

**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)

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**STATEMENT OF REBUTTAL 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: 15 September 2025

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## INTRODUCTION

1. My full name is Marcus Hayden Langman. I am an independent planning consultant engaged by Lucklaw Farm Limited,<sup>1</sup> Trustees of the Taranaki Trust<sup>2</sup> and Grace Anne Sturgess<sup>3</sup> 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. My experience and qualifications are set out in my primary evidence dated 9 June 2025.

### Code of conduct

2. 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.
3. 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.
4. In preparing this evidence I am familiar with and have reviewed the following documents that are in addition to the documents set out in my primary evidence:
  - (a) draft evidence of Mr Dean Scanlan (traffic);
  - (b) Section 42A (**s42A**) Report Rezoning Requests and Appendices – Rural, Melissa Pearson;
  - (c) Memorandum from Mr Lawrence McIlraith (Economics) dated 30 July 2025;
  - (d) Memorandum from Ms Melean Absolom (Landscape) dated 2 July 2025;

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<sup>1</sup> Submission #551

<sup>2</sup> Submission #552

<sup>3</sup> Submission #553

- (e) Memorandum from Ms Elizabeth Morrison (Ecology) dated 4 August 2025;
  - (f) Memorandum from Mr Mat Collins (Transport) dated 29 August 2025;
  - (g) Guidance for 12. Spatial Layers Standard and 8. Zone Framework Standard, *Ministry for the Environment (MfE)*, 2019
5. As noted in my primary evidence, 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

6. My evidence recommends the incorporation of a new Puwheke Development Area (provided as **Appendix 1**) to implement the Puwheke Spatial Strategy set out in primary evidence for the submitter, in response to the s42A report prepared on behalf of Far North District Council (**FNDC**).
7. It includes refined (reduced) relief in terms of areas sought to be rezoned (as set out in **Appendix 2**). Particular features of the Puwheke Development Area chapter include a suite of provisions (including objectives, policies and rules) which apply in combination with the underlying zones to facilitate large-scale landscape and ecological restoration within the Development Area. The zone also provides for a specific approach to cluster subdivision in Rural Lifestyle Zone Area B, recognising that this form of subdivision is the most appropriate in terms of locations for development.
8. I consider that the Puwheke Development Area chapter as proposed in this evidence, in combination with the revised zoning:
- (a) will assist the Council with carrying out its functions and achieve the purpose of the Resource Management Act (**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 proposed objectives for the Puwheke Development Area are the most appropriate for achieving the purpose of the Act;
  - (e) the provisions are the most appropriate for achieving the objectives of the pFNDP, taking into account the costs and benefits associated with the changes; and
  - (f) 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.
9. As such, I recommend that the Panel accept the zoning request as outlined in my evidence.

#### **SCOPE OF EVIDENCE**

10. This evidence addresses the matters raised in the Section 42A report in relation to the evidence filed in relation to the rezoning of land at Rangiputa and Puwheke, as sought in the following submissions:
- (a) Lucklaw Farm Limited (#551 and FS373)
  - (b) Trustees of the Taranaki Trust (#552)
  - (c) Grace Anne Sturgess (#533)
11. My statement of evidence generally addresses the following matters:
- (a) Summary of issues raised in the S42A report;
  - (b) Summary of Development Area now being sought;
  - (c) Whether Precinct or Development Area is the appropriate spatial layer;
  - (d) Engagement and consultation;
  - (e) Infrastructure;
  - (f) Traffic; and
  - (g) S32AA.
12. This evidence should be read in conjunction with my statement of primary evidence.

13. I address each of these points in my evidence below.

#### **SUMMARY OF ISSUES RAISED IN THE S42A REPORT**

14. Ms Pearson has accurately described the engagement with the consultant team. In her report, she notes the following concerns:
- (a) That the rezoning request does not align with the preliminary spatial strategy (**masterplan**) set out in evidence;
  - (b) The disconnect between the rezoning request and the spatial strategy results in the evidence not supporting the rezoning request, and that because there is no mechanism proposed through the rezoning request that will ensure the masterplan is implemented, the proposal is not supported by Ms Absolom and Ms Morrison;
  - (c) The level of engagement with iwi/hapu groups given the scale of the rezoning proposed;
  - (d) Ms Pearson is not persuaded that the wider Rangiputa community are aware of what is now being proposed, or that a reasonable person would have anticipated the evolution of the rezoning of the submission request through to the Masterplan;
  - (e) Based on feedback from the Infrastructure team at FNDC, additional servicing is unlikely to be supported from a servicing perspective, even if an additional wastewater treatment plant was proposed, and that Rangiputa is not a location where Council infrastructure funding would support the ongoing operation or maintenance of a new or larger wastewater treatment plant as it is not a strategic location for growth (and it is assumed the new wastewater assets would be taken on by Council);
  - (f) No specific transport evidence was provided, and Mr Collins disagrees with leaving consideration of upgrades to existing infrastructure and potential cumulative transport effects to the resource consent stage; and
  - (g) For the above reasons, Ms Pearson does not support the rezoning request, however, she has reserved her position on any alternative proposal put forward as part of rebuttal evidence.

15. As noted in Ms Pearson's record of engagement in Appendix 5 of the s42A report, we discussed (on a without prejudice basis) the appropriate planning mechanism if the masterplan were to be included in the district plan. Ms Pearson considered the appropriate mechanism for inclusion (without pre-determining the merits of the relief sought, or having seen the final form of the provisions would be) would be as a Precinct. I have reviewed the guidance provided by MfE on Spatial Layers (provided as **Appendix 3**) and have concluded that the appropriate mechanism in this circumstance is a Development Area under the National Planning Standards, rather than a Precinct.
16. I have concluded this after considering the scope of the submissions and the final form of the provisions, as well as looking at Development Areas prepared under the National Planning Standards, in particular Waimakariri District Plan, which contains a number of Development Areas within the planning framework. I have also sought to ensure that the provisions align with the recommendation from MfE on implementation of the National Planning Standards.

#### **SUMMARY OF DEVELOPMENT AREA NOW BEING SOUGHT**

17. In my primary evidence, I supported the rezoning of the land in the manner set out, and was of the opinion that the outcomes sought in the Puwheke Spatial Strategy would be achieved, both through the desire of the submitters, and as a logical interpretation of the policies relating to landscape and indigenous biodiversity. However I acknowledge that, as a straight rezoning process, these outcomes may not be guaranteed, and that change of ownership may see different outcomes eventuate. As such, and in response to the s42A report, it is my opinion that a Development Area included in the plan to support the rezoning, with refined areas for rezoning, is the most appropriate approach. It ensures that the outcomes sought are tied to appropriate policies, rules, standards and assessment matters.
18. When developing the planning provisions for the Development Area, I have been very conscious as to the scope of submissions. It is my understanding that relief cannot be granted that is not "in the line" of between the relief sought in the submission, and the provisions of the notified plan. The key parts of the submission sought rezoning of:
  - (a) Either Mixed Use or Residential Zone in Area A;

- (b) Rural Lifestyle in Area B;
  - (c) Rural production in Area C; and
  - (d) All subject to master-planning.<sup>4</sup>
19. The inclusion of the reference to master-planning provides scope for a development area to be introduced. While it may have been desirable for the submitter to have intended uses be more permissive in the zones (for example different activity status' for visitor accommodation or the Visitor Centre, or different approaches to the clearance of vegetation), these would be outside of the scope of the relief sought. However, there are certain controls that can be stricter, or re-arrange the provisions as to how they apply to the land to facilitate the zoning. Examples include the provision for cluster development, requirements for colours for buildings, and policy approaches that require specific approaches to the development of the land. In my experience, these are within the scope of the relief sought. This includes extensive Environment Court mediation on district plan provisions of a similar nature, in particular in the Queenstown Lakes District, some of which have settled by consent order and some of which have proceeded to hearing.
20. This approach has informed the development of the Puwheke Development Area as set out in **Appendix 1**.
21. The key features of the development area (which apply in addition to the zone, overlay and district-wide provisions of the plan) are:
- (a) A masterplan inserted as a Development Area into the District Plan, as part of a refined policy approach for the zoning sought;
  - (b) Two new objectives:
    - (i) DEV PWK-O1 which seeks to tie ecological and landscape protection, restoration and enhancement outcomes with development;
    - (ii) DEV-PWK-O2 which seeks to recognise the value of mātauranga Māori principles (knowledge) in informing ecological and landscape sensitive design;
  - (c) Six new policies:

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<sup>4</sup> Submission point S551.001



- (i) DEV-PWK-P1 which is a requirement for development to be undertaken in accordance with the Puwheke Development Plan;
  - (ii) DEV-PWK-P2 which is a requirement to undertake restoration and enhancement commensurate with the number of sites created and for ongoing maintenance and protection;
  - (iii) DEV-PWK-P3 which is a requirement for recessive building and structure colour palettes;
  - (iv) DEV-PWK-P4 which provides for a range of uses and purpose for the proposed Mixed Use Zone;
  - (v) DEV-PWK-P5 which provides for specific guidance on limitations for development within the General Residential Zone and Rural Lifestyle Zone;
  - (vi) DEV-PWK-P6 which provides for cluster subdivision in Area B of the Rural Lifestyle Zone as the most appropriate form of subdivision in appropriate locations, recognising ecological values within the zone while facilitating their protection, enhancement and restoration; and
  - (vii) DEV-PWK-P7 which requires minimisation of adverse effects, and where possible, improvement of water quality through water sensitive design for development.
- (d) Five new rules:
- (i) DEV-PWK-R1 which requires buildings and structures to have a recessive colour palette;
  - (ii) DEV-PWK-R2 which requires development to be in accordance with the Puwheke Development Plan;
  - (iii) DEV-PWK-R3 which provides for a maximum of 120 dwellings in the General Residential Zone;
  - (iv) DEV-PWK-R4 which provides for the density requirements as notified in the Rural Lifestyle Zone as notified (rather than as amended by the Officer's Report for the Rural);
  - (v) DEV-PWK-R5 which provides for the opportunity for consultation with mana whenua as part of any application for subdivision or

resource consent, unless it relates to a boundary activity for a residential zone, with that information forming part of the resource consent. Where control is reserved, or discretion restricted, the matters consulted on are restricted to those matters.

- (e) One new development standard:
  - (i) DEV-PWK-S1 which provides for an appropriate colour standard for recessive buildings in landscape sensitive areas.
- (f) One new additional matter of control:
  - (i) A new matter of control for subdivision to achieve adequate funding, planting and maintenance for ecological enhancement and restoration activities, appropriate management and ownership of private infrastructure, and any conditions or consent notices or infrastructure that are required to give effect to these matters of control.

22. The rules are more restrictive than the zones sought in submissions, and are proposed in order to manage the effects of development within the Puwheke Development Area. In addition, the policies do not purport (nor are they intended) to provide a less stringent approach in relation to the zones sought in the submission – in particular, they provide for development that is subject to substantial environmental protection, enhancement and restoration of existing productive land – a feature that would not necessarily be available through a straight rezoning process. This is supported by provisions that provide for additional matters of control for subdivision, which also address the adequacy of management and ownership structures for privately held infrastructure, and any conditions or consent notices required to achieve the additional matters of control. They also provide a policy that seeks protect and enhance natural freshwater systems, and where possible improve water quality outcomes within the catchment, which, as outlined in the primary evidence of Mr Blyth, should incorporate water sensitive design.
23. I note that the Puwheke Development Area contains locations for various activities within the site that will require resource consent, including the visitor centre, glamping area, and rural lifestyle subdivision using the management plan subdivision process. No fixed outcomes are determined in these areas, they are subject to the normal consenting processes

required under the zone provisions, which will include scale, yield and design. However, they provide a complete picture of anticipated activities within the development area.

24. I consider the package as a whole addresses the issue of certainty that outcomes would be achieved, and have avoided the use of uncertain terms such as “should” or “may” or “where practicable”, which can add an element of uncertainty to plan drafting. The provisions provide clear outcomes, and I am happy to consider any additional drafting or word changes that might be sought by the Council in its reply evidence, as well as discussion around additional controls that may be required to achieve the vision outlined for the Puwheke Development Area.
25. In addition to the draft provisions, a reduced area of residentially zoned land is sought, as shown in Development Area masterplan. Land that was sought to be zoned residential in the submission but falls outside of that shown in the Development Area plan reverts to Rural Production. The reduced area of General Residential Zone as sought in the original submissions is largely because of the presence of the Rangiputa Wastewater Treatment Plant.

#### **WHETHER PRECINCT OR DEVELOPMENT AREA IS THE APPROPRIATE SPATIAL LAYER**

26. The MfE guide for implementation of the district plan spatial layers standard in the National Planning Standards (provided as **Appendix 3**) provides advice on the intent of Development Areas and Precincts.
27. Precincts provide for place-based delineation of areas introducing a collection of new provisions specific to that place, modifying the policy framework and outcomes sought in the underlying zones. Provisions in a precinct may be more, or less restrictive than the underlying zones. The guideline states (**bold** my emphasis):

*Precincts could include detailed requirements for development such as the provision of infrastructure, or other requirements. An example of other requirements would be subdivision and ecological controls to provide an environmental baseline for growth, as long as these provisions are not time-bound **or part of a high-level development plan for the area – that is a development area function.***

28. The guide indicates examples of Precincts, such as a boat building Precinct in a Light Industrial Zone, or an Arts and Crafts Precinct in a Town Centre Zone.

29. The definition of Development Areas in the National Planning Standards is:

*A development area spatially identifies and manages areas where plans such as concept plans, structure plans, outline development plans, master plans or growth area plans apply to determine future land use or development. When the associated development is complete, the development areas spatial layer is generally removed from the plan either through a trigger in the development area provisions or at a later plan change.*

30. In relation to Development Areas, the guide describes their function as providing for variously named plans (e.g. concept plans, outline development plans, master plans, or growth area plans) that seek to manage the effects and demands of development, or comprehensive redevelopment, or larger areas in an integrated, holistic and orderly way. It states that development areas may show the anticipated development framework that reflects the expected land use patterns, areas of open space, layout and nature of infrastructure (including transportation links) and other main features in different levels of detail. It also notes that Development Areas may apply across multiple zones.

31. I have also reviewed the Development Areas chapter of the recently decided Waimakariri District Plan. It includes Development Areas in the same manner as proposed by the amending proposal outlined in this evidence – such as the use of overlays over the zones that also provide for additional policies, and rules that apply within the development area.

32. As such, I consider that the approach of incorporation of the Puwheke Development Area as a separate Development Area chapter to be the most appropriate form, and is the preferred format rather than incorporation of the plan through a Precinct.

## **ENGAGEMENT AND CONSULTATION**

33. Mr Sturgess will provide comment on further engagement since the lodging of the primary submission. Ms Pearson has indicated a concern that the wider Rangiputa community would not be fully aware of what is being proposed in relation to the masterplan provided in evidence. She also

notes that the evidence does not detail any attempts to engage with tangata whenua.

34. Both of these matters are a product of the Schedule 1 planning process. I note that summaries of submissions were made available by FNDC for iwi and interested parties to submit on, including a special mapping tool available on the Council website to indicate where submitters were submitting from, combined with the relief sought. While a submitter may not have anticipated the contents of the masterplan, what is important is that the masterplan is within the scope of the submissions sought. Should someone have been concerned about additional residential or rural lifestyle zoning of adjacent land to the Rangiputa settlement, they could have joined the process as a further submitter. Similarly, no further submissions were received from iwi or hapu groups.
35. Notwithstanding this, the recommended approach in the proposed Puwheke Development Area does provide a rule framework for consultation with mana whenua on subdivision and resource consent processes, in order to enable incorporation of mātauranga Māori into design. In my opinion, this provides an excellent opportunity for involvement of mana whenua in resource management processes, and I consider that this will provide valuable knowledge and input into restoration and enhancement activities, and provide important information on historic and cultural context associated with the land in within the Puwheke Development Area. In summary, I do not consider that concern raises any form of barrier to the granting of relief sought, as long as there are no issues as to the scope of the provisions in the revised relief.

## **INFRASTRUCTURE**

36. The s42A report does not include any correspondence or evidence from Council's infrastructure engineers in response to Mr Sole's primary evidence. It appears the Council is concerned as to the cost of additional wastewater maintenance and servicing, in particular noting that Rangiputa is not a strategic location for further growth.
37. Currently, it is my understanding that FNDC does not charge development contributions, although it has been in the process of consulting on the possibility of introducing them.<sup>5</sup> This is a standard process for many district

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<sup>5</sup> [https://www.fndc.govt.nz/\\_data/assets/pdf\\_file/0026/44099/Draft-Utu-Whakawhanake-Development-Contributions-Policy-2025.pdf](https://www.fndc.govt.nz/_data/assets/pdf_file/0026/44099/Draft-Utu-Whakawhanake-Development-Contributions-Policy-2025.pdf)

councils around the country, providing funding for upgrade and capital expenditure for infrastructure. In my view, this is an appropriate way to fund infrastructure, with additional rates take from new development providing for on-going costs associated with maintenance. Notwithstanding this, Mr Sturgess would be looking to fund the capital works for new infrastructure as part of the development of the Lucklaw Farm site.

38. Mr Sturgess has indicated that he is happy to fund, and if required, privately hold any new wastewater treatment facility through joint ownership by the developed sites, which would require associated consents from Northland Regional Council, should FNDC not want to be vested with the new infrastructure.
39. Addressing the matter that Rangiputa is not an area that is identified as an a strategic location for further growth, this does not, in my opinion, mean that development should not take place or be enabled. Rangiputa is nearly at, or at capacity in terms of vacant sites, and no provision has been made specifically for growth in this location. Given the overall environmental benefits arising from the retirement of the productive use of the land, given that development is proposed to be tied to environmental enhancement and restoration, the proposal at Rangiputa represents a different approach and market to other offerings. It is likely to be a desirable location for second homes, potentially attracting out of district owners to the location.
40. To support the potential for shared private ownership of wastewater infrastructure, an additional matter of control is included in the Development Area provisions to consider the extent to which any privately held infrastructure includes an appropriate management and ownership structure that provides for ongoing operation and maintenance of that infrastructure, as well as any conditions or consent notices required to give effect to that provision.
41. In my opinion, and relying on Mr Sole's primary evidence, provision of wastewater infrastructure is feasible, and options are available should Council not wish to take on additional infrastructure. This leads me to concluding that infrastructure development should not be considered to be a barrier to rezoning.

## **TRAFFIC**

42. Mr Dean Scanlen has provided rebuttal evidence on traffic matters associated with the revised proposal. He considers that adequate access can be obtained to the area proposed to be rezoned, and provides an analysis of traffic safety issues and upgrades that would be required to achieve access for development of the land. He considers that access can be achieved through the paper road to the Puwheke Development Area, and has also considered the possibility of a roundabout at the intersection of Rangiputa Road and Motutara Drive (which would require encroachment onto the recreation reserve if established). Should a roundabout not be feasible in this location, the access to the Mixed Use Zone would need to be limited to pedestrian and cycle access only from the south, with the main access being the paper road some 400m to the east.
43. The paper road is approximately 4000m<sup>2</sup>, is vegetated, and is zoned Rural Production. The rules in the proposed district plan allow for up to 5000m<sup>2</sup> of indigenous vegetation to be cleared as a permitted activity if not remnant forest, and it is certified that the vegetation does not meet the criteria for a Significant Natural Area. If those permitted activity standards are not met, a discretionary resource consent is required. Either way, a permitted or consent pathway is available.
44. I rely on the evidence of Mr Scanlen in relation to traffic related matters, and re-affirm my position that these can be addressed through consideration of subsequent subdivision consents.

## **S32AA**

45. The tests to apply to district plan provisions are set out in my evidence in chief. The analysis undertaken in my evidence-in-chief was predicated on the basis that the Puwheke Spatial Strategy was the most likely outcome in terms of how development would be enabled on the site, albeit through the provisions as notified in the plan, and the assessment set out in that evidence remains valid. What is now proposed is to provide certainty to those outcomes through the insertion of the Puwheke Development Area into its own chapter in the plan. In addition, more specific provisions are provided for, to implement the vision outlined in the evidence-in-chief of Ms Gilbert (Landscape), Ms Dixon (Ecology) and Mr Blyth (Hydrology). There are significant environmental benefits arising from that certainty related to ecology, landscape, and water quality. I consider that the insertion of the

Puwheke Development Plan is more effective than a straight rezoning request, due to the certainty that the outcomes will be achieved.

46. In addition to the policies and methods, two new objectives are proposed that require additional analysis as to whether they are the most appropriate way to achieve the purpose of the Act.
47. DEV-PWK-O1 seeks that development within the Puwheke Development Area provides for landscape and ecological protection, as well as restoration and enhancement opportunities linked to mixed use, residential and rural lifestyle opportunities, visitor accommodation and tourism activities. It is my opinion that this provides for social and economic well-being by providing for additional growth at Rangiputa, providing for local commercial activities that are not currently present, and additional residential capacity in this location. This can be done while sustaining (and improving) the values of the land and potential of natural and physical resources in the area, while safeguarding the life supporting capacity of air, water, soil and ecosystems. When read alongside the other objectives in the plan as they relate to subdivision, landscape, ecology and natural character, the objective achieves the purpose of the Act by avoiding, remedying and mitigating adverse effects on the environment.
48. Read in combination with other relevant objectives in the plan, the objective provides for:
  - (a) protection of natural character of the coastal environment and waterbodies from inappropriate subdivision, use and development (s6(a));
  - (b) the protection of outstanding natural landscapes from inappropriate subdivision use and development (s6(b));
  - (c) the protection of areas of significant indigenous vegetation and habitats of indigenous fauna (s6(c));
  - (d) recognition of the efficient use and development of natural and physical resources (s7(b));
  - (e) the maintenance and enhancement of amenity values (s7(c));
  - (f) recognition of the intrinsic value of ecosystems (s7(d)); and



- (g) the maintenance and enhancement of the quality of the environment (s7(f)).
49. DEZV-PWK-O2 seeks to incorporate mātauranga Māori principles into ecological and landscape sensitive design. This objective seeks to incorporate knowledge and understanding of Te Taiao (the natural world), incorporating culture, values and worldviews of mana whenua into the design response for development. It enables place-based knowledge to be provided, and in my opinion will strengthen whanaungatanga (relationships/kinship) through shared knowledge, and enable a contribution from mana whenua to kaitiakitanga, and stewardship of the landowners to the land. In my opinion, this provides a significant contribution to the purposes and principles of the Resource Management Act, in particular providing for cultural wellbeing.
50. The objective:
- (a) recognises the relationship of Māori and their cultural traditions with ancestral lands, water, sites, wāhi tapu and taonga (s6(e));
  - (b) provides an appropriate response to the kaitiakitanga (s7(a));
  - (c) enables stewardship of the land by the landowner (s7(aa)); and
  - (d) provides an opportunity for the maintenance and enhancement of the quality of the environment (s7(f)).
51. Overall, I consider that the objectives are the most appropriate for achieving the purpose of the Act, specific to the outcomes sought for the Puwheke Development Area.

## **CONCLUSION**

52. I consider that:
- (a) the amended proposal to include the Puwheke Development Area and amended zoning will:
    - (i) 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;
    - (ii) the zone request as proposed will implement the higher order documents that are relevant to the submissions;

- (iii) regard has been had to the actual or potential effects of the activities (as recommended to be amended), in particular any adverse effects;
- (iv) the proposed objectives for the Puwheke Development Area are the most appropriate for achieving the purpose of the Act;
- (v) the Puwheke Development Area and rezoning as set out in evidence is the most appropriate for achieving the objectives of the pFNDP, taking into account the costs and benefits associated with the changes; and
- (vi) 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 the provide for the Puwheke Development Area and revised zone relief.

53. As such, I recommend that the Panel accept the revised relief as outlined in my rebuttal evidence.
54. I confirm that the project team is happy to further engage with reporting officers and experts to refine any aspects in relation to the proposal, if it assists with the Council's reply evidence.

Marcus Hayden Langman

Date: 15 September 2025

**Puwheke Development Area Chapter**

## PWK – Puwheke Development Area

### Introduction

The Puwheke Development Area provides for an integrated large-scale conservation, restoration and enhancement development area adjacent to Rangiputa, bordering Lake Rotokawau and Lake Rotokawau East, extending down to Puwheke Beach and the marginal strip on the northern boundary, and towards Puwheke Maunga and the access to Puwheke Beach in the east. The site of earlier farming and forestry activities, the site presents an opportunity tie restoration and enhancement of the wider site with a small commercial Mixed Use Zone (MUZ) abutting the existing Rangiputa township, provision for additional General Residential Zone (GRZ) development, and carefully designed development within the Rural Lifestyle Zone.

The development area provides for an area within the zone to be developed as a lodge and visitor accommodation on the headland, with future opportunities for management area subdivision within the Rural Production Zone (RPROZ) and a visitor centre at the eastern end of the site. Spanning from the ridgeline down towards Lake Rotokawa, the development proposal includes provision for a zip-line and mountain-bike tracks in existing planted kanuka that has been undertaken to support apiary activities within the farm. Public walking easements are proposed in the area of the Rangiputa Wastewater Treatment Plant, which will also provide access to roading within the GRZ. The development area also anticipates low impact visitor glamping opportunities in the RPROZ.

An indicative roading plan is included with the proposal, while existing accesses will remain on private land. Stormwater and wastewater infrastructure to service the development will remain in a body corporate structure serving the GRZ and MRZ, unless and alternative extension and refurbishment of the Rangiputa Wastewater Treatment Plant takes place. Onsite wastewater and stormwater disposal will take place in the RLZ.

### Objectives

The objective below are to be read in conjunction with, and are additional to, objectives in the remainder of the district plan.

Objectives	
<b>DEV-PWK-O1</b>	Development within the Puwheke Development Area provides landscape and ecological protection, restoration and enhancement opportunities, linked to the provision of comprehensive mixed use, residential and rural lifestyle opportunities, visitor accommodation, and tourism activities.
<b>DEV-PWK-O2</b>	Development recognises the need for ecological and landscape sensitive design informed by mātauranga Māori principles.

### Policies

The policies below are to be read in conjunction with, and are additional to, policies in remainder of the district plan.

Policies	
<b>DEV-PWK-P1</b>	Subdivision and landuse within the Puwheke Development Area shall be undertaken in general accordance with the Puwheke Development Plan in DEV-PWK-APP1.
<b>DEV-PWK-P2</b>	Each application for subdivision on a site within the Puwheke Development Area will provide for ecological restoration and enhancement commensurate with the number of sites created by the subdivision, and restoration and enhancement activities and their ongoing maintenance and protection forming a condition of subdivision consent to be complied with on a continuing basis and registered by way of consent notice or offered as a QEII covenant.
<b>DEC-PWK-P3</b>	All buildings within the Puwheke Development Area shall be finished in a recessive colour palette, and where a resource consent is required, be designed in a manner that assists with blending into the natural environment, landscape features, and the coastal environment.
<b>DEC-PWK-P4</b>	Subdivision design (including road-naming), land-use, and enhancement and restoration activities, shall be undertaken in a manner that takes into account and incorporates mātauranga Māori, and the results of consultation with mana whenua shall be provided with any application for landuse or subdivision.
<b>DEC-PWK-P4</b>	Development within the Mixed Use Zone shall provide service needs for the residents of Rangiputa, providing a compact and cohesive location for a mix of commercial, residential and community activities.
<b>DEC-PWK-P5</b>	Ensure that the maximum levels of development provided through subdivision within the Puwheke Development Area and corresponding zones are set out as follows: <ol style="list-style-type: none"> <li>1. General Residential Zone – 120 sites</li> <li>2. Rural Lifestyle Zone – limitation of 4ha sites as a controlled activity and 2ha as a discretionary activity. [the inclusion of this provision depends on the Council's decision on the officer recommendation to reduce the provision to 2ha and 1ha respectively – if no change from the notified provisions, this can be changed to "no specific limits"]</li> <li>3. Mixed Use Zone – no development area specific limits</li> <li>4. Rural Production Zone – no development area specific limits</li> </ol>
<b>DEC-PWK-P6</b>	Within the Rural Lifestyle Zone Area B, recognise that the most appropriate form of subdivision within this area is cluster subdivision, in order to appropriately manage ecological, recreational and landscape values. Where cluster subdivision takes place, the size thresholds set out in DEC-NWD-P5.2 shall be calculated across any commonly held land within the zone, and should be undertaken as a single comprehensive subdivision.
<b>DEC-PWK-P7</b>	All development within the Puwheke Development Area: <ol style="list-style-type: none"> <li>1. must seek to protect and enhance natural freshwater systems, including by minimizing adverse effects on existing waterbodies, and where possible, improve water quality, including through incorporation of water sensitive design to manage stormwater at source, reduce runoff volumes, minimise impacts from earthworks and reduce abstraction pressures through rainwater re-use; and</li> <li>2. incorporate designed nature-based treatment systems such as swales, wetlands, rain gardens, planted buffers and stormwater detention as part of subdivision design.</li> </ol>

## Activity Rules

### Advisory Note

The activity rules and standards in this Chapter apply in addition to the rules and built form standards for the underlying zone and Part 2: District-Wide matters chapters.

Rules
<b>DEV-PWK-R1 New buildings or structures, and extensions or alterations to existing buildings or structures</b>

<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b> The building or structure, or extension or alteration to an existing building or structure, complies with standard: DEV-PWK-S1 Colour of buildings in the Puwheke Development Area</p>	<p><b>Activity status when compliance not achieved with PER-1: Restricted Discretionary</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. Extent of adverse effects on landscape amenity, including when viewed from any coastal or public area.</li> </ol>
<b>DEV-PWK-R2 Puwheke Development Plan</b>	
<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b> Development is in accordance with DEV- PWK-APP1.</p>	<p><b>Activity status when compliance not achieved with PER-1: Discretionary</b></p>
<b>DEV-PWK-R3 Limits on subdivision in the General Residential Zone</b>	
<p><b>Activity status: Permitted</b> Where subdivision takes place within the Puwheke Development Plan Area, the following limits shall apply in addition to the provisions in the SUB chapter:</p> <ol style="list-style-type: none"> <li>1. General Residential Zone – maximum of 120 sites</li> </ol>	<p><b>Activity status when compliance not achieved: Non-complying</b></p>
<b>DEV-PWK-R4 Limits on subdivision in the Rural Lifestyle Zone [delete if no change from notified version]</b>	
<p><b>Activity status: Controlled</b></p> <p><b>Where:</b></p> <p><b>CON-1</b></p> <ol style="list-style-type: none"> <li>1. Any subdivision taking place within the Puwheke Development Plan Area, for the purpose of SUB-R3 CON-2 and SUB-R3 DIS-1, the minimum allotment size for a subdivision as a controlled activity is 4ha;</li> <li>2. For the purpose of DEV-PWK-R4, when calculating minimum allotment size, this shall include any commonly held allotment within the Rural Lifestyle zone on the same site, to enable cluster subdivision.</li> </ol>	<p><b>Activity status where compliance not achieved with CON-1: Discretionary</b></p> <p><b>Where:</b></p> <p><b>DIS-1</b></p> <ol style="list-style-type: none"> <li>1. the site size is 2ha or greater.</li> </ol> <p><b>Activity status where compliance not achieved with DIS-1: Non-complying</b></p>
<b>DEV-PWK-R5 Information requirements</b>	
<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b></p> <ol style="list-style-type: none"> <li>1. For any controlled, restricted discretionary, discretionary or non-complying activity (except as it relates to a single dwelling in the General Residential Zone), prior to lodgement, a minimum 10 working day opportunity is provided by the applicant for consultation with mana whenua as part of any application for resource or subdivision consent (on any matter of control if control is reserved, or discretion if discretion is restricted), and the result of that consultation is</li> </ol>	<p><b>Activity status where compliance not achieved with PER-1: Discretionary</b></p>

<p>provided as part of the resource consent;</p> <p>2. This does not impact on any requirement for written approval or limited notification requirement specified elsewhere in the plan, or relevant legislation.</p>	
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## Built Form Standards

Standards		
DEV-PWK-S1	Colour of buildings and structures in the Puwheke Development Area	
<b>All Zones</b>	<p>Buildings and structures shall comply with the following standards:</p> <ol style="list-style-type: none"> <li>the use of unpainted natural timber or stone as exterior building materials. Such materials are not subject to clause 2 below; or</li> <li>exterior building materials and finishes (excluding solar panels) which, when graded using the British Standard BS5252:1976 Framework for Colour Co-ordination for Building Purposes, meet the following standards: <ol style="list-style-type: none"> <li>where the materials are not used for a roof cladding, they are of a colour which has a reflectivity value of no more than: <ol style="list-style-type: none"> <li>60 per cent for greyness groups A or B.</li> <li>40 per cent for greyness group C;</li> </ol> </li> <li>where the materials are used for a roof cladding, they are of a colour which has a reflectivity value of no more than 40 per cent for greyness groups A, B or C;</li> </ol> </li> <li>clause 2 does not apply to windows, window frames, bargeboards, stormwater guttering, downpipes or doors. These items may be of any colour.</li> </ol>	<p><b>Where the standard is not met, matters of discretion are restricted to: Not applicable</b></p>

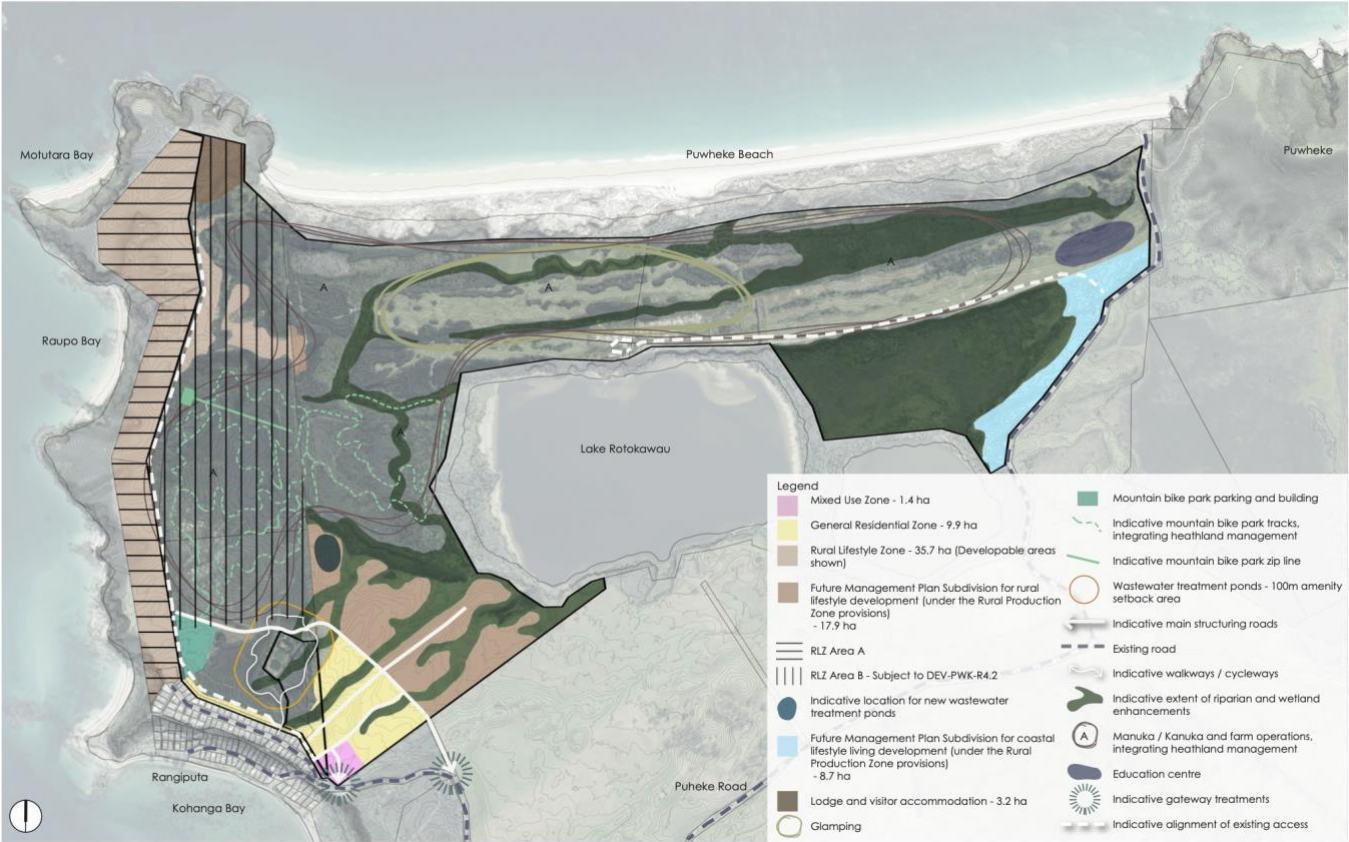
## Additional matters of control

Matters of Control	
<b>DEV-PWK-MC1</b>	<p><b>Additional matters of control for controlled activity subdivision</b></p> <ol style="list-style-type: none"> <li>The extent that the subdivision achieves appropriate funding, planting and maintenance for ecological enhancement and restoration activities, including ongoing plant and animal pest management, on the parent site, in a manner that is commensurate with the number of lots to be provided across the Puwheke Development Area, and in accordance with the plan in DEV-PWK-APP1.</li> <li>The extent to which any privately held infrastructure includes an appropriate management and ownership structure that ensures appropriate on-going operation and maintenance of the infrastructure.</li> <li>Any conditions or consent notices that are required to give effect to the matters set out in DEV-PWK-MC1.1 and DEV-PWK-MC1.2</li> </ol>

## Appendices

DEV-PWK-APP1 – PUWHEKE DEVELOPMENT AREA

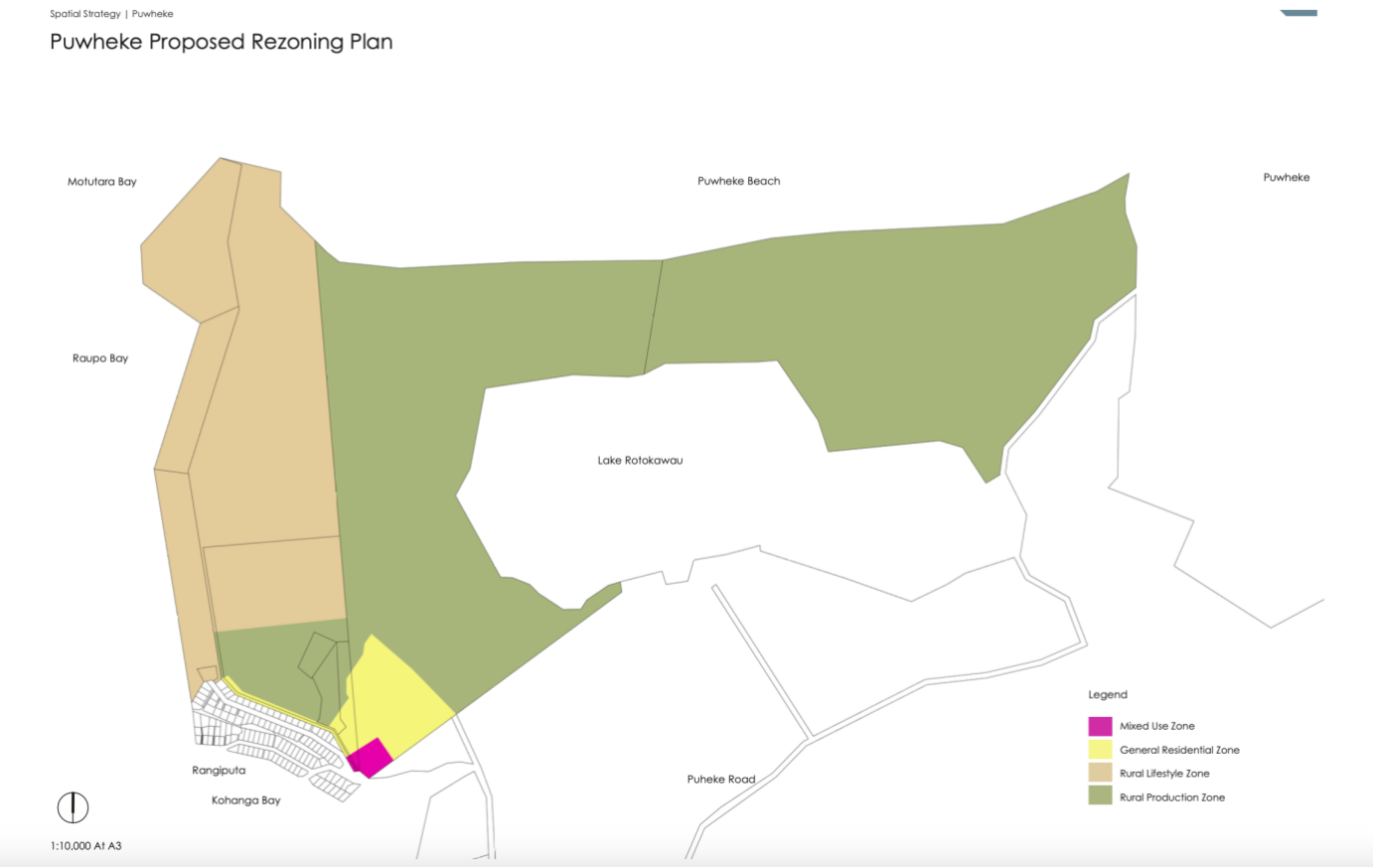
Puwheke Development Area Plan



1:10,000 At A3



Revised rezoning relief



## **Appendix 3**

### **MfE guidance for zone framework and district spatial layers standard**

**(attached as separate file)**