr Goodwin supports the replacement of KCZ-R2 CON-1(d) with the text set out in Appendix 3 to my evidence in chief. I continue to recommend that approach in Appendix 1 to this rebuttal evidence

Rule KCZ-R8 (Farming)

20. Rule KCZ-R8 permits farming activity (stock keeping and grazing) in the Golf Living sub-zone. WBFL's submission point s463.117 on the Proposed Plan sought for rule KCZ-R8 to be retained as notified. The section 42A Report does not recommend any changes to the notified text of this rule.

21. I have since identified that this rule should permit farming activity in the Golf Playing sub-zone, so grazing currently undertaken in the Golf Living sub-zone can continue if that sub-zone is replaced by the Golf Playing sub-zone.
22. Under WBFL's proposed zone reconfiguration, land in the Golf Living sub-zone that is currently used for grazing on a permitted basis under rule KCZ-R8 would be included in the Golf Playing sub-zone.
23. As a consequential amendment to ensure the existing grazing activity can continue uninterrupted by the zone reconfiguration, a reference to the Golf Playing sub-zone should be added to rule KCZ-R8.
24. My recommended amendments to achieve this are shown with underlining in Figure 1 below and in Appendix 1.
25. I consider that no adverse effects could arise from this minor consequential amendment to align the provisions. This amendment will not enable farming to occur anywhere it does not already occur on a permitted basis.

KCZ-R8	Farming	
Kauri Cliffs zone: Golf living sub-zone	Activity status: Permitted	Activity status where compliance not achieved with PER-1: Discretionary
<u>Kauri Cliffs zone: Golf playing sub-zone</u>	Where: PER-1 Any farming activity is limited to stock keeping and grazing.	

Figure 1: Recommended amendments to KCZ-R8 (underlined).

Standard KCZ-S1 (Buildings or structures) assessment matters

26. I consider that the reference in matter of discretion (a) to standard KCZ-S1 to "adverse visual effects on the natural environment" is vague. Therefore, in Appendix 3 to my evidence in chief I recommended amending this to reserve discretion over mitigation measures as follows:
 - a. ~~any adverse visual effects on the natural environment and the extent to which mitigation measures ensure that adverse visual~~such effects are no more than minor;
27. Ms Absolum considers in her peer review memorandum that "the full breadth of landscape and visual matters that need to be considered are not captured by these words" and recommends the following amendments:

- 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 visual effects are no more than minor.~~
28. Mr Wyeth discusses this standard at paragraphs 174-5 of the section 42A Report. He considers that my proposed amendments to clause (a) would inappropriately remove consideration of landscape and natural character values from the matters of discretion and he considers that additional text to that recommended by Ms Absolum should be included, to align with the Proposed Plan's Coastal Environment and Natural Features and Landscapes chapters.
29. Mr Wyeth's recommended approach adopts my drafting of clause (a), but adds clause (h) to the matters of discretion, as follows:
- a. ~~any adverse visual effects on the natural environment and the extent to which mitigation measures ensure that adverse visual such effects are no more than minor;~~
- [...]
- h. adverse effects on the characteristics, qualities and values of the special purpose zone, the coastal environment and natural landscapes and mitigation for those adverse effects.
30. Mr Goodwin's rebuttal evidence recommends that a modification to Ms Absolum's drafting of this provision could dispense with the need for the additional clause (h) Mr Wyeth recommends. Mr Goodwin's recommended amendments to Ms Absolum's drafting are shown in bold as follows:
- 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 visual effects are no more than minor.~~
31. I agree with Mr Goodwin's deletion of the words "and Golf Living sub-zone". The preceding words of Ms Absolum's recommended text ("of the special purpose zone")

accurately convey that the matter of control applies across the whole Kauri Cliffs Zone, not just the Golf Living sub-zone.

32. I do not consider that references to “the coastal environment and natural landscapes” as recommended by Mr Wyeth are needed in this matter of control. In my view, Mr Goodwin's recommended drafting clearly directs that effects on the range of landscape values present in the Kauri Cliffs Zone, and any proposed mitigation measures, must be assessed. I consider that this implements objective KCZ-O2 and Policy KCZ-P6.
33. As such, I support the drafting recommended by Mr Goodwin, shown above and in Appendix 1.

Rule SUB-R3

34. Consolidating rule SUB-R3 to apply to the entire Kauri Cliffs Zone as shown in Mr Wyeth's recommended provisions is more efficient than the approach taken in Appendix 3 to my evidence in chief of splitting the rule to address sub-zones separately. I support Mr Wyeth's structuring of the rule.
35. Mr Wyeth and Ms Absolum recommend amending rule SUB-R3 RDIS-2 to identify the content required of the Landscape Planting and Management Plan that must be submitted with a subdivision application in the Golf Living sub-zone.
36. I understand from Ms Absolum's peer review memorandum that she would prefer “key landscape considerations” identified in Mr Goodwin's evidence to be listed in the rule. It appears that adding this content would substantially increase the length of the rule.
37. Mr Wyeth recommends more concise drafting with a new standard (f) added to rule SUB-R3 RDIS-2. This clause is based on paragraph 19 of Mr Goodwin's evidence in chief. It states the purpose of the Landscape Planting and Management Plan as follows:

f. a landscape planning [sic]² and management plan is provided with the application with a purpose to integrate development into the surrounding property and wider landscape context.

² As noted earlier, I believe “planning” is a spelling mistake and should be “planting”.

38. In my view, Mr Wyeth's approach gives concise and clear direction about the outcome that the Landscape Planting and Management Plan must demonstrate. I do not consider it necessary to include an exhaustive list of the matters to be covered as Ms Absolum recommends. A qualified landscape architect responsible for preparing the professional landscape assessment required by clause (e) of this rule will be equally capable of producing an appropriate Landscape Planting and Management Plan. Any gaps would be identified when the consent authority peer reviews the Landscape Planting and Management Plan in the course of assessing the subdivision consent application.
39. Mr Wyeth also recommends adding a new matter of discretion (i) to rule SUB-R3 as follows:
 - 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.
40. The drafting borrows from a landscape consideration mentioned at paragraph 18 of Mr Goodwin's evidence in chief. Mr Goodwin's evidence catalogues landscape considerations for subdivision and development in a broad way. However, Mr Wyeth's new assessment matter is being added to a subdivision-specific rule.
41. Therefore, I consider that amendments are needed to focus this subdivision assessment matter on the outcomes enabled by subdivision activities, rather than on building architecture/design, which is a matter most appropriately managed by the KCZ rules, not the subdivision provisions.
42. I further note that the "including" clause of Mr Wyeth's proposed matter of discretion means certain considerations are specified but not others. This makes the provision somewhat incomplete.
43. Mr Goodwin's rebuttal evidence recommends that if Mr Wyeth's proposed provision is retained, it should be amended to be subdivision-specific, omit direction about building design and ensure that landscape effects are specified in addition to visual effects, as landscape effects are the primary consideration.
44. I support Mr Goodwin's recommended amendments to Mr Wyeth's drafting, as shown with bold text below:

- 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.~~

Geotechnical peer review

45. In his recommended provisions, Mr Wyeth has adopted my recommendation to reserve the consent authority's discretion over "the stability of land, buildings and infrastructure" in standards KCZ-S1 and KCZ-S2, and in rule SUB-R3. This provides surety that the geotechnical effects of subdivision and development in the Kauri Cliffs Zone require express attention in resource consenting processes.
46. Mr Child's rebuttal evidence considers the matters raised by the Geologix peer review (Appendix 3 to the section 42A Report). Mr Child concludes that the considerations raised will be, and are required (by the requirements of KCZ-S1 and SUB-R3, noted above) to be, addressed in the detailed geotechnical reporting that will necessarily accompany future resource consent applications. Correspondence from Geologix³ received after the section 42A Report was published confirms that the peer reviewer agrees this is the case and supports the rezoning proposal.

Ecology peer review

47. Council's peer reviewer responsible for reviewing Dr Bramley's evidence and report supporting the master plan recommended that an additional map be prepared to cross-reference the indicative development layout shown on the master plan with the primary ecological features (streams, vegetation and wetlands) that are present onsite.
48. Dr Bramley has prepared that map and it is appended to his rebuttal evidence. It confirms that there are no intersections between the indicative development layout and areas of ecological sensitivity, excepting at the Waiaua Stream, where a bridge would need to be constructed to link the northern and southern areas of the Golf Living sub-zone.
49. This additional map may provide the Panel with further comfort about the scope for development of the Golf Living

³ Email correspondence provided by Mr Wyeth on 8 August 2025.

sub-zone to avoid effects on significant ecological values. However, as the master plan is not proposed to be included as a statutory element of the Proposed Plan, the additional map does not of itself secure a specific development outcome. Rather, the consent authority's discretion is reserved over matters including ecological effects, at standards KCZ-S1 and KCZ-S2 and at rule SUB-R3.

50. Dr Bramley's rebuttal evidence also responds to a minor query from Council's ecology peer reviewer, about the wetland delineation protocol used when surveying the proposed Golf Living sub-zone. While the Council's ecology peer reviewer concluded in section 2.1 of the peer review memorandum that the methodology used is appropriate, Dr Bramley's rebuttal evidence provides additional certainty on this matter.

Mapping error

51. The section 42A Report does not comment on paragraphs 181 to 184 of my evidence in chief. These discuss a mapping error in the Proposed Plan, which incorrectly applies the Rural Production Zone to land where the Kauri Cliffs Zone (Golf Playing sub-zone) applies under the Operative Plan and would continue to apply under the Proposed Plan.
52. I still consider that the Rural Production Zone should be deleted from the area in question, as discussed in my evidence in chief. Correspondence with Mr Wyeth after the section 42A Report was published indicated he concurs.

Other matters

53. To the extent that Mr Wyeth recommends other amendments in appendices 1.1 and 1.2 to the section 42 Report, diverging from the recommendations in Appendix 3 to my evidence in chief, I record that I am comfortable with those recommendations, and have shown them in the updated provisions attached as Appendix 1 to this rebuttal evidence.

Steven Tuck

11 August 2025

APPENDIX 1 TO REBUTTAL EVIDENCE OF STEVEN TUCK (11 AUGUST 2025)

- Section 42A amendments to notified provisions shown with black underlining and ~~striethrough~~
- S Tuck recommended amendments shown with highlighted tracking

S Tuck recommended amendments to Kauri Cliffs chapter

Overview

The Kauri Cliffs zone is located ~~applies to part of the Kauri Cliffs property located~~ between Matauri Bay to the north and Takou Bay to the south and has been developed as a championship standard golf course, with an associated lodge and separate ~~guest cottage/visitor~~ accommodation. Kauri Cliffs is internationally recognised as a prestigious golfing facility and luxury accommodation destination and the development contributes to the economic growth of the District through tourism and employment opportunities.

The zone recognises and provides for the management and development of an international standard golfing facility, ~~visitor~~ accommodation, ~~spa/health~~ facilities, conference and eating/dining facilities, ~~and limited residential activities~~, all with a focus on the protection and enhancement of the zone's natural, conservation and environmental values. The development of the zone is controlled by rules applying to four ~~'environments'~~ sub-zones within the Kauri Cliffs ~~Z~~zone. These are:

- Lodge ~~sub~~zone
- Golf playing ~~sub~~zone
- Golf living ~~sub~~zone
- Natural heritage ~~sub~~zone

These ~~sub~~zones provide specifically for development and activities, which are to be carried out in a manner that retains the character, features and landscape of the Kauri Cliffs zone, some of which are located within the coastal environment and are subject to the provisions in that chapter of the District Plan.

Objectives	
KCZ-O1	The Kauri Cliffs zone is developed to maintain and operate an international standard golfing facility, visitor accommodation and ancillary facilities, including conference, gym, spa and eating/dining facilities as well as golf living facilities <u>limited residential activities</u> .
KCZ-O2	The natural characteristics and qualities that contribute to conservation and environmental values in the Kauri Cliffs zone are protected when undertaking land use and subdivision.

Policies	
Kauri Cliffs General	
KCZ-P1	Provide for land use and subdivision in the Kauri Cliffs zone where it maintains or enhances the purpose of the zone as an internationally recognised golfing and luxury accommodation facility.
KCZ-P2	Provide for the development of future golf courses within the 'Golf playing sub-zone' in the Kauri Cliffs zone while ensuring that any adverse effects of development are avoided, remedied or mitigated.
KCZ-P3	Ensure that land management practices in the Kauri Cliffs zone are undertaken in a manner that minimises adverse effects on the quality of soil and water resources.
KCZ-P4	Provide for the limited extension of the existing guest cottage/visitor accommodation in the Kauri Cliffs zone where the adverse effects can be avoided, remedied or mitigated.
KCZ-P5	Enable tourist and golf-related <u>limited commercial</u> activities in the Kauri Cliffs <u>Lodge sub</u> -zone in association with the existing Kauri Cliffs Lodge.
KCZ-P6	Provide for 'golf living' <u>limited residential</u> activities in the Kauri Cliffs <u>Living sub</u> -zone, where these are it is consistent with an open rural landscape character and located more than 0.5km inland from the coast, and adverse effects on the characteristics, qualities and values <u>of the coastal environment and rural landscape values are avoided, remedied or mitigated.</u>
KCZ-P7	Ensure that the siting of buildings in the Kauri Cliffs zone is undertaken in a manner which minimises the impacts of activities and development in the coastal environment, including the provision for adequate infrastructure servicing.
KCZ-P8	Ensure that any land use or development undertaken in the Kauri Cliffs zone maintains or improves road and air access to the zone.

Commented [ST1]: See paragraph 9 of my rebuttal evidence.

Rules

Notes:

1. There may be other rules in Part 2- District-Wide Matters of the District Plan that apply to a proposed activity, in addition to the rules in this zone chapter, including the Transport, Hazardous Substances, Noise, Light and Signage chapters. These District-Wide rules may be more stringent than the rules in this chapter. Ensure that relevant District-Wide Matters chapters are also referred to in addition to this chapter, to determine whether resource consent is required under other rules in the District Plan. Refer to the *how the plan works* chapter to determine the activity status of a proposed activity where resource consent is required under multiple rules.
2. This zone chapter does not contain rules relating to setback to waterbodies for building and structures or setbacks to waterbodies for earthworks and indigenous vegetation clearance. The Natural Character contains rules for activities within wetland, lake and river margins. The Natural Character chapter should be referred to in addition to this zone chapter.

KCZ-R1	New buildings or structures, <u>relocated buildings</u> , and extensions or alterations to existing buildings or structures	
Kauri Cliffs zone; Lodge-sub zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 Any new extension or alteration to an existing building or structure may be extended to a maximum of 20% of the GFA and must not exceed the height of the existing building or structure.</p> <p>PER-2 Any new building or structure, or extension or alteration to an existing building or structure complies with standard KCZ-S1 Buildings or structures.</p>	<p>Activity status where compliance is not achieved with PER-1: Controlled activity in accordance with rule KCZ-R2-CON-1</p> <p>Activity status where compliance is not achieved with PER-2: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <p>a. the matters of discretion <u>in KCZ-S1</u> of any infringed standard</p>
<u>Kauri Cliffs zone:</u> Golf Playing sub-zone	<p>PER-3 Any new building or structure, or extension or alteration to an existing building or structure complies with standards: KCZ-S1 Buildings or structures KCZ-S2 Coverage</p>	<p>Activity status where compliance not achieved with PER-3: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <p>a. the matters of discretion of any infringed standard</p>
Kauri Cliffs zone; Golf living sub-zone	<p>PER-4 Any new building or structure, or extension or alteration to an existing building or structure complies with standard KCZ-S1 Buildings or structures.</p>	<p>Activity status where compliance not achieved with PER-4: <u>Restricted</u> discretionary</p> <p>Matters of discretion are restricted to:</p> <p>a. the matters of discretion <u>in KCZ-S1</u> of any infringed standard</p>
KCZ-R2	Visitor accommodation	
Kauri Cliffs zone; Lodge-sub zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 <u>New buildings</u> for the purpose of visitor accommodation does not exceed <u>15 units</u> 8 guest cottages.</p>	<p>Activity status where compliance is not achieved with PER-1: Discretionary</p>

Commented [ST2]: See paragraph 16 of my rebuttal evidence.

Kauri Cliffs zone: Lodge-sub-zone	CON-1 Additions and alterations to existing buildings not exceeding a maximum of 40% of the GFA of the building which is being altered or added to. Matters of control are limited to: a. the size, height, bulk and siting of the structure in relation to existing buildings; b. the colour and reflectivity of the structure and the extent to which it integrates with existing buildings; c. the extent to which planting assists the integration of the structure into the environment; 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 will ensure that adverse effects are no more than minor.	Activity status where compliance not achieved with CON-1: Discretionary
Kauri Cliffs zone: Golf living sub-zone	PER-2 Visitor a Accommodation and accessory buildings located within building platforms identified on an approved subdivision plan approved under rule SUB-R3 Subdivision of land to create new allotment (Kauri Cliffs zone).	Activity status where compliance not achieved with PER-2: Discretionary
KCZ-R3	Residential activity	
Kauri Cliffs zone: Golf living sub-zone	Activity status: Permitted Where: PER-1 The number of residential units on a site does not exceed one. PER-2 The residential unit is located within a <u>defined</u> building platform, where the defined building platform has been identified through a professional landscape assessment and approved as part of an existing subdivision consent or an approved subdivision plan.	Activity status where compliance not achieved with PER-1, <u>PER-2</u> or <u>PER-3</u> and-2: Discretionary
Kauri Cliffs zone: Lodge sub-zone	PER-3 Buildings for the purpose of residential activity <u>in the</u> Lodge-sub-zone do not exceed four (4) units.	
KCZ-R4	Commercial activity	
Kauri Cliffs zone: Lodge-sub zone	Activity status: Permitted Where: PER-1 Commercial activities are for the purpose of: 1. Conferences. 2. Eating and dining facilities. 3. Gym and beauty spa facilities. 4. Retail activities associated with golf and other ancillary recreation.	Activity status where compliance not achieved with PER-1: Discretionary
KCZ-R5	Infrastructure activity	

Commented [ST3]: See paragraphs 17-19 of my rebuttal evidence.

Kauri Cliffs zone; Lodge-sub zone	Activity status: Permitted Where: PER-1 Infrastructure al facilities are associated with the operation and maintenance of the Lodge and associated accommodation.	Activity status where compliance not achieved with PER-1: Controlled Matters of control are limited to: a. the assessment matters of standard KCZ-S1, the size, height, bulk and siting of the structure in relation to existing buildings; b. the colour and reflectivity of the structure and the extent to which it integrates with existing buildings; c. the extent to which planting assists the integration of the structure into the environment; d. the location and design of associated vehicle access, manoeuvring and parking area; e. the degree to which the landscape will retain its open character and visual value; the matters of discretion of any infringed standard.
KCZ-R6	Recreation activity	
Kauri Cliffs zone; Lodge-sub zone <u>Kauri Cliffs zone: Golf playing-sub zone</u>	Activity status: Permitted Where: PER-1 The facilities or activities associated with the Lodge and golf course where they have been lawfully established.	Activity status where compliance not achieved with PER-1, PER-2 or PER-3: Restricted discretionary Matters of discretion are restricted to: a. the assessment matters of standard KCZ-S1 any adverse visual effects on the natural environment and the extent to which mitigation measures ensure that such effects are no more than minor; b. the extent to which the replacement planting of any indigenous vegetation mitigates the loss of established vegetation more than 6m in height; c. the extent to which the proposal has been formulated to avoid, remedy or mitigate adverse effects, on any archaeological resources or natural fauna; d. the extent to which any proposed measures will result in the protection and enhancement of the ecological values of the area; and e. the character and appearance of new building(s) and the extent to which they will be compatible with the principal activity on the site and with other buildings in the surrounding area.
<u>Kauri Cliffs zone: Lodge-sub zone</u>	PER-2 Recreation activities are associated with golf tournaments.	
<u>Kauri Cliffs zone: Golf playing-sub zone</u> <u>Kauri Cliffs zone: Golf living- sub zone</u>	PER-3 Recreational activities and facilities are associated with golf playing, establishment and maintenance of golf course s and golf tournaments.	

KCZ-R7	Access	
<p>Kauri Cliffs zone: Lodge-sub zone</p> <p>Kauri Cliffs zone: Golf playing sub-zone</p> <p>Golf living sub-zone</p>	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 Access is limited to the formation, maintenance and upgrading of vehicle accessways, tracks and roads.</p>	<p>Activity status where compliance not achieved with PER-1: Controlled</p> <p>Matters of control are limited to:</p> <ol style="list-style-type: none"> the size, height, bulk and siting of the structure in relation to existing buildings; the colour and reflectivity of the structure and the extent to which it integrates with existing buildings; the extent to which planting assists the integration of the structure into the environment; the location and design of associated vehicle access, manoeuvring and parking area; and the degree to which the landscape will retain its open character and visual value; and the matters of discretion of any infringed standard.
<p>Kauri Cliffs zone: Golf living playing sub-zone</p>	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-2 Any proposed accessways, vehicle crossings and vehicle passing bays comply with TRAN-S2, TRAN-S3, TRAN-S4, TRAN-Table-9 (Requirements for private accessways) and TRAN-Table X (Sealing requirements for vehicle crossings and private accessways) as applicable.</p> <p>NOTE: Rule KCZ-R7 applies in place of rules TRAN-R2 and SUB-R4, which do not apply in the Golf Living sub-zone.</p>	<p>Activity status where compliance not achieved with PER-2: Restricted discretionary</p> <p>Where:</p> <p>RDIS-1 A resource consent application includes a transportation assessment prepared by a suitably qualified and experienced transport professional.</p> <p>Matters of discretion are limited to:</p> <ol style="list-style-type: none"> the extent to which the design provides for a safe, efficient and connected transport network; any adverse effects on the safety and efficiency of road operations; any adverse effects on the character and amenity of the surrounding environment; and the recommendations of a transport assessment. <p>Activity status where compliance not achieved with RDIS-1: Discretionary</p>
KCZ-R8	Farming	
<p>Kauri Cliffs zone: Golf living sub-zone</p> <p>Kauri Cliffs zone: Golf playing sub-zone</p>	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 Any farming activity is limited to stock keeping and grazing.</p>	<p>Activity status where compliance not achieved with PER-1: Discretionary</p>

Commented [ST4]: See paragraph 11 of my rebuttal evidence.

Commented [ST5]: See paragraph 10 of my rebuttal evidence.

Commented [ST6]: See paragraphs 20-25 of my rebuttal evidence.

KCZ-R9	Helicopter landing area	
Kauri Cliffs zone: Lodge-sub zone Kauri Cliffs zone: Golf playing sub-zone Kauri Cliffs zone: Golf living sub-zone	Activity status: Permitted Where: PER-1 Any helicopter landing area complies with standard NOISE-R7 Helicopter landing areas.	Activity status where compliance not achieved with PER-1: Controlled Matters of control are limited to: a. the matters in NOISE-S4 size, height, bulk and siting of the structure in relation to existing buildings; b. the colour and reflectivity of the structure and the extent to which it integrates with existing buildings; c. the extent to which planting assists the integration of the structure into the environment; d. the location and design of associated vehicle access, manoeuvring and parking area; e. the degree to which the landscape will retain its open character and visual value; and f. the matters of discretion of any infringed standard.
KCZ-R10	Conservation activity	
Kauri Cliffs zone	Activity status: Permitted	Activity status where compliance not achieved: Not applicable
KCZ-R11	Activities otherwise not listed in this chapter	
Kauri Cliffs zone	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable
KCZ-R12	Offensive trade	
Kauri Cliffs zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
KCZ-R13	Commercial composting	
Kauri Cliffs zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
KCZ-R14	Community correction facility	
Kauri Cliffs zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
KCZ-R15	Cleanfill and landfill	
Kauri Cliffs zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
KCZ-R16	Primary production (excluding farming)	
Kauri Cliffs zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable

Standards		
KCZ-S1	Buildings or structures	
Kauri Cliffs zone: Lodge sub-zone	<ol style="list-style-type: none"> The maximum <u>building GFA</u> footprint of <u>a</u> new buildings or structure is <u>25300m²</u>. The maximum height of a new building or structure, or addition or alteration to an existing building or structure is: <ol style="list-style-type: none"> 9m above ground level where located south of a line between the following NZTM coordinates: 1683770.39 and 6118178.65; and 1684007.99 and 6118353.81; or 5m above ground level where located north of a line between the NZTM coordinates shown in (a). 	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ol style="list-style-type: none"> any adverse visual effects on the natural environment and the extent to which mitigation measures <u>appropriately manage potential adverse effects on the characteristics, qualities and values of the landscape within the special purpose zone</u> ensure that such effects are no more than minor; the means of integrating the building(s) or structure(s) into the landscape, including the use of indigenous planting extent to which the replacement planting of any indigenous vegetation mitigates the loss of established vegetation more than 6m in height; the extent to which the proposal has been formulated to avoid, remedies or mitigates adverse effects; on any archaeological resources or ecological values natural fauna; the extent to which any proposed measures will result in the protection and enhancement of the <u>archaeological or ecological values</u> of the area; and the character and appearance of new building(s) or structure(s) and the extent to which they will be compatible with the principal activity on the site and with other buildings in the same sub-zone surrounding area; the stability of land, buildings and infrastructure; and servicing and infrastructure requirements; and <u>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.</u>
Kauri Cliffs zone: Golf playing sub-zone	<ol style="list-style-type: none"> The building or structure, or addition or alteration to an existing building or structure must be ancillary to golf activities. The maximum height of a new building or structure, or addition or alteration to an existing building or structure is 8m above ground level. 	
Kauri Cliffs zone: Golf living sub-zone	<ol style="list-style-type: none"> The maximum building GFA of a new building or structure is 300m². The maximum height of a new building or structure, or addition or alteration to an existing building or structure is <u>97.5m above ground level</u> where located outside the Coastal <u>Environment</u>, or <u>5m above ground level</u> where located within the Coastal <u>Environment</u>; and The exterior surfaces of new buildings must: <ol style="list-style-type: none"> Be constructed of natural materials; or Be finished to achieve a reflectance value no greater than 30%; and If the exterior surface is painted, have an exterior finish within Groups A, B or C as defined within the BS5252 standard colour palette in Appendix X or equivalent. 	
KCZ-S2	Coverage	
Kauri Cliffs zone: Golf playing sub-zone	The maximum combined building coverage and impermeable surface cover, excluding vehicle access, tracks and roads is 10% or 1,000m ² whichever is lesser.	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ol style="list-style-type: none"> any adverse visual effects on the natural environment and the extent to which mitigation measures <u>appropriately manage potential adverse effects on the characteristics, qualities and values of the landscape within the special purpose zone</u> ensure that such effects are no more than minor; the means of integrating the building(s) or structure(s) into the landscape, including the use of indigenous planting extent to which the replacement planting of any indigenous vegetation mitigates the loss of established vegetation more than 6m in height; the extent to which the proposal has been formulated to avoid, remedies or mitigates adverse effects; on any archaeological resources or ecological

Commented [S17]: See paragraphs 26 - 33 of my rebuttal evidence.

Commented [S18]: Consequential amendment to my recommendations on the equivalent provision in KCZ-S1 - see paragraphs 26 - 33 of my rebuttal evidence.

		<p><u>values</u> natural fauna ;</p> <p>d. the extent to which any proposed measures will result in the protection and enhancement of the <u>archaeological or ecological</u> values of the area; and</p> <p>e. the character and appearance of new building(s) <u>or structure(s)</u> and the extent to which they will be compatible with the principal activity on the site and with other buildings in the <u>same sub-zone</u> surrounding area; and</p> <p>f. <u>the stability of land, buildings and infrastructure</u>; and</p> <p>g. <u>servicing and infrastructure requirements.</u></p>
--	--	---

**S Tuck recommended amendments to the Subdivision chapter
(including the *Coastal Environment* topic recommendations)**

SUB-R3	Subdivision of land to create a new allotment	
Kauri Cliffs zone	<p>Activity status: Restricted Discretionary</p> <p>Where:</p> <p>RDIS-1:</p> <p>1. The subdivision complies with standards: SUB-S3 Water supply; SUB-S4 Stormwater management; SUB-S5 Wastewater disposal; SUB-S6 Telecommunications and power supply; SUB-S7 Easements for any purpose; and SUB-S8 Esplanades.</p> <p>RDIS-2:</p> <p>1. <u>The Subdivision is within the Golf Living sub-zone and of up to 60 new lots for residential (golf living) purposes, provided that:</u></p> <p>a. <u>no greater than of up to 60 new lots for residential (golf living) purposes are created, provided that</u></p> <p>b. <u>no lot is less than 4,0500m² in area;</u></p> <p>c. <u>on-site treatment and disposal of wastewater is provided for; and</u></p> <p>d. <u>defined the building platforms/footprints identified through a professional landscape assessment, are specified; and on an approved plan of subdivision.</u></p> <p>e. <u>a landscape planting/planning and management plan is provided with the application with a-the main purpose to integrate development into the surrounding property and wider landscape context.</u></p> <p>Matters of discretion are restricted to:</p> <p>a. <u>matters of control in SUB-R3;</u></p> <p>b. <u>the extent to which the activity may impact adversely on the unique character of the Kauri Cliffs Zone;</u></p> <p>c. <u>the extent to which any adverse effects on areas of indigenous vegetation and habitat are avoided, remedied or mitigated; and</u></p> <p>d. <u>the effect on adjoining activities;-</u></p> <p>e. <u>the measures proposed for the implementation and ongoing management of planting within the subdivision;</u></p> <p>f. <u>the matters in CE-P10;</u></p> <p>g. <u>the stability of land, buildings and infrastructure;</u></p> <p>h. <u>servicing and infrastructure requirements; and</u></p> <p>i. <u>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!</u></p> <p>NOTE: Applications for restricted discretionary activities within the Golf living sub-zone will be treated as non notified applications provided the written approval of owners of land adjoining the lots to be subdivided has been obtained.</p>	<p>Activity status where compliance not achieved with RDIS-1 or RDIS-2: Discretionary</p> <p>Activity status where compliance not achieved with RDIS-2: Discretionary</p>

Commented [ST9]: See paragraph 13 of my rebuttal evidence.

Commented [ST10]: See paragraph 14 of my rebuttal evidence.

Commented [ST11]: See paragraphs 39-44 of my rebuttal evidence.

SUB-R20	Subdivision <u>creating one or more additional allotments of a site</u> within the Coastal Environment (excluding Outstanding Natural Character Areas)
---------	--

All zones (<u>excluding Kauri Cliffs Golf Living sub-zone</u>)	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable
---	--------------------------------	---