

FORM 5

SUBMISSION ON PUBLICLY NOTIFIED PROPOSED FAR NORTH DISTRICT PLAN

Part 1, Clause 6 of Schedule 1, Resource Management Act 1991

To Far North District Council
Private Bag 752
KAIKOHE 0440

Name: Waiaua Bay Farm Limited (“WBF”)

- 1. This is a submission on the proposed Far North District Plan (“Proposed Plan”).**
- 2. WBF could not gain an advantage in trade competition through this submission.**
- 3. The specific provisions of the proposal that WBF’s submission relates to are:**

Part 1 – Introduction and general provisions

- 3.1. Definitions.

Part 2 – District-wide matters

- 3.2. Strategic Direction
- 3.3. Energy, Infrastructure and Transport
 - 3.3.1. Infrastructure
 - 3.3.2. Transport
- 3.4. Natural environment values
 - 3.4.1. Indigenous Biodiversity
 - 3.4.2. Natural Character
 - 3.4.3. Subdivision

- 3.5. General District-wide matters
 - 3.5.1. Coastal environment
 - 3.5.2. Earthworks
 - 3.5.3. Light
 - 3.5.4. Noise
 - 3.5.5. Temporary Activities
 - 3.5.6. Mineral Extraction Overlay

Part 3 – Area-specific matters

- 3.6. Rural Zones
 - 3.6.1. Rural production
- 3.7. Open Space and Recreation Zones
 - 3.7.1. Natural open space
- 3.8. Special Purposes Zones
 - 3.8.1. Kauri Cliffs

Part 4 – Appendices and Schedules

- 3.9. Schedules
 - 3.9.1. SCHED3 – Schedule of Sites and Areas of Significance to Māori
 - 3.9.2. SCHED8 - Schedule of Outstanding Natural Character

4. WBF's submission is:

Overview of Waiaua Bay Farm Limited and Kauri Cliffs

- 4.1. WBF owns and operates properties throughout New Zealand including the Hawkes Bay (Cape Kidnappers Lodge), Martinborough (Dry River Winery), Canterbury (Brooksdale Station) and Queenstown (Matakauri Lodge).
- 4.2. In the Far North district, WBF owns and operates Kauri Cliffs, which is located at 139 Tepene Tablelands Road, just south of Matauri Bay. Kauri Cliffs is a 2,350-hectare

property. It consists of coastal land with rolling green hills and gullies, areas of indigenous ecological restoration, three beaches between Waiaua Bay at the North and Tākou Bay at the south and a network of trails. Kauri Cliffs' boundaries are shown in **Figure 1**.

- 4.3. Kauri Cliffs was solely operated as a sheep and beef station until it was acquired by WBF in the mid-1990s. The property's main components at present are:
 - 4.3.1. A David Harman-designed par 72 championship golf course. Kauri Cliffs is consistently ranked as one of the premier golf courses in the world. The golf course is located on a plateau on the eastern side of Kauri Cliffs, along the coastline between Waiaua Bay to the north and Tākou Bay to the south.
 - 4.3.2. A renowned luxury visitor accommodation and hospitality facility in the form of The Lodge at Kauri Cliffs ("**the Lodge**") and associated Owner's Cottage, Guest Cottages and Residences. These facilities are immediately inland from (west of) the golf course and are accessed via Kauri Cliffs Drive, which diverts off Tepene Tablelands Road.
 - 4.3.3. A working sheep and beef farm, which utilises approximately 1,600 hectares of the property, encompassing the landholding north and west of the golf course.
- 4.4. As shown in the figure below, a site at 38 Tepene Tablelands Road is located at the western side of, and is surrounded by, the Kauri Cliffs property. 38 Tepene Tablelands Road is owned by Imerys Ceramics New Zealand Limited and is developed with a quarry.



Figure 1: Kauri Cliffs Boundaries (Red) and Key Features.

- 4.5. Ancillary development, infrastructure and activities support the principal activities. The farm is supported by development like sheds and stockyards. A 126-hectare forestry block planted in the early 1990s (before WBF acquired the property) is part of the farm.
- 4.6. The Lodge is the base for the hospitality, visitor accommodation and recreational offerings provided at Kauri Cliffs. To this end, the Lodge includes meeting and function rooms, dining areas, a commercial kitchen, reception, offices and back-of-house facilities, a modest golf pro shop and golf cart store across three levels. A helipad 750 m to the south-

west provides guest air access to Kauri Cliffs. Staff and guest car parking areas are in the Lodge curtilage.

- 4.7. A patch of indigenous trees (the “**Totara Forest**”) is immediately north of the Lodge. The Totara Forest is bisected by a concreted / gravelled landscaped trail known as the “Bush Walk”. Around the fringe of the Totara Forest and accessible off the Bush Walk are a spa / gym/ indoor pool facility (the “**Spa**”), tennis courts, an outdoor pool and the Guest Cottages. The Owner’s Cottage and three more recently developed dwellings known as the “Residences” are north of the Totara Forest.
- 4.8. The Guest Cottages, Owner’s Cottage and Residences offer different styles of visitor accommodation. The Owner’s Cottage and Residences are made available when the owners are not residing onsite.
- 4.9. Kauri Cliffs golf course is supported by an irrigation water reservoir situated north of the Tepene Tablelands Road/Kauri Cliffs Drive intersection. The reservoir is supplied by surface water taken from the Hikurua River in accordance with a regional council water permit¹. A large workshop to service golf infrastructure and vehicles is located on Tepene Tablelands Road, west of the Lodge. Golf carts are stored in the Lodge basement separately to the golf pro shop on the same level.
- 4.10. WBF provides onsite residential accommodation for its farm and Lodge staff in detached dwellings located at intervals along Tepene Tablelands Road.
- 4.11. The following figures illustrate the various features described above.



Figure 2: The Lodge at Kauri Cliffs.

¹ Water permit no. CON20070835601.



Figure 3: The Lodge northern curtilage.



Figure 4: Kauri Cliffs golf course looking south towards Takou Bay and the Purerua Peninsula.



Figure 5: Dining at the Lodge.



Figure 6: Golf pro shop at the Lodge.



Figure 7: The Owner's Cottage



Figure 8: The Residences



Figure 9: The Residences



Figure 10: Guest Cottages/suites.



Figure 11: Guest Cottages (left), Owner's Cottage (right), Totara Forest behind.



Figure 12: The Spa, adjoining the Totara Forest.



Figure 13: Indoor pool at the Spa.



Figure 14: Tennis courts north-west of the Totara Forest.



Figure 15: Golf Playing sub-zone.



Figure 16: Golf Playing sub-zone.

Farming, Golf, Accommodation and Hospitality at Kauri Cliffs

- 4.12. It is important to note that while golfing is a key component of Kauri Cliffs and a significant source of the property’s international renown, Kauri Cliffs is not “just” a golf destination. With the next stage of development - residential development in particular - there is a need to provide for a range of family-oriented outdoor recreational activities, such as walking and cycling trails and swimming/beach facilities. Keeping this in mind will inform an appreciation of WBF’s strategic priorities for Kauri Cliffs future development and operation. Those priorities are the basis for the relief sought in this submission.
- 4.13. Kauri Cliffs golf course and the Lodge opened in 2001. They operate alongside the sheep and beef farm. The Lodge is the focal point for hospitality and visitor accommodation offerings and provides a base for guest access to tourist experiences like guided walks and horse-riding tours, cultural heritage interpretation experiences, mountain biking, summer outdoor dining at Pink Beach (a picturesque beach near the south end of the golf course) and fishing.
- 4.14. The Lodge’s indoor meeting and dining facilities can cater for up to 56 guests in a function / meeting-type situation, while outdoor functions in the Lodge’s curtilage can

accommodate up to around 120 guests. The Spa treatments are available to casual visitors as well as to guests of the onsite luxury accommodation.

- 4.15. Given the foregoing, it is an operational necessity for WBF to manage activities onsite in a way that maintains competitive offerings to match the differing quality and luxury expectations of its guests and visitors, who visit from around New Zealand and the world. As an example of the different “levels” of offering that are needed, Kauri Cliffs has to meet the accommodation, dining and experiential expectations of high-wealth visitors but also cater to day guests with simpler expectations centred around a casual visit for a meal, function or a round of golf before departing.
- 4.16. In this light, successfully configuring the site to achieve adequate separation of different activities is a critical facet of the business. WBF must manage the property in a way that ensures world-class amenity for guests paying a premium for a once-in-a-lifetime holiday, while simultaneously operating an international-standard golf course and a working farm with the usual robust characteristics of agriculture.
- 4.17. It is important for Kauri Cliffs’ ongoing success that the property is configured and managed to avoid overlaps that would devalue or compromise the functions of the golf course, accommodation/hospitality, and farm. The current clustering of accommodation, golf and hospitality in and around the Lodge presents a particular challenge in this regard.
- 4.18. An additional significant consideration about the property’s configuration is that Kauri Cliffs was developed with a view to - and the Operative and Proposed Plans anticipate – development of up to 60 residential lots in the “Golf Living” subzone.
- 4.19. The realisation of a premier residential project that successfully integrates with the farm, Lodge and golf course is a design challenge that WBF has renewed its focus on. WBF’s focus over the last decade has been on a similar residential master planning project at its Cape Kidnappers property. With that project having moved from a strategic to pre-development phase, Kauri Cliffs and the Proposed Plan is now a priority for the business.

Kauri Cliffs economic inputs

- 4.20. Kauri Cliffs is a significant direct and indirect generator of economic activity in the local and regional economies. These inputs result from WBF’s disbursements to supplies and by way of Kauri Cliffs’ guest expenditures on transportation, retail, accommodation and tourism/hospitality, onsite and offsite.
- 4.21. WBF employs 89 staff across Kauri Cliffs Lodge, golf course and farming operations. WBF also regularly procures consultancy services to support farm management, landscaping, ecological restoration, project management and other undertakings.

- 4.22. In the financial year ending March 2020 (before the COVID-19 pandemic), Kauri Cliffs generated around of \$14.3M revenue. This derived from (among other things) disbursements on employee salaries/wages, supplies for the Lodge, golfing and farming operations, professional fees for consultancy services and the sale of hospitality and agricultural products.
- 4.23. In the financial year ending March 2020, WBF's expenditures at Kauri Cliffs included \$5.4M on supplier disbursements, \$5.4M on payroll, \$13.2M on capital expenditures and \$1M on charitable donations. These figures are indicative of Kauri Cliffs economic value to the Far North district and Northland region.
- 4.24. As is discussed later in this submission, WBF intends to continue investing significantly into Kauri Cliffs. Further significant development of the property is anticipated by the District Plan and WBF intends to transition the property into the next stage of its development. This is particularly the case in terms of future upgrades and improvements to the visitor accommodation, hospitality and golf offering, and the progression of a premium master planned residential development. WBF is developing a master plan for the next stages of development at Kauri Cliffs. The master plan has informed this submission and will continue to inform WBF's vision for Kauri Cliffs.

WBF's stewardship of heritage values

- 4.25. Archaeological assessments at Kauri Cliffs have identified significant sites of Māori cultural heritage. 'Piakoa' is a wāhi tapu site located along Kauri Cliffs coastal margin north of Tākou Bay. It was entered (in 2021) as site no. 9832 on the New Zealand Heritage List.
- 4.26. The citation for Piakoa on the New Zealand Heritage List includes that the site is
"... sacred to the people of Tākou Marae and Ngāti Rēhia of Ngāpuhi, and stands near their whenua and papakāinga at the mouth of the Tākou river.... is an area containing burial caves held to be sacred in the traditional and ritual sense. The area is one of traditional Māori sepulture where the bones of many ancestors were once laid to rest".
- 4.27. Piakoa was entered onto the Heritage List as a wāhi tapu area after a cooperative application between WBF and local Ngāti Rēhia mana whenua. Registration of the site on the Heritage List ensures the significance of the site is formally recognised and recorded on the national heritage database maintained by Heritage New Zealand Pouhere Taonga.



Figure 17: Piakoa - fissured rock formations opening inwards into hollows.

- 4.28. Sites on the Heritage List are not accorded ongoing statutory protection. Therefore, as part of the relief sought by this submission, and after discussion with Ngāti Rehia as mana whenua for Tākou Bay, WBF seeks to have Piakoa included as site of significance to Māori in Schedule 3 of the Proposed Plan. Scheduling of the site in the Proposed Plan will ensure ongoing statutory protection under the *Sites and areas of significance to Māori* provisions.

WBF's stewardship of ecological values

- 4.29. WBF has made significant investments into ecological enhancements around Kauri Cliffs since the property was acquired in the 1990s. This is consistent with its efforts at other landholdings, notably including the joint effort with the Lowe family in establishing the 2,500-hectare Cape Kidnappers Sanctuary, which is a model for sustainable conservation.
- 4.30. In December 1999, only a few years after acquiring Kauri Cliffs, WBF registered Open Space Covenant no. 5/2/303 over 11.8 hectares of native bush located near the northern end of Kauri Cliffs Drive. The covenanted area is shown in the figure below. It is identified in the Proposed Plan with the Natural Open Space Zone and a High Natural Character overlay ("HNC228").

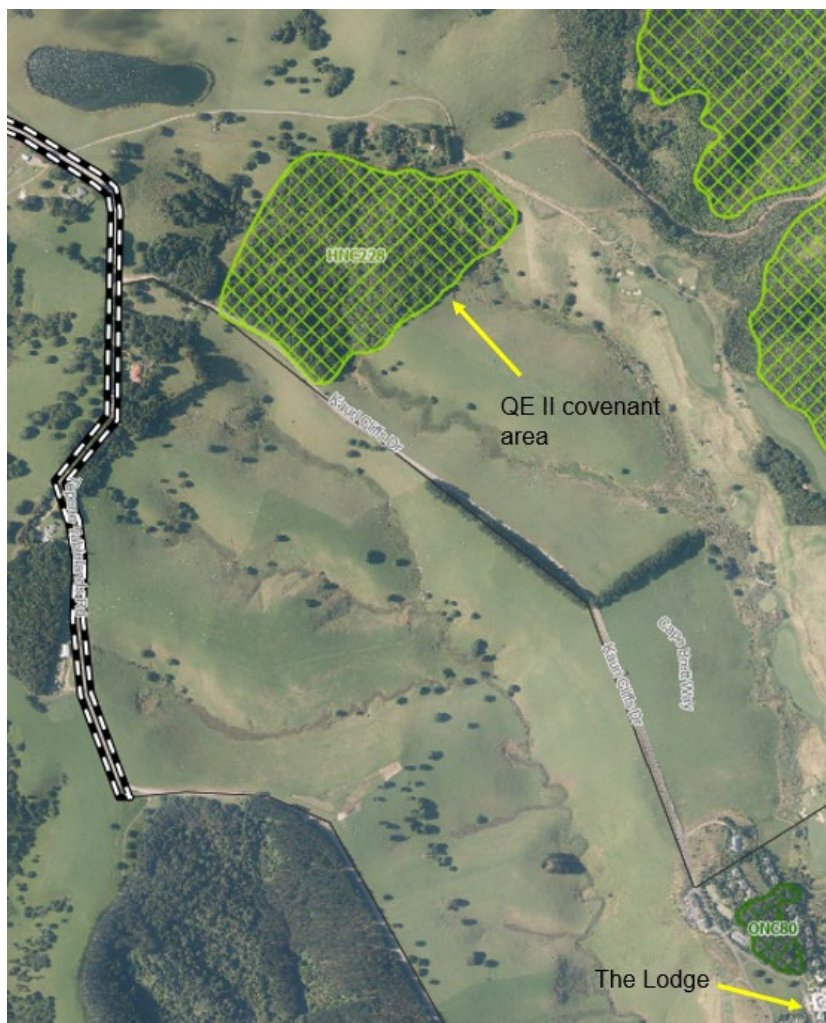


Figure 18: Location of QE II covenant area.

- 4.31. WBF has continued to implement a program of indigenous replanting around Kauri Cliffs. Only indigenous species have been planted since the development of Kauri Cliffs began. (The existing 126 ha pine plantation was established before WBF bought the property).
- 4.32. The following examples give some indication of the scale of WBF's efforts:
- › Over 150,000 indigenous plants have been planted around the golf course alone, between Waiaua Bay and Pink Beach;
 - › Some 4.3 hectares of former paddocks have been fenced and densely planted with native species around the 2017 subdivision north of the Totara Forest; and
 - › A further approximately 600 hectares – more than one-quarter of the 2,350-hectare property - has been retired from farming. Sheep and cattle are now grazed on just over 1,400 hectares. A portion of the 600 hectares retired from grazing was strategically planted with native species to aid regeneration. Native species now dominate the retired areas.

- 4.33. WBF's commitment to ecological improvements requires the full-time employment of a pest controller at Kauri Cliffs. Pest control records indicate that WBF's efforts have controlled 23,862 possums, 149 goats, 183 pigs, 3,039 rats, 345 stoats, 406 cats, 2,624 hedgehogs, 194 weasels, 1,421 hares, 2,316 rabbits and 10 dogs. These numbers are likely to be an underestimate, as the bodies of pests are not always retrievable.



Figure 19: Indigenous vegetation restoration around the golf course.



Figure 20: 4.3 hectares replanted around the 2017 subdivision.

Kauri Cliffs past, present and future

- 4.34. WBF has made very significant investments in time, effort, and funds over a period of almost 30 years to establish Kauri Cliffs into an operation that integrates agriculture, recreation, tourism, hospitality, accommodation and ecological restoration activities into a world-class facility.

- 4.35. However, improvements are necessary for WBF to maintain its position in a market that has changed markedly since Kauri Cliffs opened in 2001. Also, while residential development has always been anticipated at Kauri Cliffs, it is yet to progress. As such, the optimal configuration of the next phase in Kauri Cliffs evolution needs to be recognised in the applicable planning instruments.
- 4.36. The Proposed Plan is a critical juncture for WBF to ensure that its strategic priorities for Kauri Cliffs are reflected in a planning framework that will support WBF's planned substantial investment into delivering an exceptional residential development - like that which is forthcoming at Cape Kidnappers. In short, it is vital that the Proposed Plan appropriately recognises and provides for WBF's interests at Kauri Cliffs.
- 4.37. The relief sought in this submission seeks to achieve the above by establishing a planning framework for Kauri Cliffs that is:
- › Compatible with the unique character and special values of the property;
 - › Consistent with WBF's strategy for future development; and
 - › Supported by mana whenua and the consent authority.

The Operative Far North District Plan

- 4.38. Under the operative Far North District Plan 2009 ("**ODP**"), Kauri Cliffs is subject to the following zones and overlays.
- 4.38.1. The General Coastal Zone and an Outstanding Character overlay apply to the coastal margins of the property.
- 4.38.2. The Special Purpose Zone - Kauri Cliffs ("**KCZ**") applies to the golf course and future golf course areas, the Lodge, future residential areas and to the area of covenanted indigenous forest. The KCZ consists of four subzones, the Lodge subzone, Golf Playing subzone, Golf Living subzone and Natural Heritage subzone.
- 4.38.3. The Rural Production Zone ("**RPROZ**") has the largest spatial extent. It covers the areas north, south and west (inland) from the KCZ and General Coastal Zone.

WBF feedback on draft District Plan provisions

- 4.39. WBF lodged feedback on draft KCZ and Coastal Environment provisions released by Council in 2018 and 2021. The main changes WBF proposed are described below.

- 4.40. WBF noted its concerns that the draft Coastal Environment provisions failed to recognise the well-established, substantial development at Kauri Cliffs (e.g., Lodge, visitor accommodation, golf course) and the resultant highly modified landscape character.
- 4.41. Consequently, WBF's feedback was that the most appropriate planning approach is for the KCZ provisions to prevail over the more generalised approach taken in the Coastal Environment provisions. This position recognises the role of the KCZ as a Special Purpose Zone that responds to the specific circumstances of the property, including the anticipated development. The non-specific, district-wide Coastal Environment provisions have no regard to Kauri Cliffs unique circumstances. Conferring primacy to generic Coastal Environment provisions would undermine the special purposes of, and obstruct the orderly and planned outcomes provided for by, the KCZ.
- 4.42. WBF's feedback noted that various visitor and function activities, repair and maintenance activities and future residential development need to be recognised in the KCZ policies and rules. This amendment would reflect recent resource consents granted and clarify the ongoing intent for residential development in the Golf Living subzone.
- 4.43. WBF observed that the Coastal Environment provisions should permit lawfully established pest management, recreational and farming activities at Kauri Cliffs, lest these be inappropriately required to obtain additional unnecessary resource consents.
- 4.44. WBF also suggested the addition of a policy based on Operative Plan Policy 18.7.4.9 (below). The intent of this is to recognise that neighbouring activities may affect the environmental values present in the KCZ.

18.7.4.9 That land adjacent to the Kauri Cliffs Zone be developed and managed in accordance with the relevant zone controls of the District Plan to ensure that the high environmental values of the Kauri Cliffs Zone are maintained and enhanced.

- 4.45. The Council's response to this feedback is recorded at section 4.3.1 of the KCZ s32 report. The response to WBF's feedback on the draft Plan is:
- 4.45.1. WBF did not sufficiently justify an exemption from district-wide Coastal Environment provisions and those provisions are expressly meant to prevail over underlying zones. This is now stated in a note above the KCZ rule table, which says "District-Wide rules may be more stringent than the rules in this chapter".
- 4.45.2. Council does not support WBF's proposal to carry over policy 18.7.4.9 of the ODP. Council's view, given in the KCZ s32 report, is that it is "...deemed inappropriate for the zone to manage activities outside of the area to which it relates given that the activity is not considered to be regionally or nationally significant". Council

considers that adverse effects on Kauri Cliffs that are generated by activities in other zones on adjoining land can be managed by the provisions of the other zone(s).

4.45.3. While the KCZ s32 report does not comment on the matter, PDP Rule KCZ-R10 permits “conservation activities”, which include planting and pest control. This outcome is compatible with WBF’s suggestion to permit these activities.

Kauri Cliffs under the Proposed Plan

4.46. The KCZ provisions have mostly been translated from the ODP with reformatting to meet the National Planning Standards, but minimal other change.

4.47. The Proposed Plan maintains the KCZ as the principal planning instrument regulating the unique golf, tourism, hospitality and accommodation and future residential activities at Kauri Cliffs. The rationale for this is indirectly recognised in Section 2.1 of the KCZ s32 report, which observes with respect to Special Purpose Zones generally that:

“Special Areas are locations where detailed site assessment and development have been completed by way of a resource consent, development plan, structure plan or master plan to result in outcomes for the area, managed by way of area specific objectives, policies and methods. Each Special Area is unique, with individual circumstances, site constraints, surrounding environment, resource management issues and development potential”.

4.48. The Proposed Plan’s maps maintain the ODP’s spatial layout of the Lodge, Golf Playing, Golf Living and Natural Heritage subzones. (The Natural Heritage subzone applies to the covenanted forest area described earlier and shown in Figure 18).

4.49. The Proposed Plan deletes the General Coastal Zone from the eastern coastal edge of Kauri Cliffs and replaces it with the RPROZ.

4.50. The Proposed Plan continues to apply the RPROZ to the balance of the property not in the KCZ.

4.51. The Proposed Plan deletes the Outstanding Character overlay that applies under the ODP to the coastal margins of Kauri Cliffs. It introduces a High Natural Character (“**HNC**”) overlay that encompasses the area within the ODP Outstanding Character overlay plus additional areas further inland.

4.52. The Proposed Plan introduces an Outstanding Natural Character overlay (“**ONC80**”) to the Totara Forest. This is a new control over the Totara Forest.

WBF's main submission points

4.53. WBF's main submission points are summarised here. WBF's detailed reasons for the relief sought are set out below and, in the table, provided at Annexure A to this submission.

4.53.1. WBF supports the continued application of a Special Purpose Zone to the property.

4.53.2. WBF seeks amendments of the subzone boundaries. It proposes to:

4.53.2.1. Delete the Golf Playing and Golf Living subzones from land adjacent to the Lodge subzone and replace it with the Lodge subzone. This increases the extent of the Lodge subzone from 8 to 25.8 hectares (see Figures 23 and 24).

4.53.2.2. Delete the RPROZ from 21.5 hectares at the north of the property and replace it with the Golf Living subzone. However, 10.15 hectares nearby to the south-east is removed from the Golf Playing subzone and added to the RPROZ. The net effect would be an 11.36-hectare reduction to the RPROZ extent at Kauri Cliffs from 1,346 hectares to 1334.6 hectares (see Figures 25, 26 and 27).

4.53.2.3. Reconfigure the Golf Living and Golf Playing subzones. The upshot is that the Golf Living subzone reduces from 282.7 hectares to 122.4 hectares and the Golf Playing subzone increases from 707.7 hectares to 861.6 hectares.

4.54. Table 1 summarises WBF's proposed changes to the extent of each zone.

Table 1: WBF proposed rezoning extents.

Zone	Proposed Plan (ha)	WBF proposal (ha)	Net outcome (ha)
Lodge subzone	8	25.8	+17.8
Golf Playing subzone	707.7	861.6	+153.9
Golf Living subzone	282.7	122.4	-160.3
Natural Heritage subzone	13.8	13.8	No change.

Zone	Proposed Plan (ha)	WBF proposal (ha)	Net outcome (ha)
Rural Production Zone	1,346	1,334.6	-11.36

4.54.1. WBF seeks amendments to the Proposed Plan’s KCZ objectives, policies and rules. The relief sought would reflect developments completed since the ODP was made operative in 2009. They would also provide for delivery of a master planned premium residential development, and upgrades/redevelopment in the Lodge environs and further afield (such as the rather dated staff accommodation facilities).

4.54.2. WBF opposes, and seeks deletion of, the ONC80 that the Proposed Plan applies to the Totara Forest.

4.54.3. WBF continues to oppose the application of restrictive Coastal Environment provisions to areas specifically zoned for development. WBF seeks amendments to ensure that the Lodge, Golf Playing and Golf Living subzones provisions prevail in the event of conflict with the proposed Coastal Environment provisions.

Special Purpose Zone – Kauri Cliffs - reconfiguration

4.55. WBF supports the continued application of the KCZ to the Kauri Cliffs. This is appropriate given the unique character, environment and resource management issues at Kauri Cliffs. In WBF’s view, Chapter 18.7 of the ODP sums up the rationale for a Kauri Cliffs-specific control well where it says:

“The Kauri Cliffs development is unique in the District and has requirements that would not be ideally accommodated by the normal provisions of the District Plan, partly because the Kauri Cliffs development area would fall within two or more zones. Consequently it is considered that the continued operation and development of the Kauri Cliffs development is best managed and enabled by applying a “special zone” within the District Plan... The controls within the District Plan are necessarily wide-ranging and based around broad land use categories, such as rural, urban and coastal environments. The Recreational Activities and Conservation Zones have been specifically directed towards reserve lands held in public ownership. None of these zones directly addresses the resource management issues that apply to a special “single focus” facility that is unique both within the district and nationally” (underlining added).

4.56. However, notwithstanding its support for the general principle of a Special Purposes Zone, WBF considers that the world-class master planned outcome it wishes to deliver at Kauri Cliffs cannot be realised with the current zone configuration.

- 4.57. WBF is developing a master plan to integrate the next stage of Kauri Cliffs development into the existing physical context of dramatic rural and coastal landscape values, prominent areas of remnant and restored indigenous vegetation, the agricultural operations of the farm, while maintaining options for a golf course extension. The master plan will also need to balance the differing activities and levels of service offered at the Lodge and its ancillary facilities.
- 4.58. WBF's objectives for the property require the zoning configuration shown under the Proposed Plan to be amended. The upshot of the relief sought is set out in Table 1.

Lodge subzone

- 4.59. The Lodge subzone is located centrally and covers approximately 8 hectares. It is developed with the Lodge, eight of the Guest Cottages, the Spa, tennis courts, guest and staff parking areas, supporting services and infrastructure. The Lodge subzone is mostly surrounded by the Golf Playing subzone, with a boundary to the Golf Living subzone to the north-west.

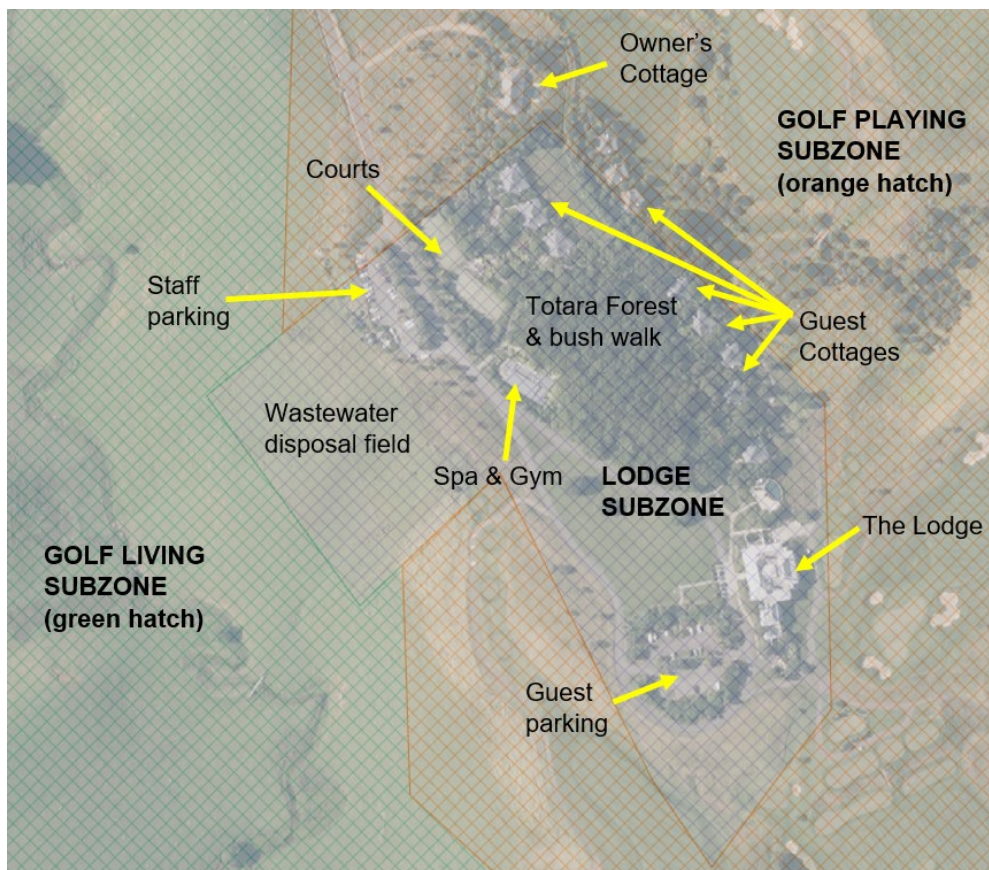


Figure 21: Lodge subzone (Proposed Plan extent shown).

- 4.60. A review of the Lodge’s operations and functionality has revealed a shortage of space to distinguish between service offerings. The amenity of the premium guest experience is reduced by overlaps with staff and casual visitor activities. The downstairs golf pro shop, and the pool and gym offerings at the Spa are too compressed to meet contemporary expectations and cope with demand induced by future residential development.
- 4.61. Furthermore, the onset of future residential development elsewhere at Kauri Cliffs will require a step-change in the hospitality offering provided in the Lodge subzone. At present the Lodge and its ancillary facilities only need to cater to demand from guests and visitors. The future development of up to 60 residential lots will require the Lodge “hub” to meet the additional demand for services generated by future residents who may reside onsite for long periods if not permanently.
- 4.62. An additional complexity is present in the form of a 16-lot subdivision consented in 2017 over an area north of the Owner’s Cottage (the “**2017 subdivision**”). The 2017 subdivision works have progressed significantly, with roading, services and extensive indigenous replanting completed. However, it has become clear that residential development of the higher lots adjoining Kauri Cliffs Drive would impede WBF’s objectives for the guest entry experience at Kauri Cliffs. The development of houses at the eastern side of Kauri Cliffs Drive would reduce the visitor’s first experience, which is to be greeted with a dramatic coastal view from this part of Kauri Cliffs Drive.

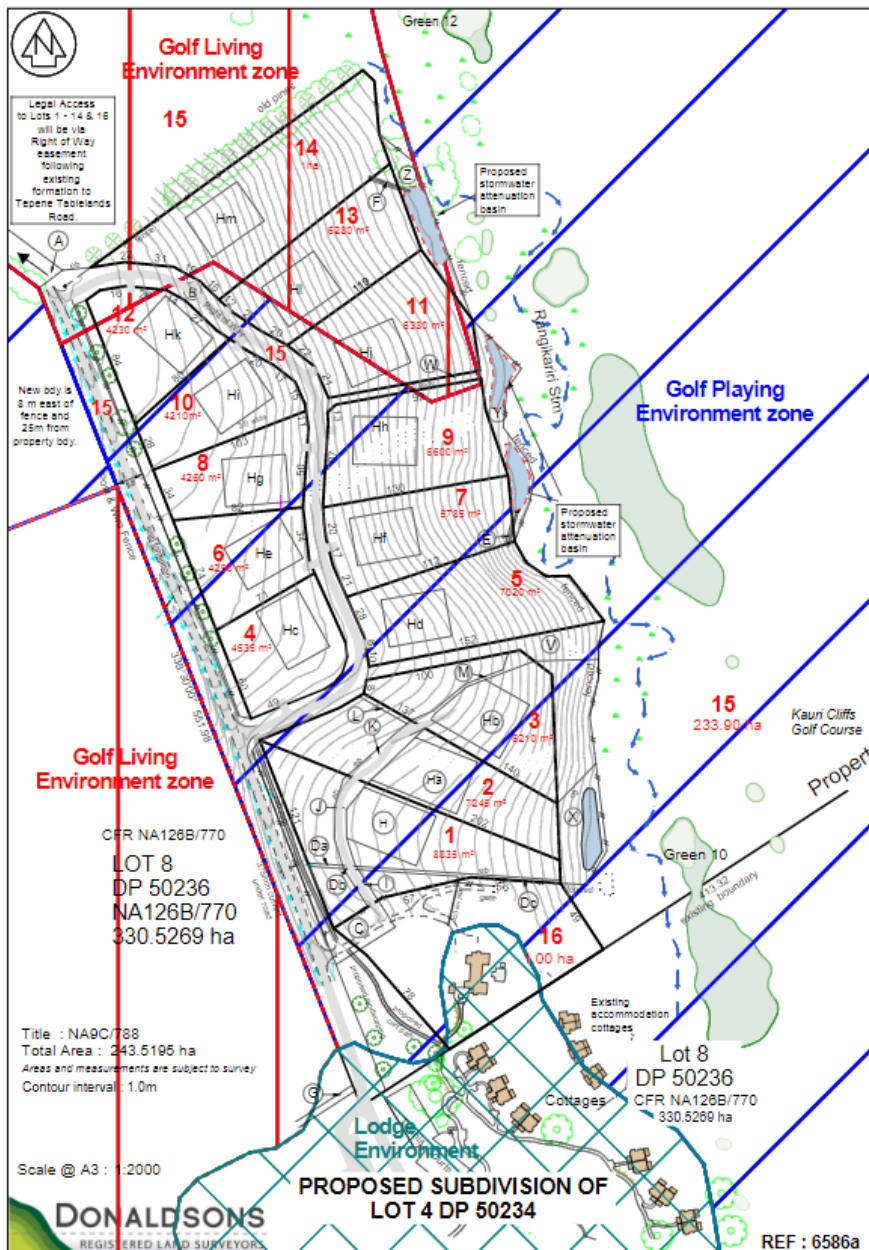


Figure 22: 2017 subdivision.

- 4.63. WBF proposes to resolve the above issues by enlarging the Lodge subzone to the north and south, from 8 hectares to approximately 25.8 hectares. This enlargement will enable:
- 4.63.1. Decanting and rationalisation of the Lodge and Spa.
 - 4.63.2. Construction of a standalone combined golf pro shop and food and beverage offering near the Lodge.
 - 4.63.3. Retention of the superlative entry vista from Kauri Cliffs Drive.

4.63.4. Potential development of a new visitor accommodation offering north of the current Residences, in the area of the 2017 subdivision.

4.63.5. Rationalisation of the currently constrained vehicle circulation and parking areas and the development of children’s play facilities.

4.64. Three visitor accommodation units currently in the Golf Playing subzone to more appropriately be included in the Lodge subzone.

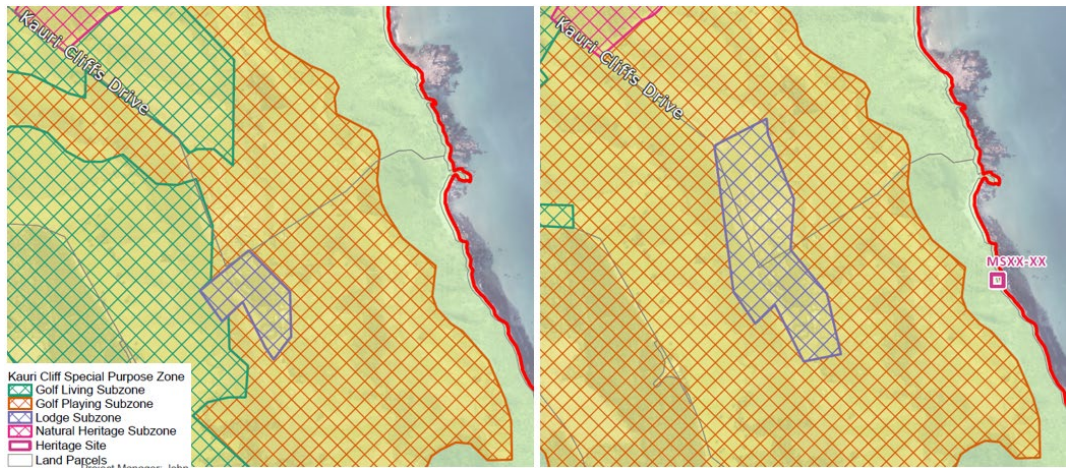


Figure 23: Proposed Plan (left) and WBF proposed Lodge subzone configuration.

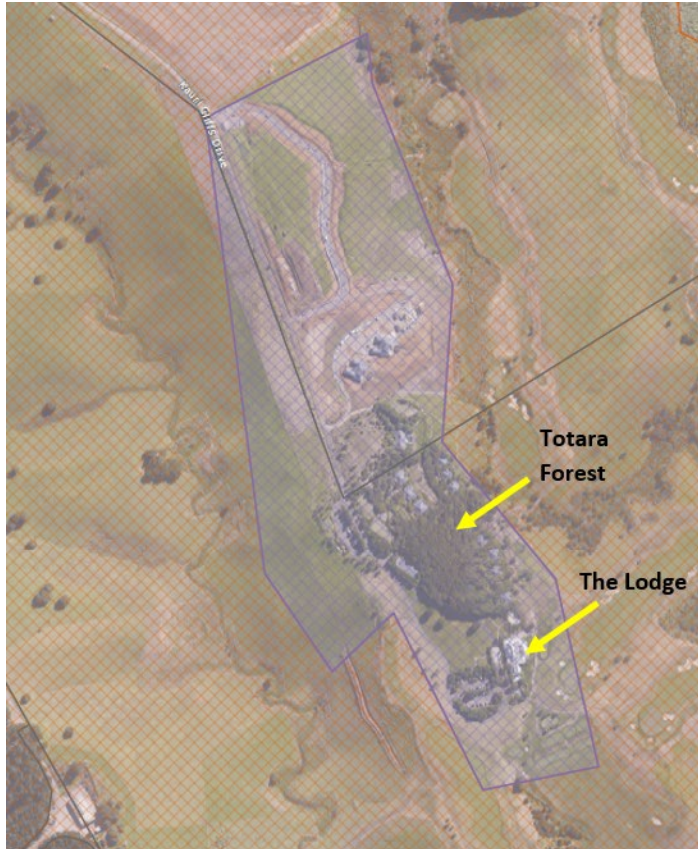


Figure 24: WBF proposed Lodge subzone configuration (expanded).

- 4.65. Enlargement of the Lodge subzone as sought will require 17.8 hectares of land currently in the Golf Playing and Golf Living subzones to be rezoned. The portion of this that is in the Golf Playing subzone is unsuitable for golf development and the 2017 subdivision consent confirmed its development for non-golf playing purposes. Consequently, the Golf Playing subzone is now irrelevant to this area. When the subdivision is completed, the area could be developed for housing.

- 4.66. WBF now intends to moderate development of the 2017 subdivision. WBF considers a lower density visitor accommodation development, with additional indigenous landscaping established along the side of Kauri Cliffs Drive is a more appropriate outcome that will better support its vision for the visitor entry to the property. As such, it is clear that reverting to golfing would fit uncomfortably with the outcomes now intended for the 2017 subdivision area.

- 4.67. It is appropriate to rezone the two small portions of Golf Living subzone because this land is superfluous to residential development. The premium residential outcome that WBF intends to deliver would be difficult to achieve in these small, compromised areas. These parts of the Golf Living subzone are proximate to farming and golfing activities. The area west of Kauri Cliffs Drive has sub-optimal solar orientation and is more appropriate to

consider for options like (a combination of) a modest orchard, outdoor dining area, children’s play area, ecological regeneration or continued grazing. Development of the portion of Golf Living subzone in the 2017 subdivision footprint would undesirably reduce entry views from Kauri Cliffs Drive, as described earlier.

Golf Living subzone

Southern extent of the Golf Living subzone

- 4.68. WBF has identified the areas of the Golf Living subzone directly west and southwest of the Lodge as inappropriate for premium residential development. The amenity of dwellings in this area would be affected by the activities associated with the existing helipad and adjacent golf maintenance workshop, as well as by the future processing of the nearby forestry blocks. Furthermore, dwellings in this area would interface closely with the first golf tee, which could compromise both residential amenity and the quality of the golf experience.
- 4.69. As residential development is not proposed by WBF in this portion of the Golf Living subzone, WBF seeks that it be rezoned to the Golf Living subzone. The rezoning WBF seeks is indicated below and shown in full page format at Annexure B to this submission.
- 4.70. The area sought to be rezoned to Golf Playing subzone is being investigated for additional golf course development. The area has an existing interface with the Golf Playing subzone and golf is less sensitive to the effects of activities at the helipad and workshop, nearby farming or future forestry block processing. In the alternative to golf, other low-impact uses may be appropriate, or else the existing farming activities could continue.

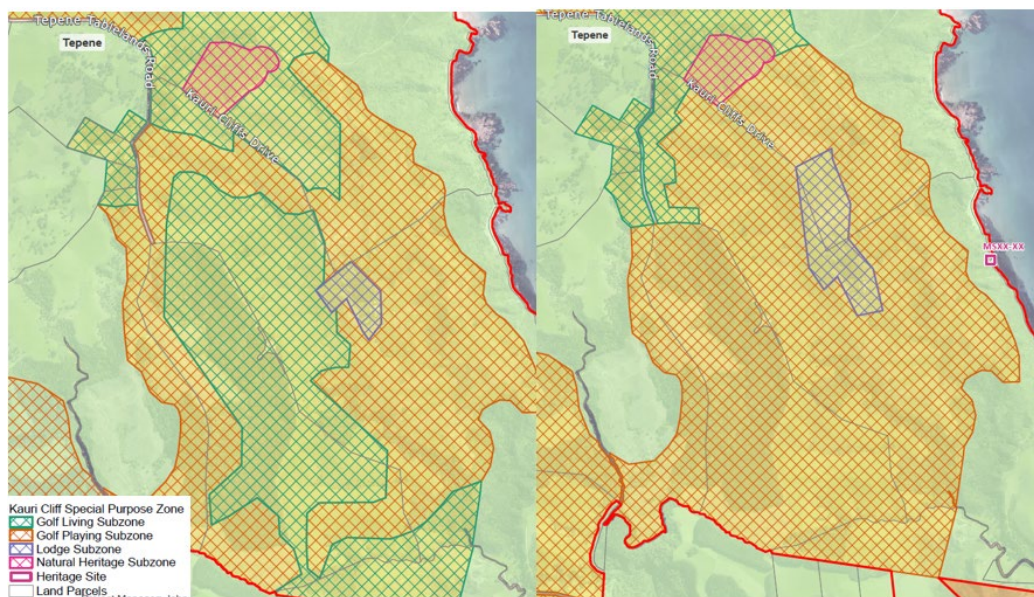


Figure 25: Proposed Plan (left) and WBF’s proposed subzone configuration at south.

Golf Living subzone near Tepene Tablelands Road – Kauri Cliffs Drive intersection.

- 4.71. WBF’s master plan development process to date has identified an area of current Golf Living subzone and Golf Playing subzone situated near the Tepene Tablelands Road / Kauri Cliffs Drive intersection as a suitable location for a modest amount of low-density residential development.
- 4.72. The area is well removed from existing golf course activities (or any area of future golf course extension) and the Lodge but is close to Tepene Tablelands Road. It also benefits from the presence (when viewed from the south or east) of a backdrop of mature vegetation. The area is currently used for grazing, but no significant agricultural infrastructure is located here. It is not an area of Land Use Capability classes 1 – 3.
- 4.73. WBF proposes to rezone the portion of this area currently in the Golf Playing subzone to Golf Living subzone, to facilitate future premium residential development of approximately 10 – 12 dwellings.



Figure 26: Proposed Plan (left) and WBF’s proposed subzone configuration near Tepene Tablelands Road – Kauri Cliffs Drive intersection.

Golf Living subzone at north

- 4.74. WBF’s master plan development process to date has identified the northern area of Kauri Cliffs, east of Tepene Tablelands Road and Matauri Bay Road (“**Northern Plateau**”) as the focus of future premium residential development options. The area in question is subject to the Golf Living and Golf Playing subzones, and the RPROZ under the Proposed Plan.
- 4.75. WBF seeks a reconfigured zone arrangement in this area to rationalise the layout of the Golf Playing subzone relative to the identified future residential development node, and to include 21.5 hectares of RPROZ land in the Golf Living subzone. Allowance is made for a 50 m wide access corridor from Matauri Bay Road to the northern extent of the Northern

Plateau. This provides an alternative, appropriately zoned access route if it proves undesirable or inappropriate to provide access from the south within the property.

4.76. WBF's proposed rezoning configuration in this area would rezone approximately 10.15 hectares of land in the Golf Playing subzone to the RPROZ. The relief sought by WBF therefore would see a net reduction of the RPROZ by 11.36 hectares.

4.77. The layout sought is indicated below and in detail in Annexure B to this submission.

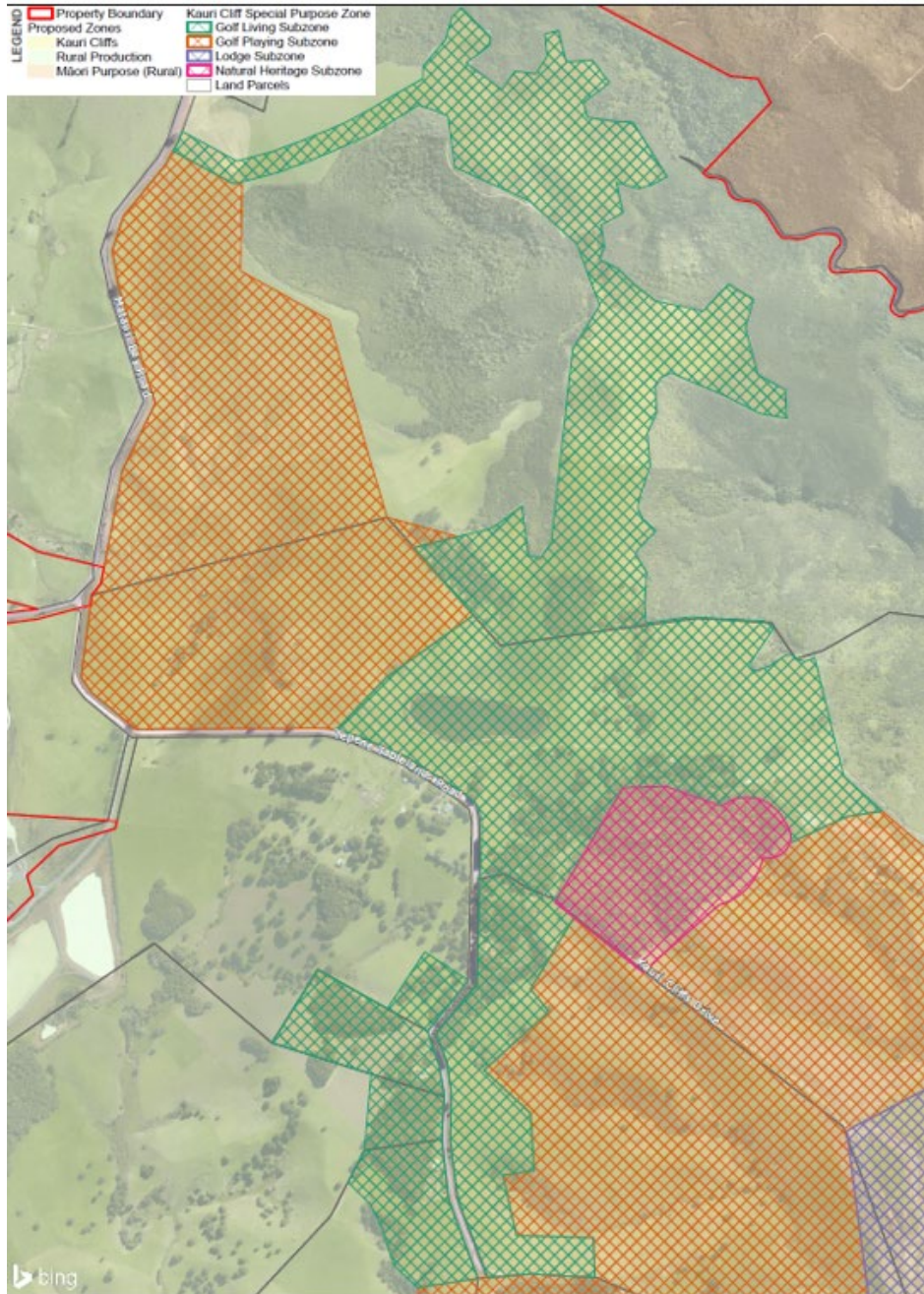


Figure 27: WBF's proposed subzone configuration.

- 4.78. As the preceding figures (extracted from the full-format maps at Annexure B) and Table 1 show, the upshot of the reconfigured zoning sought by WBF is a significant (around 55%) reduction of the area of the Golf Living subzone, reflected by an increased extent of the Golf Playing subzone. The requested addition of around 17.8 hectares to the Lodge subzone enlarges the subzone by some 55%. This is modest in the context of the overall 2,500-hectare area of the property and notably, incorporates the approximately 9.5-hectare area already set aside under the 2017 subdivision².
- 4.79. In WBF's view, the rezoning necessitates revision of the KCZ provisions. Maintaining the ODP provisions would be inefficient in the light of future master planned development and will not give stakeholders and WBF the requisite certainty about the development and environmental outcomes to be realised.
- 4.80. Consequently, **Annexure A** to this submission provides detailed amendments to the KCZ and subdivision provisions of the Proposed Plan. Briefly, the amendments are as follows:
- 4.80.1. Provide general, and subzone-specific objectives and policies to guide the design and assessment of future resource consent applications for development in the KCZ generally and with the addition of focussed policies for each KCZ subzone.
- 4.80.2. Retain the ODP framework of a restricted discretionary, non-notified consenting pathway for the subdivision of land in the Golf Playing subzone to create up to 60 residential lots but introduce updated assessment criteria that are more compatible with contemporary resource management practice than those of the ODP.

Rural Production Zone

- 4.81. WBF is generally supportive of the RPROZ provisions of the Proposed Plan. It notes the focus of the RPROZ objectives and policies is on enabling primary production activities and reducing the potential for reverse sensitivity effects to arise. This focus is consistent with the farming activity undertaken at most of Kauri Cliffs.
- 4.82. WBF notes that management of the interface between future residential development in the Golf Living subzone and the adjacent RPROZ will be an important design consideration for a master planned residential development in the Golf Living subzone. WBF is confident that ongoing master plan development and refinement will ensure an appropriate outcome in this regard.

² Excluding the 233.9-hectare balance Lot 15 created by the 2017 subdivision.

- 4.83. WBF’s proposed zoning configuration discussed earlier in this submission produces limited intersections between the RPROZ and Golf Living subzone boundaries. With regard to the intersections that would arise, many are between the Golf Living subzone boundary and areas of indigenous vegetation in the RPROZ that are not proposed to be used for farming (and would require resource consent for indigenous vegetation clearance to be so used).
- 4.84. WBF provides onsite staff accommodation for employees of the farm, in dwellings located in the RPROZ. Its submission therefore seeks to introduce a clear allowance for the use and development of farm staff accommodation in the RPROZ.
- 4.85. WBF otherwise notes that the recent introduction of the National Policy Statement for Highly Productive Land 2022 (“**NPS-HPL**”) will require amendments to some of the RPROZ provisions (and associated provisions of the Proposed Plan) to reconcile with the NPS-HPL.

Coastal Environment provisions

- 4.86. WBF opposes the application of the Coastal Environment provisions to the Lodge subzone, Golf Living subzone and Golf Playing subzone. The Lodge and Golf Living subzones are, or are zoned and anticipated to be, developed with numerous buildings, including the large existing Lodge.
- 4.87. WBF’s view about this matter remains as expressed in its 2021 feedback on the Draft Plan. The Coastal Environment provisions are incompatible with, and will unreasonably forestall the realisation of, the planned and anticipated development outcomes for Kauri Cliffs that are embedded in the KCZ. These outcomes include, for example, Policy 18.7.4.5 of the ODP which enables tourist and golf-related activities associated with the Lodge, and Policy 18.7.4.6, which provides for residential development in parts of the KCZ that are more than 0.5 km inland. Both of these have been included in the Proposed Plan unchanged, as policies KCZ-P5 and KCZ-P6 respectively.
- 4.88. The KCZ is a Special Purpose Zone which anticipates a premium development response that integrates into the unique character and features of Kauri Cliffs. The Golf Living subzone establishes a restricted discretionary consenting pathway for a master planned subdivision design, with subsequent dwelling construction on approved building envelopes enabled as a permitted activity. The permitted pathway for such dwellings is contingent on compliance with a maximum building height of 9 metres. This would enable a two-storey building with generous floor-to-ceiling heights, inviting a premier architectural response.
- 4.89. The Proposed Plan’s permitted height limit of 5 metres in the Coastal Environment, which defaults to a discretionary consenting pathway (Rule CE-R1 PER-4) for breaches, in tandem

with the addition of a 25 m² maximum permitted gross floor area (Rule CE-R1 PER-2(2)), extinguishes any expectations for a well-defined and certain consenting pathway for development in those parts of the Golf Living subzone that the Proposed Plan also includes in the Coastal Environment provisions. This is despite the fact that all of the Golf Living subzone is well over 0.5 km inland from the coast, consistent with Policy 18.7.4.6 of the ODP / KCZ-P6 of the Proposed Plan.

- 4.90. The Lodge subzone is wholly within the Coastal Environment line and the above-mentioned Coastal Environment height and floor area rules and discretionary consenting pathway is equally inappropriate for the Lodge subzone. WBF considers that consolidating services and infrastructure for guests and future residents into this subzone, along with existing and upgraded or new golfing facilities, visitor accommodation and hospitality and tourism activities will likely deliver the most appropriate response to the site's character. The alternative approach would be to disperse buildings throughout the adjacent Golf Playing subzone. That would, in WBF's view, likely produce a disconnected built form outcome that is less sympathetic to the character and values of the coastal environment.
- 4.91. As noted previously, the advent of residential development at Kauri Cliffs will generate a need for upgraded and new facilities to cater to residents. In WBF's view, the highly restrictive Coastal Environment provisions do not appropriately recognise or provide for this. Their conservative settings (a 5 m permitted height limit and 25 m² permitted GFA – Rule CE-R1) are likely to introduce significant uncertainty into what could otherwise be a transparent and straightforward assessment and consenting process.
- 4.92. WBF's concerns about the built form controls of the Coastal Environment provisions are less marked with respect to the Golf Playing subzone. The Coastal Environment earthworks provisions are, however, of note with respect to the Golf Playing subzone, as an area where future contouring of the golf course may require earthworks.
- 4.93. Earthworks "or" indigenous vegetation clearance outside outstanding or High Natural Character areas are provided for by standard CE-S3(3) with a meagre 400 m² allowance over 10 years (i.e., 40 m² per year). A breach of this allowance would fall to be assessed as a non-complying activity under Rule CE-R3. These onerous Coastal Environment limits are despite (and in stark contrast with) the permitted allowance for earthworks associated with sport and recreation activity in the KCZ up to a yearly maximum of 5,000 m³ and 2,500 m², under Rule EW-R9 and standard EW-S1.
- 4.94. In a HNC area, Rule CE-R3 and standard CE-S3(2) combine to apply a permitted allowance of earthworks "or" indigenous vegetation clearance that must "not exceed a total area of 50 m² for 10 years from the notification of the District Plan". A breach of this standard defaults to a non-complying activity status. In short, earthworks conducted over 10 years

that cumulatively exceed a 50m-long, 1m-wide strip in a HNC area will require a non-complying resource consent.

- 4.95. WBF will provide guest and future residents with walking and cycling paths around Kauri Cliffs. Earthworks to construct these paths will intersect areas of HNC and easily exceed the 50 m² permitted allowance. Therefore, the proposed highly restrictive non-complying consenting pathway that will arise is of concern to WBF.
- 4.96. The imposition of a generic rule of this nature is, in WBF's view, a further oversight with respect to the unique outcomes that are the principal reason for using Special Purpose Zones in the first place.
- 4.97. WBF intends to deliver a comprehensively master planned residential community and Lodge activity node that optimises future residents' and guests' ability to enjoy Kauri Cliffs unique natural areas and landscapes. In doing so, WBF will maintain its long-standing record of environmental stewardship, which contributes a significant component of the world-class amenity the property is known for.
- 4.98. On that basis, WBF opposes the rule framework for modest proposals in HNC areas at Kauri Cliffs. The proposed rules disregard wider strategic outcomes and will introduce significant, unnecessary uncertainty or complexity to the delivery of services and features expected of a premium comprehensively master planned residential community.
- 4.99. It is WBF's view that it would be more appropriate for the Coastal Environment and HNC provisions of the Proposed Plan to recognise and provide for the role of Lodge subzone as Kauri Cliffs' accommodation, tourism and hospitality hub and also recognise the zoned residential development allowance in areas of the Golf Living subzone that overlap with the Coastal Environment. It is also appropriate for the Proposed Plan to recognise and provide for earthworks and indigenous vegetation clearance to enable low impact activities in areas of natural character with a consenting pathway that does not default to a non-complying activity status. These outcomes could be achieved by exempting the KCZ from the Coastal Environment and HNC rules such as CE-R1 and CE-R3 in a similar fashion to the exemption for the and Orongo Bay Zone at Rule CE-S1, for example.

Outstanding Natural Character provisions

- 4.100. The Proposed Plan applies the ONC80 layer to the Totara Forest. The ONC80 layer is shown with green hatching in Figure 28 below.
- 4.101. The application of the ONC80 to the Totara Forest produces a highly restrictive planning framework for any proposed activities, for example:

4.101.1. Policy CE-P2 requires all adverse effects (no matter how negligible, or whether offset by a net positive effect) to be avoided, which heavily restricts development.

4.101.2. Rule CE-R1 PER-2(1) requires a non-complying resource consent for all new buildings and structures, and/or extensions/alterations to existing buildings or structures. This would appear to apply to (for example) the renewal of seating, paths and lighting structures in the Totara Forest.

4.101.3. Rule CE-R3 PER-2, in conjunction with standard CE-S3, requires a non-complying resource consent for any earthworks or indigenous vegetation clearance in the ONC80.



Figure 28: Proposed Plan ONC80 layer.

4.102. The natural character assessment criteria specified in Appendix 1 (Mapping methods and criteria) of the Proposed Plan include as a guide that:

“Outstanding natural character generally means entirely natural (such as near to pristine indigenous land cover, negligible human features e.g. buildings, structures, paved surfaces, roading or vehicle tracks) and a very strong experience of naturalness”.

- 4.103. The area in ONC80 is considerably modified by gravel and concrete walking paths (the “bush walk”) forming a loop between the Lodge, Spa, tennis courts and past the Guest Cottages. The “experience of naturalness” within the proposed ONC80 area is limited visually and acoustically by the manicured character of the pathways, planted indigenous landscaping and the presence of buildings and the internal road network to the Lodge directly abutting the Totara Forest. The pathways are lit during the evenings, to provide safe walking between the Spa, Guest Cottages and Lodge.
- 4.104. The proposed ONC80 area does not have “near to pristine indigenous land cover”. Numerous “human features” within and directly abutting the area present clearly apparent visual and acoustic modifications that cannot be described as “negligible”. While the Totara Forest is undoubtedly a pleasant area that provides amenity for guests and visitors to Kauri Cliffs, it does not provide a “very strong experience of naturalness”.
- 4.105. On this basis WBF opposes the application of the ONC80. The features and characteristics of the Totara Forest are not consistent with the assessment criteria stated in Appendix 1 of the Proposed Plan for areas of ‘Outstanding Natural Character’. The non-complying activity status for activities to maintain the area’s amenity is unreasonable and onerous.

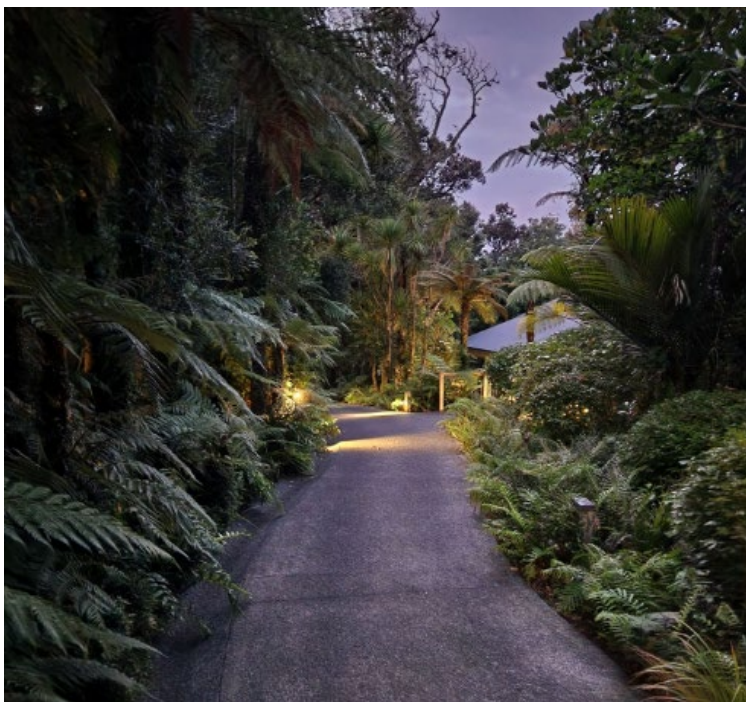


Figure 29: Guest Cottages and concrete paths adjoining the Totara Forest.



Figure 30: Gravel paths and lighting along the bush walk in the Totara Forest.

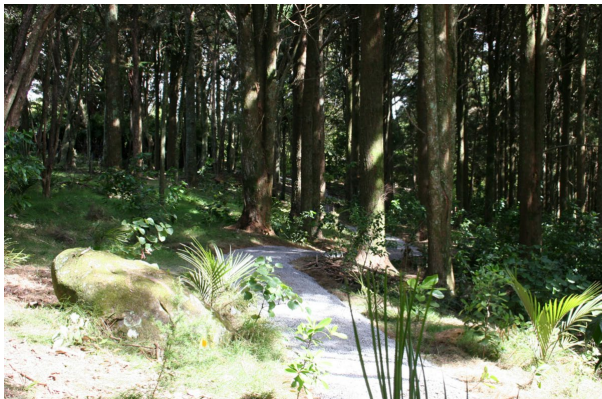


Figure 31: Early stages of landscaping the bush walk in the Totara Forest.



Figure 32: Established native landscaping and seating in the Totara Forest.

High Natural Character provisions

- 4.106. WBF opposes the proposed High Natural Character provisions as these would generate an onerous resource management framework, particularly given the meagre allowances for earthworks. Earthworks in a HNC area that exceed 50 m² over 10 years default to an onerous non-complying activity status via Rule CE-R3 PER-2 and standard CE-S3(2).
- 4.107. Kauri Cliffs contains extensive HNC areas that contain, or are proposed to be developed with, a modest trail network. This network is intended as a low-impact amenity for guests and visitors to experience the unique views and environment at Kauri Cliffs. A non-complying consenting pathway for such activities is, in WBF's view, unduly conservative, particularly given the purposes of the KCZ.

Sites and Areas of Significance to Māori

- 4.108. With the agreement of Ngāti Rehia mana whenua, WBF seeks that the Piakoa wāhi tapu site described earlier (and detailed in the New Zealand Heritage List citation attached to this submission) be recorded in Schedule 3 (Sites and Areas of Significance to Māori) of the Proposed Plan.
- 4.109. As noted on the website of Heritage New Zealand Pouhere Taonga, the entry of a site onto the New Zealand Heritage List does not confer statutory protection³. The Proposed Plan will provide an appropriate statutory method to protect the site.
- 4.110. Aside from the specific relief sought above with respect to the Piakoa wāhi tapu site, WBF advises that it has canvassed its future intentions for a master planned residential development at a broad level with kaumatua of Ngāti Kura and Ngāti Rehia hapū.
- 4.111. WBF greatly appreciates the positive relationship that has developed over time with mana whenua. It values the efforts of kaumatua in providing kaupapa about the cultural heritage values of the property, as well in respect of projects on the property, some of which are complete, others which are underway or are moving through planning and design phases. Discussions with mana whenua to date informed the configuration of the rezoning sought by WBF, as well as the relief sought in terms of subdivision rules to enable a mix of residential densities rather than the homogenous 0.4-hectare density required by the Proposed Plan (Rule SUB-R3).

³ < <https://www.heritage.org.nz/the-list/about-the-list> >.

Conclusion

4.112. WBF considers that in the absence of amendments to the Proposed Plan to address and give effect to the submission points above and set out in **Annexure A**:

4.112.1. The Proposed Plan will not promote the sustainable management or efficient use and development of natural and physical resources;

4.112.2. The Proposed Plan is not the most appropriate way to achieve the purpose of the RMA, particularly when having regard to the efficiency and effectiveness of the provisions relative to other means;

4.112.3. The Proposed Plan does not appropriately fulfil the requirements of section 32 of the RMA, particularly in terms of evaluation the costs of implementing the provisions under section 32(2)(a); and

4.112.4. The Proposed Plan does not represent sound resource management practice particularly with respect to planning for Kauri Cliffs as an area zoned for special purposes.

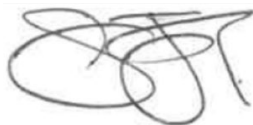
5. WBF seeks the following decision from the local authority:

5.1. That the submission points contained in Section 4 above and **Annexure A** which is attached to, and forms part of this submission be accepted, or that the Proposed Plan be amended in a similar or such other way as may be appropriate to address WBF's submission points; and

5.2. Any alternative, consequential changes, amendments or decisions that may be required to give effect to the matters raised in WBF's submission.

6. WBF wishes to be heard in support of its submission.

7. If others make a similar submission, WBF will consider presenting a joint case with them at a hearing.



Signature: Steve Tuck, on behalf of WBF

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ANNEXURE A

Table of Submission Points

Provision	Position	Reason	Relief Sought
Part 1 – Introduction and General Provisions			
Definitions			
<p>Highly Productive Land means land that is, or has the potential to be, highly productive for farming activities. It includes versatile soils and Land Use Capability Class 4 land and other Land Use Capability Classes Land Use Capability, or has the potential to be, highly productive having regard to:</p> <ul style="list-style-type: none"> a. Soil type; b. Physical characteristics; c. Climate conditions; and d. Water availability. 	Amend.	Superseded by National Policy Statement for Highly Productive Land 2022 (“NPS-HPL”).	<p>Revise definition to accord with the NPS-HPL as follows:</p> <p>Highly productive land has the same meaning as in the National Policy Statement for Highly Productive Land 2022.</p>
<p>Sport and Recreation Facility means any facility and associated structures used for organised sport, recreation activities, tournaments and sports education.</p> <p>It includes:</p> <ul style="list-style-type: none"> 1. parks; 2. playgrounds; 	Oppose.	<p>The resource consenting implications of the exclusion of “major sports facilities” from this definition are unclear, as the Proposed Plan does not define “Major sports facilities”.</p> <p>With respect to Kauri Cliffs golf course, Rule KCZ-R6 PER-3 appropriately permits recreational activities and facilities associated with golf.</p>	Delete the reference in this definition to “Major Sports Facilities”.

S463.001

S463.002

Provision	Position	Reason	Relief Sought
<p>3. sportsgrounds;</p> <p>It excludes:</p> <p>1. major sports facilities.</p>		<p>This would presumably permit the development of further golf-related facilities defined as a “Sport and Recreation Facility”.</p> <p>If, however, Council defined Kauri Cliffs golf course as a “Major sports facility” then the implications for consenting further golf course development are unknown.</p> <p>The matter does not appear to be discussed in the Overview, KCZ or Open Space and Recreation Zones s32 reports.</p>	
<p>Visitor Accommodation means land and/or buildings used for accommodating visitors, subject to a tariff being paid, and includes ancillary activities.</p>	Support.	<p>Kauri Cliffs includes visitor accommodation activities. WBF supports inclusion of a definition for this activity that aligns with the National Planning Standards 2019.</p>	<p>Retain this definition as notified.</p>
<p>Part 2 – District Wide Matters</p>			
<p>Strategic Direction</p>			
<p>SD-CP-04 Promotion of communities and places that will meet the needs for not only the present population but future generations which are adaptive to climate change.</p>	Oppose.	<p>The outcome sought by this objective is unclear due to the conflation of social and climate change considerations.</p> <p>It is not apparent how the reference to climate change adaptation is meant to</p>	<p>Delete, or amend to:</p> <ul style="list-style-type: none"> ➤ Clearly specify the outcome sought by this ‘Social Prosperity’ objective in a manner that is able to be implemented through the

S463.003

S463.004

Provision	Position	Reason	Relief Sought
		<p>be operationalised through policies and rules of the Plan and what weight this objective would be given in decision making.</p> <p>Therefore, the implications of the objective for resource consent applications are (unreasonably) uncertain.</p>	<p>Proposed Plan in resource consent decision making; and</p> <p>➤ Denote the objective prefix as “SP” rather than “CP”.</p>
SD-UFD-O2 Urban growth and development consolidated around existing reticulated networks within town centres, supporting a more compact urban form, affordability and providing for a mix of housing typologies.	Oppose.	<p>Certain Special Purpose Zones were specifically established beyond the urban zone extents to provide for unique developments not able to be realised by standard zones.</p> <p>If Council considers that residential and/or commercial activities in Special Purpose Zones does not constitute “urban growth and development”, this should be clarified. Otherwise, this policy may be incorrectly applied to development proposals in non-urban Special Purpose Zones.</p>	SD-UFD-O2 Urban growth and development <u>in the urban zones is</u> consolidated around existing reticulated networks within town centres, supporting a more compact urban form, affordability and providing for a mix of housing typologies.
New UFD objective	Support.	<p>In the KCZ s32 report Council outlines its reservations about retaining a provision like ODP policy 18.7.4.9.</p> <p>WBF continues to hold the view that given the significance of the various Special Purposes Zones to the Far North district, it is appropriate to</p>	<p>Insert a new UFD objective in the Strategic Direction chapter as follows:</p> <p><u>Activities on land adjoining a Special Purpose Zone are managed to have regard to, and avoid or mitigate potential adverse effects on, the</u></p>

S463.005

S463.006

Provision	Position	Reason	Relief Sought	
		<p>recognise the Special Purposes Zones in the Strategic Direction chapter.</p> <p>WBF proposes that policy guidance be included to address circumstances where a proposal on land adjoining a Special Purpose Zone may adversely affect the special values in, or functions of, the adjoining Special Purpose Zone.</p> <p>For want of a better option, the proposed policy is suggested to be added to the UFD policies of the Strategic Direction chapter, but WBF is open to alternative place in the chapter.</p>	<u>unique values or functions of the Special Purpose Zone.</u>	
SD-RE-01 Primary production activities are able to operate efficiently and effectively and the contribution they make to the economic and social well-being and prosperity of the district is recognised.	Support.	It is appropriate in WBF's view to prioritise primary production in the rural zones in the strategic directions.	Retain this objective as notified.	S463.007
SD-RE-02 Protection of highly productive land from inappropriate development to ensure its production potential for generations to come.	Oppose.	This proposed policy has been rendered redundant by the recent introduction of the NPS-HPL.	Delete this objective.	S463.008
SD-EP-05 The natural character of the coastal environment and outstanding natural features and landscapes are	Support.	This policy is considered appropriate in terms of the obligations stated at	Retain this objective as notified.	S463.009



Provision	Position	Reason	Relief Sought
managed to ensure their long-term protection for future generations.		policies 13 and 14 of the New Zealand Coastal Policy Statement.	
Energy, Infrastructure, and Transport			
<p>Overview</p> <p>The District relies on the safe and efficient delivery of infrastructure as it is integral to community economic and social well-being.</p> <p><i>[remainder of Overview not shown here].</i></p>	Support.	WBF supports recognition of the operational, functional and locational needs associated with, and public benefits of infrastructure provision and development.	Retain the Overview as notified.
I-O1 The District has safe, efficient and resilient infrastructure that services the current and future needs of people and communities in the district.	Support.	In WBF's view, with climate change effects becoming more pronounced, it is critical to provide infrastructure that embeds resilience and anticipates that the district's infrastructure needs may change over time.	Retain this objective as notified.
I-O4 Adverse effects of infrastructure are managed through the design and location of infrastructure to minimise adverse effects on areas with historical and cultural values, natural values, and coastal values.	Oppose.	The locational, operational and functional needs of infrastructure can preclude the avoidance of adverse effects. In WBF's view it is appropriate therefore to provide for the "management" rather than avoidance of potential effects.	Amend as follows: O4 Adverse effects of infrastructure are managed through <u>The design and location of infrastructure is managed</u> to minimise adverse effects on areas with historical and cultural values, natural values, and coastal values.

S463.010

S463.011

S463.012

Provision	Position	Reason	Relief Sought
		<p>However, the drafting of the objective is repetitive and therefore WBF suggests refinements.</p>	
<p>I-P2 In the coastal environment, manage the effects of the development, operation, maintenance and upgrading of infrastructure activities by:</p> <ul style="list-style-type: none"> a. avoiding adverse effects on the qualities and characteristics of significant natural areas, outstanding natural features or landscapes, areas of outstanding natural character; b. avoiding significant adverse effects on other natural features and landscapes, and areas of natural character; c. recognising the technical, operational and functional needs and constraints of infrastructure activities; and d. having regard to offsetting and environmental compensation measures where there are more than minor residual adverse effects 	<p>Support.</p>	<p>The drafting of this objective appropriately implements the directions of the New Zealand Coastal Policy Statement regarding natural features, landscapes and character, while also appropriately recognising the unique requirements of infrastructure at sub-clause (c).</p> <p>As such, sub-clause (d) is also appropriate.</p>	<p>Retain this policy as notified.</p>

S463.013

Provision	Position	Reason	Relief Sought
<p>that cannot be avoided, remedied or mitigated.</p>			
<p>I-P3 Outside the coastal environment, manage the effects of the development, operation, maintenance and upgrading of infrastructure activities by:</p> <ul style="list-style-type: none"> a. avoiding effects on historical and cultural values, significant natural areas, and outstanding natural features or landscapes to the extent practicable; b. minimising or remedying adverse effects on historical and cultural values, natural environment values that cannot be avoided; c. recognising the technical, operational and functional needs and constraints of infrastructure activities; and d. having regard to offsetting and environmental compensation measures where there are more than minor residual adverse effects that cannot be avoided, remedied or mitigated. 	<p>Support.</p>	<p>WBF supports the focus on managing the effects of infrastructure development. This approach recognises that the avoidance of effects is not always possible or appropriate, given the locational, operational and functional needs that sometimes apply.</p>	<p>Retain this policy as notified.</p>

S463.014

Provision	Position	Reason	Relief Sought
<p>I-P4 Provide for infrastructure where there are benefits such as:</p> <ul style="list-style-type: none"> a. significant social, economic and cultural benefits associated with regionally significant infrastructure b. improved: <ul style="list-style-type: none"> I. quality of life; II. standard of living; III. public health and safety; IV. access to latest technology, such as fibre and high-speed wireless internet; V. functioning of businesses; and VI. transportation of freight, goods, people. c. growth and development of the District; d. a reduction in the operation and maintenance costs of infrastructure; e. integration of infrastructure with urban development; and 	<p>Support.</p>	<p>While WBF supports this policy in general terms, a minor amendment to sub-clause (a) would be appropriate given the benefits of regionally significant infrastructure are inherently “significant”.</p>	<p>Amend as follows:</p> <p>I-P4 Provide for infrastructure where there are benefits such as:</p> <ul style="list-style-type: none"> a. significant social, economic and cultural benefits associated with regionally significant infrastructure <p><i>[remainder of policy not shown here]</i></p>

S463.015

Provision	Position	Reason	Relief Sought
<ul style="list-style-type: none"> f. facilitating local, regional, national or international connectivity. 			
<p>I-P13 Manage the adverse effects of infrastructure on the environment by:</p> <ul style="list-style-type: none"> a. avoiding, remedying or mitigating the adverse effects of substantial upgrades to, or the development of new infrastructure, including effects on: <ul style="list-style-type: none"> i. natural and physical resources; ii. amenity values; iii. sensitive activities; iv. the safe and efficient operation of other infrastructure; and v. the health, well-being and safety of people and communities. b. avoiding radio, electric and magnetic emissions that do not meet the recognised standards or guidelines; and c. requiring the undergrounding of network utilities in Urban 	<p>Support.</p>	<p>WBF considers this policy provides appropriately balanced guidance for the management of effects associated with infrastructure development or upgrades.</p>	<p>Retain this policy as notified.</p>

S463.016

Provision	Position	Reason	Relief Sought
<p>zones and the Settlement zone where it:</p> <ul style="list-style-type: none"> i. is technically feasible; ii. is justified by the extent of adverse visual effects; and iii. provides for the safety of the community. 			
<p>I-P14 Manage infrastructure to address the effects of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application:</p> <ul style="list-style-type: none"> a. any locational, technical, and operational requirements; b. bulk, height and design of any accessory buildings or structures; c. the extent of earthworks and/or indigenous vegetation removal associated with the infrastructure or access to it; d. the degree to which the environment has already been modified; 	<p>Oppose.</p>	<p>Sub-clauses (a) to (m) are a list of assessment matters that are inappropriate to be included in a policy. They do not provide direction about how to achieve the overarching objectives (I-O4, I-O5).</p> <p>WBF recommends deletion of the policy and reliance on Policy I-P13 instead. If necessary, the assessment criteria can be relocated to rules and standards of the infrastructure chapter.</p>	<p>Delete this policy.</p>

S463.017



Provision	Position	Reason	Relief Sought
<ul style="list-style-type: none"> e. potential for co-location and shared use of services and corridors; f. the nature, duration, timing and frequency of the adverse effects; g. any adverse effects on areas with historical and cultural values, natural values, coastal values, and recreational value; h. the health, well-being and safety of people and communities, including nuisance from noise, vibration, dust, odour emissions, temperature and light spill; i. the safe and efficient operation of other infrastructure; j. stormwater and overland flow path implications; k. the ability to safely access the infrastructure; l. the temporary or permanent nature of any adverse effects; m. whether the infrastructure is nationally or regionally significant; 			

Provision	Position	Reason	Relief Sought
<ul style="list-style-type: none"> n. the impact of not operating, repairing, maintaining, upgrading, removing or developing the infrastructure; o. the benefits derived from the infrastructure at a local, regional and national scale, including the significant environmental, economic, social and cultural benefits of regionally significant infrastructure; p. the extent to which the infrastructure is integrated with, and necessary to support, planned development within Urban zones and the Settlement zone; and q. any historical, spiritual or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6. 			
<p>TRAN-02 The transport network is designed and located to minimise adverse effects on historical, cultural and natural values.</p>	<p>Support.</p>	<p>WBF supports an effects management focus, rather than a narrow avoidance focus, for the development of the transportation network.</p>	<p>Retain this objective as notified.</p>

S463.018

Provision	Position	Reason	Relief Sought
<p>TRAN-P2 Establish and maintain a transport network that:</p> <ul style="list-style-type: none"> a. provides safe efficient linkages and connections; b. avoids and mitigates adverse effects on historical, cultural and natural environment values to the extent practicable; c. recognises the different functions and design requirements for each road classification under the most current National Transport Network classification system; d. supports reductions of greenhouse gases from vehicle movements; e. considers the likely current and future impacts of climate change when new sections of the network are proposed or existing sections upgraded; and f. provides for existing and future pedestrian and cycling pathways, including the Pou Herenga Tai Twin Coast Cycle Trail. 	Oppose.	The requirement under sub-clause (b) to avoid <u>and</u> mitigate effects is unfeasible and does not reflect the requirement under TRAN-O2 to “minimise” effects.	<p>TRAN-P2 Establish and maintain a transport network that:</p> <ul style="list-style-type: none"> a. provides safe efficient linkages and connections; b. avoids and mitigates <u>manages</u> adverse effects on historical, cultural and natural environment values to the extent practicable; c. recognises the different functions and design requirements for each road classification under the most current National Transport Network classification system; d. supports reductions of greenhouse gases from vehicle movements; e. considers the likely current and future impacts of climate change when new sections of the network are proposed or existing sections upgraded; and f. provides for existing and future pedestrian and cycling pathways, including the Pou Herenga Tai Twin Coast

S463.019

Provision	Position	Reason	Relief Sought
			Cycle Trail <u>where appropriate.</u>
<p>TRAN-P5 Encourage new land uses to support an integrated and diverse transport network by:</p> <ul style="list-style-type: none"> a. promoting alternative transport nodes; b. the provision of safe and secure parking facilities for bicycles and associated changing or showering facilities for staff; c. allocation of parking facilities for motorcycles, car share vehicles, pick up / drop off areas for ride share services and charging stations for electric vehicles; and d. supporting the establishment and operation of accommodation and tourism related activities in close proximity to the Pou Herenga Tai Twin Coast Cycle Trail, provided reverse sensitivity effects can be avoided. 	Support in part / Oppose in part.	<p>WBF supports the use of the term “Encourage” in this policy.</p> <p>It would be inappropriate to “Require” the stated approach because in the Special Purpose Zones it may not be appropriate or possible to support a “diverse transport network” or “alternative transport notes”.</p> <p>WBF suggests amending the policy to include a sub-clause (e) that reflects this context. Alternatively, the policy could be amended to confine its scope to certain zones, excluding the Special Purpose Zones.</p>	<p>TRAN-P5 Encourage new land uses to support an integrated and diverse transport network by:</p> <ul style="list-style-type: none"> a. promoting alternative transport nodes; b. the provision of safe and secure parking facilities for bicycles and associated changing or showering facilities for staff; c. allocation of parking facilities for motorcycles, car share vehicles, pick up / drop off areas for ride share services and charging stations for electric vehicles; d. supporting the establishment and operation of accommodation and tourism related activities in close proximity to the Pou Herenga Tai Twin Coast Cycle Trail, provided reverse sensitivity effects can be avoided; and e. <u>Recognising that in Special Purpose Zones, a bespoke response to transport</u>

S463.020

Provision	Position	Reason	Relief Sought
			<u>network design may be appropriate.</u>
TRAN-R1 PER-4	Oppose.	<p>The requirement for minimum onsite parking provision (excepting accessible spaces) is contrary to sub-part 8 (Car Parking) of the National Policy Statement for Urban Development 2020 (May 2022). Clause 3.38(1) of that NPS states:</p> <p>“If the district plan of a tier 1, 2, or 3 territorial authority contains objectives, policies, rules, or assessment criteria that have the effect of requiring a minimum number of car parks to be provided for a particular development, land use, or activity, the territorial authority must change its district plan to remove that effect, other than in respect of accessible car parks.”</p>	Delete this rule.
TRAN-R2 PER-1	Oppose.	The note to this rule refers to vehicle movements but does not specify a time period for the movements, and clarity is sought in this regard.	TRAN-R2 PER-1
<p>Where the private accessway serves a maximum of 8 household equivalents.</p> <p>Note: 1 household equivalent is represented by 10 vehicle movements. One vehicle movement is a single movement to or from a property.</p> <p><i>[Entire rule not shown here].</i></p>			<p>Where the private accessway serves a maximum of 8 household equivalents.</p> <p>Note: 1 household equivalent is represented by 10 vehicle movements <u>per day</u>. One vehicle movement is a single movement to or from a property.</p> <p><i>[Remainder of rule not shown here].</i></p>

S463.021

S463.022

Provision	Position	Reason	Relief Sought
<p>TRAN-R8 New roads including within unformed paper roads.</p> <p>All zones</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1</p> <p>The new road complies with standards:</p> <p>TRAN-S4 Requirements for road design; and</p> <p>TRAN-S5 Requirements for streetlighting.</p> <p>PER-2</p> <p>The new road is not subject to the following overlays:</p> <ol style="list-style-type: none"> 1. Significant Natural Areas; 2. Outstanding Natural Features; 3. Outstanding Natural Landscapes; 4. The Coastal Environment; 5. Natural Hazards; 6. Heritage overlay areas; 7. Scheduled heritage resource; and 8. Site and area of significance to Māori. 	Support.	<p>With a view towards future road development at Kauri Cliffs to support future residential development, WBF supports the proposed restricted discretionary consenting pathway for roads not meeting the standards of PER-1 or PER-2.</p> <p>If road development cannot comply with these permitted standards, due to locational criteria (i.e., unavoidable siting with the coastal environment) or the need for a highly bespoke road design commensurate with the values of the Special Purpose Zone – Kauri Cliffs (such as streetlighting that does not comply with TRAN-S5), it is appropriate for a restricted discretionary consenting pathway to apply.</p>	Retain this rule as notified.

S463.023



Provision	Position	Reason	Relief Sought
<p>Activity status when compliance not achieved with PER-1 or PER-2: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. the matters of discretion of any infringed standard; b. the safe, efficient, and effective operation of the road; c. the avoidance of natural hazard areas; and d. the means to avoid or mitigate adverse effects on historical, cultural and natural values. 			
<p>TRAN-S4 Requirements for road design All zones</p> <ol style="list-style-type: none"> 1. All new roads and upgrades to existing roads shall be designed and constructed in accordance with Far North District Council Engineering Standards April 2022 and must be supported by an Integrated Transport Assessment approved by a suitably qualified and experienced transport professional; and 	<p>Oppose.</p>	<p>Road design in a Special Purpose Zone may not be able to comply with the permitted activity performance standards of this rule, as to do so may conflict with the purpose or objectives of the Special Purpose Zone.</p> <p>In such cases, WBF considers that it would be appropriate for the decision maker to be directed by the matters of discretion to consider the specific circumstances of the Special Purpose Zone.</p>	<p>Amend as follows: <i>[Entire rule not shown here].</i></p> <p>Where the standard is not met, matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. safety implications of the non-compliance with engineering standards; b. layout or topographical constraints that prevent cul-de-sacs meeting the design standards; and

S463.024

Provision	Position	Reason	Relief Sought
<p>2. Cul-de-sacs must meet the Local Road requirements in Far North District Council Engineering Standards April 2022 and the following additional requirements:</p> <ul style="list-style-type: none"> i. it must not exceed a maximum length of 150 m i. there must be a shared-use path link for pedestrians, cyclists and mobility devices at the end of the cul-de-sac in the General Residential and Mixed Use zones to existing adjacent public road, open spaces, recreational facilities, schools or other neighbourhood facilities and where these facilities do not currently exist provision should be made to reserve a shared-use corridor for future connection, ii. there must be no more than one private accessway at the end of the cul-de-sac; and 			<p>c. <u>Whether an alternative to compliance with the standard would better achieve the purpose and objectives of a Special Purpose Zone.</u></p>



Provision	Position	Reason	Relief Sought
<ul style="list-style-type: none"> iii. it must incorporate a turning head meeting the following requirements: <ul style="list-style-type: none"> ➤ 25 m diameter with on-street parking in the General Residential zone; or ➤ 30 m diameter with on-street parking in all other zones. <p>Where the standard is not met, matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. safety implications of the non-compliance with engineering standards; and b. layout or topographical constraints that prevent cul-de-sacs meeting the design standards. 			
<p>TRAN-S5 Requirements for streetlighting</p> <p>All zones</p> <ul style="list-style-type: none"> 1. Any land use or subdivision which creates a new road or extends the requirement for street lighting, must: <ul style="list-style-type: none"> i. include a street lighting plan that is designed and 	Oppose.	<p>Street lighting design in a Special Purpose Zone may not be able to comply with the permitted activity performance standards of this rule, as to do so may conflict with the purpose or objectives of the Special Purpose Zone.</p> <p>In such cases, WBF considers that it would be appropriate for the decision maker to be directed by the matters of</p>	<p>Amend as follows:</p> <p><i>[Entire rule not shown here].</i></p> <p>Where the standard is not met, matters of discretion are restricted to:</p> <p>Where the standard is not met, matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. the potential for adverse effects on the safety and

S463.025



Provision	Position	Reason	Relief Sought
<p>constructed in accordance with Far North District Council Engineering Standards April 2022.</p> <p>Where the standard is not met, matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. the potential for adverse effects on the safety and efficiency of the road network; and b. consideration of crime prevention through environmental design (CPTED) principles. 		discretion to consider the specific circumstances of the Special Purpose Zone.	<ul style="list-style-type: none"> efficiency of the road network; b. consideration of crime prevention through environmental design (CPTED) principles; and c. <u>Whether an alternative to compliance with the standard would better achieve the purpose and objectives of a Special Purpose Zone.</u>
<p>TRAN-Table 1 - Minimum number of parking spaces</p> <p><i>[Entire standard not shown here].</i></p>	Oppose.	This provision is contrary to sub-part 8 (Car Parking) of the National Policy Statement for Urban Development 2020 (May 2022).	Delete this standard.
Natural Environment Values			
<p>IB-O2 Indigenous biodiversity is managed to maintain its extent and diversity in a way that provides for the social, economic and cultural well-being of people and communities.</p>	Oppose.	WBF supports the apparent intent of this objective. However, the statement regarding management to maintain extent and diversity is unclear and may be interpreted as a “hard” environmental bottom line that could	<p>Amend as follows:</p> <p>Indigenous biodiversity is managed to <u>ensure no net loss of</u> maintain its extent and diversity, <u>and</u> in a way that provides for the social, economic and cultural well-being of people and communities.</p>

S463.026

S463.027

Provision	Position	Reason	Relief Sought	
		<p>inappropriately constrain ecological restoration or regeneration projects.</p> <p>WBF suggests a reference to “no net loss” of diversity and extent may be a more appropriate way to clarify the objective and ensure that maintenance of extent is not treated as a requirement to avoid all adverse effects.</p>		
IB-O5 Restoration and enhancement of indigenous biodiversity is promoted and enabled.	Support.	WBF supports this policy.	Retain this objective as notified.	S463.028
<p>IB-P2 Within the coastal environment:</p> <p>a. avoid adverse effects of land use and subdivision on Significant Natural Areas; and</p> <p>b. avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of land use and subdivision on areas of important and vulnerable indigenous vegetation, habitats and ecosystems.</p>	Oppose.	<p>WBF opposes the uncertainty of sub-clause (b) insofar as it refers to the avoidance of effects on “...areas of important and vulnerable indigenous vegetation, habitats and ecosystems”.</p> <p>Unless the composition of “important and vulnerable” is clearly quantified / stated in the Proposed Plan, the interpretation and application of this policy is unduly vague. If this is a reference to species that are the New Zealand Threat Classification List, that should be clearly expressed, and provision made for future updates to that List.</p>	Delete sub-clause (b) or amend it to clarify the reference to “important and vulnerable” features.	S463.029

Provision	Position	Reason	Relief Sought
<p>IB-P3 Outside the coastal environment:</p> <p>a. avoid, remedy or mitigate adverse effects of land use and subdivision on Significant Natural Areas to ensure adverse effects are no more than minor; and</p> <p>b. avoid, remedy or mitigate adverse effects of land use and subdivision on areas of important and vulnerable indigenous vegetation, habitats and ecosystems to ensure there are no significant adverse effects.</p>	Oppose.	WBF opposes the vague wording of sub-clause (b) of this policy for the same reasons given in relation to policy IB-P2.	Delete sub-clause (b) or amend it to clarify the reference to “important and vulnerable” features.
<p>IB-R1 Indigenous vegetation pruning, trimming and clearance and any associated land disturbance for specified activities within and outside a Significant Natural Area</p> <p>All zones</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1</p> <p>It is for any of the following:</p>	Support.	<p>WBF supports the inclusion of a permitted activity rule for the various activities listed.</p> <p>It recommends minor amendments to sub-clause (3) because:</p> <ul style="list-style-type: none"> ➤ The distinction between use of tracks for walking or cycling appears to be of no consequence if the limit on clearance is observed. ➤ Increasing the allowance to a 1.8m wide path would be consistent with the minimum standard for pedestrian paths provided in 	<p>Amend sub-clause (3) as follows:</p> <p>3. The formation of walking <u>or</u> <u>cycling</u> tracks <u>no greater</u> less than 1.82m wide using manual methods which <u>does</u> not require the removal of any tree over 300 mm in girth.</p>

S463.030

S463.031

Provision	Position	Reason	Relief Sought
1. To address an immediate risk to the health and safety of the public or damage to property;		reserves specified in s7.2.5.3 of Council's proposed Engineering Standards V. 0.5 (April 2022).	
2. To remove dead trees, provided that no more indigenous vegetation is cleared or trimmed than is necessary for safe removal;		<ul style="list-style-type: none"> ➤ The focus on manual methods appears to be redundant if the requirement to maintain larger trees is observed. 	
3. The formation of walking tracks less than 1.2m wide using manual methods which do not require the removal of any tree over 300 mm in girth;			
4. Clearance for biosecurity reasons;			
5. The sustainable non-commercial harvest of plant material for rongoā Māori (customary medicine);			
6. To create or maintain a 20 m setback from a building used for a vulnerable activity (excluding accessory buildings) to the edge of the indigenous vegetation area;			
7. To allow for the construction of a single residential unit on a title and essential associated on-site infrastructure and access and it does not exceed 1,000 m ² ;			
8. It is within an area subject to an Open Space Covenant under the Queen Elizabeth II National Trust			



Provision	Position	Reason	Relief Sought
<p>Act 1977, a Ngā Whenua Rahui Kawenata, a Conservation Covenant under the Reserves Act 1977 or the Conservation Act 1987, or a Heritage covenant under the Heritage New Zealand Pouhere Taonga Act 2014 and the vegetation clearance is provided for in that covenant or order;</p> <p>9. The construction of a new fence where the purpose of the new fence is to exclude stock and/or pests from the area of indigenous vegetation provided that the clearance does not exceed 3.5m in width either side of the fence line;</p> <p>10. The removal or clearance from land which was previously cleared and the indigenous vegetation to be cleared is less than 10 years old;</p> <p>11. Creation and maintenance of firebreaks to manage fire risk;</p> <p>12. The harvesting of indigenous timber approved under the Forests Act 1949 via either a registered sustainable forest management plan, a registered sustainable forest management permit or a personal use approval for the</p>			



Provision	Position	Reason	Relief Sought
<p>harvesting and milling of indigenous timber from the Ministry of Primary Industries;</p> <p>13. It is for the operation, repair and maintenance of the following activities where they have been lawfully established:</p> <ul style="list-style-type: none"> i. Fences ii. infrastructure iii. buildings iv. driveways and access v. walking tracks vi. cycling tracks vii. farming tracks. 			
<p>IB-R3 Indigenous vegetation clearance and any associated land disturbance within a Significant Natural Area.</p> <p>PER-1: Activity status being permitted for 100 m² per site in any calendar year.</p> <p>Activity status where compliance not achieved with PER-1: Discretionary</p>	<p>Support.</p>	<p>In the Special Purpose Zone – Kauri Cliffs, numerous areas of ecological restoration are being progressed at any one time.</p> <p>The allowance for 100 m² of clearance in a SNA per calendar year is considered appropriate. The activity status being discretionary once this threshold is exceeded is considered appropriate to avoid, remedy and mitigate the effects of further vegetation removal where required.</p>	<p>Retain this rule as notified.</p>

S463.032

Provision	Position	Reason	Relief Sought
<p>IB-R4 Indigenous vegetation clearance and any associated land disturbance outside a Significant Natural Area</p> <p>All zones</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1</p> <ol style="list-style-type: none"> 1. A report has been obtained from a suitably qualified and experienced ecologist confirming that the indigenous vegetation does not meet the criteria for a Significant Natural Area and it is submitted to Council 14 days in advance of the clearance being undertaken; and 2. It does not exceed the following amounts per site over a 5-year period: <ol style="list-style-type: none"> i. Rural Production zone, Horticulture zone, Māori Purpose zone and Treaty Settlement Land Overlay – 5,000 m² if not in a remnant forest, otherwise 500 m² in a remnant forest; ii. All other zones – 500 m². <p>PER-2</p>	Oppose.	<p>The 500 m² limit per 5-year period (i.e., an average of 100 m² per year) that would apply to the Special Purpose Zones under rule IB-R4 PER-1(2)(ii) is not supported.</p> <p>In the case of the KCZ Golf Living subzone, development will largely (if not entirely) avoid Significant Natural Areas (“SNAs”).</p> <p>However, the scale of development (up to 60 residential lots) anticipated by the Proposed Plan means clearance outside SNAs could easily exceed the modest permitted limit, by way of unavoidable impacts on scattered indigenous vegetation.</p> <p>Given the purposes and anticipated development in the KCZ, WBF considers that this rule could appropriately be amended to provide for the KCZ Golf Living subzone (and potentially, for other Special Purpose Zones) similarly to the allowance made under sub-clause PER-1(2)(i).</p>	<p>Amend PER-1(2) as follows:</p> <p>PER-1</p> <ol style="list-style-type: none"> 2. It does not exceed the following amounts per site over a 5-year period: <ol style="list-style-type: none"> i. Rural Production zone, Horticulture zone, Māori Purpose zone and Treaty Settlement Land Overlay <u>and Kauri Cliffs Golf Living subzone</u> – 5,000 m² if not in a remnant forest, otherwise 500 m² in a remnant forest; ii. All other zones – 500 m².

S463.033

Provision	Position	Reason	Relief Sought
<ol style="list-style-type: none"> 1. A report has not been obtained from a suitably qualified and experienced ecologist confirming that the indigenous vegetation does not meet the criteria for a Significant Natural Area and a report has not been submitted to Council 14 days in advance of the clearance being undertaken; and 2. It does not exceed 100 m² per site in any calendar year. 			

Natural Character			
NATC-O1 The natural character of wetland, lake and river margins are managed to ensure their long-term preservation and protection for future generations.	Oppose.	<p>This objective appears to be a recombination of RMA s6(a) with the inclusion of a vague reference to “long-term” protection and a superfluous reference to “current and future generations”.</p> <p>However, the objective fails to recognise the RMA s6(a) distinction regarding protection from <u>inappropriate</u> activities.</p> <p>The objective appears to envisage outright “preservation and protection” without recognition that some activities and the associated effects, may not necessarily be inappropriate.</p>	Delete this objective.

S463.034



Provision	Position	Reason	Relief Sought
NATC-O2 Land use and subdivision is consistent with and does not compromise the characteristics and qualities of the natural character of wetland, lake and river margins.	Oppose.	The requirement that development “...not compromise the characteristics and qualities of the natural character” is vague and a de-facto requirement to avoid all adverse effects, regardless of how negligible, and despite any net environmental gains that might be associated with a development proposal.	Amend as follows: NATC-O2 Land use and subdivision is consistent with and does not compromise <u>maintains or enhances</u> the characteristics and qualities of the natural character of wetland, lake and river margins.
NATC-P3 Enable indigenous vegetation removal and/or earthworks within wetland, lake and river margins where: <ul style="list-style-type: none"> a. it is for the repair or maintenance of lawfully established activities; b. it is for safe and reasonable clearance for existing overhead powerlines; c. it is for health and safety of the public; d. it is for biosecurity reasons; and e. it is for the sustainable non-commercial harvest for rongoā Māori. 	Support.	WBF supports the enablement of indigenous vegetation removal and/or earthworks as set out in this policy.	Retain this policy.

S463.035

S463.036



Provision	Position	Reason	Relief Sought
<p>NATC-P4 Provide for buildings or structures, and extensions to existing buildings or structures on wetland, lake and river margins where:</p> <ul style="list-style-type: none"> a. there is a functional or operational need for a building or structures location; b. public access, customary access and recreational use can be protected or enhanced; c. the protection of natural character is preserved; and d. natural hazard risk will not be increased, taking into account the likely long term effects of climate change. 	Oppose.	<p>WBF supports the matters referred to under sub-clauses (a), (b) and (d) of this policy.</p> <p>However, it opposes sub-clause (c) on grounds of ambiguity as the outcome sought by the sub-clause is not apparent.</p> <p>It seemingly requires any activities that would not ‘preserve the protection of natural character to be avoided.</p> <p>As mentioned in WBF’s comments on objectives NATC-O1 and NATC-O2, a requirement of this type is not considered to accurately reflect the obligations imposed by RMA s6(a).</p>	Delete sub-clause (c).
<p>NATC-P6</p> <p>Manage land use and subdivision to preserve and protect the natural character of wetland, lake and river margins, and address the effects of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application:</p>	Oppose.	<p>Sub-clauses (a) to (m) are a list of assessment matters that are inappropriate to be included in a policy. They do not provide direction about how to achieve the overarching objectives (NATC-O1 and NATC-O2).</p> <p>WBF recommends deletion of the policy and reliance on Policy NATC-P1 instead. If necessary, the assessment criteria can be relocated to rules and standards later in this chapter.</p>	Delete this policy.

S463.037

S463.038



Provision	Position	Reason	Relief Sought
<ul style="list-style-type: none"> a. the presence or absence of buildings, structures or infrastructure; b. the temporary or permanent nature of any adverse effects; c. the location, scale and design of any proposed development; d. any means of integrating the building, structure or activity; e. the ability of the environment to absorb change; f. the need for and location of earthworks or vegetation clearance; g. the operational or functional need of any regionally significant infrastructure to be sited in the particular location; h. any viable alternative locations for the activity or development; i. any historical, spiritual or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6; 			

Provision	Position	Reason	Relief Sought
<ul style="list-style-type: none"> j. the likelihood of the activity exacerbating natural hazards; k. the opportunity to enhance public access and recreation; l. the ability to improve the overall water quality; and m. any positive contribution the development has on the characteristics and qualities. 			
<p>NATC-R1 New buildings or structures, and extensions or alterations to existing buildings or structures</p> <p>Natural character</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1</p> <p>The building or structure, or extension or alteration to an existing building or structure on wetland, lake and river margins is not located within an ONL or ONF.</p> <p>PER-2</p> <p>The building or structure, or extension or alteration to an existing building or structure on wetland, lake and river margins is required for:</p>	Oppose.	<p>WBF would support enablement of river crossings and stock crossings under rule NATC-R1 PER-1 as a permitted activity.</p> <p>However, this is not what the rule achieves. The definition of “crossings” is:</p> <p><i>“means in relation to vehicle access, the formed and properly constructed vehicle access from the carriage way of any road up to and including that portion of the road boundary of the site across which vehicle access is permitted by this plan and includes any culvert, bridge or kerbing”.</i></p> <p>Consequently, NATC-R1 does not permit any “river” crossing not located between the carriageway of the road and the front boundary of a site.</p>	Amend this rule to expressly permit the construction of access for vehicles and/or stock across rivers.

S463.039

Provision	Position	Reason	Relief Sought
<ol style="list-style-type: none"> 1. restoration and enhancement purposes; 2. natural hazard mitigation undertaken by, or on behalf of, the local authority; 3. park management activity in the Open Space or Sport and active recreation zone; 4. a post and wire fence for the purpose of protection from farm stock; 5. river crossings, including but not limited to, fords, bridges, stock crossings and culvert crossings; 6. activities related to the construction of river crossings; or 7. pumphouses utilised for the drawing of water provided they cover less than 25 m² in area. 		<p>Also, given the definition of “crossing” only relates to vehicles, the references in this rule to “stock” and “culvert” also do not provide a meaningful assessment method.</p> <p>Therefore, it appears that most crossings (like culverts, fords and bridges) might fall to be assessed as discretionary activities, which would appear to be the reverse of the intent of NATC-R1.</p>	
<p>PER-3</p> <p>The building or structure on wetland, lake and river margins is no greater than 300 m².</p>			
<p>PER-4</p> <p>The building or structure, or extension or alteration to an existing building or structure on wetland, lake and river</p>			

Provision	Position	Reason	Relief Sought
margins complies with standard NATC-S1 Maximum height.			
Insert new rule NATC-R[X]	Support	<p>WBF seeks the addition of a new rule to provide a restricted discretionary consenting pathway for the construction of walking trails in the High Natural Character (“HNC”) overlay.</p> <p>WBF intends to provide guest/visitor amenity, and connectivity and amenity for future residents in the Golf Living subzone, by developing a modest trail network between key features of the property.</p> <p>Large areas of Kauri Cliffs are in the HNC overlay. Initial plans for the trail network indicate that some walking tracks will intersect areas in the proposed HNC.</p> <p>In light of the purposes of the KCZ, that many areas in the HNC have been protected, maintained or enhanced through WBF’s efforts over the years, it is considered reasonable to provide a consenting pathway for this activity.</p>	<p><u>NATC-R[X]</u></p> <p><u>Activity Status: Restricted Discretionary</u></p> <p><u>Where:</u></p> <p><u>RDIS-1</u></p> <p><u>Tracks not for conservation or pest control purposes.</u></p> <p><u>Matters of discretion:</u></p> <ol style="list-style-type: none"> <u>The location and purpose of the proposed track or fence, its alignment and potential adverse effects on the high natural character area, including fragmentation and loss of biodiversity;</u> <u>Whether any proposed indigenous vegetation disturbance associated with the activity will result in loss of habitat that supports or provides a key life function for ‘threatened’ or ‘at risk’ indigenous species; and</u> <u>The extent to which unavoidable adverse effects of the proposed indigenous vegetation disturbance associated with the activity on areas of significant</u>

S463.040

Provision	Position	Reason	Relief Sought
			<u>biodiversity can be remedied or offset through established or new biodiversity restoration programmes.</u>
Subdivision			
<p>SUB-O1 Subdivision results in the efficient use of land, which:</p> <ul style="list-style-type: none"> a. achieves the objectives of each relevant zone, overlays and district wide provisions; b. contributes to the local character and sense of place; c. avoids reverse sensitivity issues that would prevent or adversely affect activities already established on land from continuing to operate; d. avoids land use patterns which would prevent land from achieving the objectives and policies of the zone in which it is located; e. does not increase risk from natural hazards or risks are mitigated and existing risks reduced; and 	Oppose.	<p>The drafting of sub-clause (b) of this objective could not be applied to situations where local character and sense of place are intended to change over time as a result of subdivision activity anticipated by the Plan.</p> <p>Special Purpose Zones (such as the KCZ) are locations where subdivision and subsequent development must deliver a “planned” outcome. It is incongruous in WBF’s view, to require subdivision of the scale anticipated in the KCZ to maintain the status quo “character and sense of place”. Rather, it will deliver a preferred outcome that integrates with the existing environment rather than leaving it unchanged.</p> <p>Sub-clause (c) requires refinement for brevity.</p>	<p>Amend as follows:</p> <p>SUB-O1 Subdivision results in the efficient use of land, which:</p> <ul style="list-style-type: none"> a. achieves the objectives of each relevant zone, overlays, and district wide provisions; b. contributes to the <u>existing or planned</u> local character and sense of place <u>including that required to be delivered by subdivision in the Special Purpose Zones</u>; c. avoids reverse sensitivity issues that would prevent or adversely affect <u>existing</u> activities already established on land from continuing to operate; d. avoids land use with <u>patterns</u> which would prevent land from achieving the objectives

S463.041

Provision	Position	Reason	Relief Sought	
f. manages adverse effects on the environment.		<p>Sub-clause (d) anthropomorphises “land”, does not clearly flow from the objective’s preamble, is verbose and duplicates the outcome sought by sub-clause (a).</p> <p>Sub-clause (e) requires refinement for brevity and clarity.</p> <p>Sub-clause (f) is superfluous in light of superior instruments, most notable section 5 of the RMA.</p>	<p>and policies of the zone in which it is located;</p> <p>e. does not increase risk from natural hazards or risks are mitigated <u>managed natural hazard risks</u> and <u>reduces</u> existing risks where practicable reduced; and</p> <p>g. manages adverse effects on the environment.</p>	
SUB-P2 Enable subdivision for the purpose of public works, infrastructure, reserves or access.	Support.	WBF supports the enablement of subdivision for these purposes.	Retain as notified.	S463.042
SUB-P3 Provide for subdivision where it results in allotments that:	Oppose.	<p>The reference to “characteristics and qualities” in sub-clause (a) requires deletion and replacement with reference to the zone objectives.</p> <p>It may be that the intent of the drafting is to refer to characteristics and qualities of the <u>land</u> (such as topography or vegetation coverage) rather than the <u>zone</u>. In that case, redrafting is also needed for clarity.</p>	<p>SUB-P3 Provide for subdivision where it results in allotments that:</p> <p>a. are consistent with <u>achieving</u> the purpose; <u>and objectives</u> characteristics and qualities of the zone;</p> <p>b. comply with the minimum allotment sizes for each zone;</p> <p>c. have an adequate size and appropriate shape to contain a building platform; and</p>	S463.043

Provision	Position	Reason	Relief Sought
d. have legal and physical access.			d. have legal and physical access.
SUB-P4 Manage subdivision of land as detailed in the district wide, natural environment values, historical an cultural values and hazard and risks sections of the plan	Oppose.	This content is set out in Note 1 (before the rule table) and therefore this policy is redundant.	Delete this policy.
SUB-P11 Manage subdivision to address the effects of the activity requiring resource consent including (but not limited to) consideration of the following matters where relevant to the application: <ul style="list-style-type: none"> a. consistency with the scale, density, design and character of the environment and purpose of the zone; b. the location, scale and design of buildings and structures; c. the adequacy and capacity of available or programmed development infrastructure to accommodate the proposed activity; or the capacity of the site to cater for on-site 	Oppose.	Sub-clauses (a) to (f) are a list of assessment matters that are inappropriate to be included in a policy. They do not provide direction about how to achieve the overarching objectives. WBF recommends deletion of the policy and reliance on the other subdivision policies instead. If necessary, the assessment criteria can be relocated to rules and standards later in this chapter.	Delete this policy.

S463.044

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Provision	Position	Reason	Relief Sought
<p>infrastructure associated with the proposed activity;</p> <p>d. managing natural hazards;</p> <p>e. Any adverse effects on areas with historic heritage and cultural values, natural features and landscapes, natural character or indigenous biodiversity values; and</p> <p>f. any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.</p>			
<p>SUB-R1 Boundary adjustments</p> <p>Natural Open Space zone</p> <p>Activity status: Non-complying</p>	Oppose.	<p>Based on section 2.2 of the KCZ s32 report, the Proposed Plan will make the Natural Heritage subzone in the KCZ default to the new Natural Open Space Zone.</p> <p>It is unclear if a boundary adjustment to contain, but not bisect, land in the NOSZ would be non-complying. WBF would oppose a non-complying consenting pathway for a boundary adjustment that is merely needed to</p>	<p>Amend the rules to clarify the activity status for subdivision (including boundary adjustments) that adjusts boundaries around, but does not create boundaries through, land in the NOSZ.</p> <p>(See also WBF's submission on rule SUB-R3).</p>

S463.046



Provision	Position	Reason	Relief Sought
		<p>create a lot specifically to enclose land in the NOSZ.</p> <p>It may be necessary, when future residential subdivision occurs at Kauri Cliffs, to undertake a boundary adjustment (or create a lot) around the Natural Heritage subzone, as this is currently contained within a larger lot (Lot 4 DP 50234).</p> <p>A default non-complying activity status for a boundary adjustment of this nature appears to be inconsistent with the Proposed Plan's directions that otherwise seek to protect and maintain significant indigenous biodiversity as in the Natural Heritage subzone.</p>	
<p>SUB-R3 Subdivision of land to create a new allotment</p> <p>Open space zones</p>	<p>Oppose.</p>	<p>Similarly, to its submission comments with respect to SUB-R1, WBF opposes a non-complying activity status for subdivision that creates a lot around land in the NOSZ but does not divide the land within the NOSZ.</p> <p>A non-complying activity status to create a lot around the Natural Heritage subzone (which will,</p>	<p>Amend the rules to clarify the activity status for subdivision (including boundary adjustments) that creates boundaries around but does not create boundaries through, land in the NOSZ. (See also WBF's submission on rule SUB-R1).</p>

S463.047



Provision	Position	Reason	Relief Sought
		<p>according to the Kauri Cliffs s32 report, default to rules for the NOSZ), appears unduly onerous for a subdivision that seeks to enclose and thereby protect, land in the Natural Heritage subzone/NOSZ.</p>	
<p>Kauri Cliffs Zone: SUB-R3 Subdivision to create a new allotment:</p> <p>Activity status: Restricted Discretionary</p> <p>Where:</p> <p>RDIS-1:</p> <ol style="list-style-type: none"> 1. The subdivision complies with standards: <ul style="list-style-type: none"> › 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>RDIS-2:</p>	<p>Amend</p> <p>A mainly low density outcome continues to be the preferred approach for future subdivision in the Golf Living subzone at Kauri Cliffs.</p> <p>However, WBF seeks flexibility from the Proposed Plan to deliver a range of lots, including lots of <0.4 ha. This will enable (a limited number of) other dwelling types to be delivered alongside the large lot/detached dwelling format that the current rule requires.</p> <p>WBF considers that enabling some variety of housing typologies is appropriate as it is likely to support better social/community outcomes for future residents. Enabling some increased density in appropriate areas will also likely assist to limit potential landscape and natural character effects compared to a more widely dispersed pattern of residential</p>	<p>Kauri Cliffs Zone: SUB-R3 Subdivision to create a new allotment:</p> <p>Where:</p> <p>RDIS-1:</p> <ol style="list-style-type: none"> 1. The subdivision complies with standards: <ul style="list-style-type: none"> › 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>RDIS-2:</p> <ol style="list-style-type: none"> 1. Subdivision of up to 60 new lots for residential (golf living) purposes activities, provided that: 	<p>S463.048</p>

Provision	Position	Reason	Relief Sought
<p>1. Subdivision of up to 60 new lots for residential (golf living) purposes, provided that:</p> <ul style="list-style-type: none"> i. no lot is less than 4,000m² in area; ii. on-site treatment and disposal of wastewater is provided for; and iii. the building footprints are specified on an approved plan of subdivision. <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. matters of control in SUB-R3; b. the extent to which the activity may impact adversely on the unique character of the Kauri Cliffs Zone; c. the extent to which any adverse effects on areas of indigenous vegetation and habitat are avoided, remedied or mitigated; and d. the effect on adjoining activities. <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</p>		<p>development (i.e., all 60 lots being at least 0.4 ha).</p> <p>Initial discussions with mana whenua also revealed a preference for some clustered lot arrangements rather than a strictly low density arrangement for all 60 lots.</p>	<ul style="list-style-type: none"> i. no lot is less than 4,0500 4,000 m² in area; ii. <u>At least 30 lots are larger than 4,000 m²;</u> iii. on-site treatment and disposal of wastewater is provided for; and iv. the building footprints are specified on an approved plan of subdivision. <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. matters of control in SUB-R3; b. the extent to which the activity may impact adversely on the unique character of the Kauri Cliffs Zone; c. the extent to which any adverse effects on areas of indigenous vegetation and habitat are avoided, remedied or mitigated; and d. <u>Measures to manage any adverse the effects on adjoining activities on adjoining land in separate ownership.</u> <p>NOTE: Applications for restricted discretionary activities within the Golf living sub-zone will be treated as non</p>

Provision	Position	Reason	Relief Sought
adjoining the lots to be subdivided has been obtained.			notified applications provided the written approval of owners of land adjoining the lots to be subdivided has been obtained.
<p>SUB-R17</p> <p>Subdivision of a site containing a scheduled SNA</p> <p>All zones</p> <p>Activity status: Discretionary</p> <p>Where:</p> <p>DIS-1</p> <p>The site is located outside the coastal environment;</p> <p>DIS-2</p> <p>The subdivision does not divide an SNA.</p> <p>Activity status where compliance not achieved with DIS-1 and DIS-2: Non-complying</p>	Oppose.	<p>This rule appears intended to address the subdivision of SNAs. WBF concurs that such proposals warrant a rigorous consenting regime.</p> <p>However, the reason for this rule placing greater value on SNAs in the coastal environment (non-complying status), than on SNAs outside the coastal environment is unclear.</p> <p>WBF considers that a more appropriate approach would be to apply a non-complying consenting pathway to proposals to subdivide SNAs.</p> <p>A discretionary pathway for subdivisions that include, <u>but do not divide</u>, SNAs, whether or not in the coastal environment, is more appropriate. Such subdivisions may have positive effects for SNAs depending on the context. Therefore a “blanket” non-complying setting is, in WBF’s view, not an appropriate default position.</p>	<p>Amend this rule to reserve non-complying activity status for subdivisions that actually divide an SNA. Remove the activity status distinction based on location in the coastal environment for subdivisions that include (but do not divide) SNAs.</p>

\$463.049

Provision	Position	Reason	Relief Sought
<p>SUB-R20 Subdivision of a site within the Coastal Environment (excluding Outstanding Natural Character Areas)</p> <p>All zones</p> <p>Activity status: Discretionary</p>	Oppose.	<p>This generic rule unduly disregards, and is likely to unnecessarily complicate the realisation of, the orderly and planned subdivision of land in the Special Purpose Zones.</p> <p>For example, this rule would override the restricted discretionary consenting pathway for subdivision in the Golf Living subzone at Kauri Cliffs.</p> <p>This “trumping” of the KCZ provisions is unnecessary. The zone provides ample, specific, policy direction and assessment matters (with the amendments recommended in the submission) about the expected subdivision outcomes.</p>	<p>Amend as follows:</p> <p>SUB-R20 Subdivision of a site within the Coastal Environment (excluding Outstanding Natural Character Areas)</p> <p>All zones</p> <p>Activity status: Discretionary</p> <p>a. <u>This rule does not apply to land in the Kauri Cliffs Zone.</u></p>

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General District-Wide Matters

<p>CE-O1 The natural character of the coastal environment is identified and managed to ensure its long-term preservation and protection for current and future generations.</p>	Oppose.	<p>This objective is almost identical to proposed objective NATC-O1 and displays the same issues in that it appears to be a recombination of RMA s6(a) with the inclusion of a vague reference to “long-term” protection and a superfluous reference to “current and future generations”.</p> <p>However, the objective fails to recognise the RMA s6(a) distinction regarding protection from <u>inappropriate</u> activities.</p>	Delete this objective.
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Provision	Position	Reason	Relief Sought
		The objective appears to envisage outright “preservation and protection” without recognition that some activities and the associated effects, may not necessarily be inappropriate.	
CE-O2 Land use and subdivision in the coastal environment: <ul style="list-style-type: none"> a. preserves the characteristics and qualities of the natural character of the coastal environment; b. is consistent with the surrounding land use; c. does not result in urban sprawl occurring outside of urban zones; d. promotes restoration and enhancement of the natural character of the coastal environment; and e. recognises tangata whenua needs for ancestral use of whenua Māori. 	Oppose.	Sub-clause (b) would, in the case of a development or activity in a previously undeveloped part of the coastal environment, present a bar to approval. In another scenario, it would require a new land use to be “consistent” with surrounding land uses, even of the latter are undesirable. WBF recommends replacing the term “consistent” with the term “compatible”	Amend as follows: CE-O2 Land use and subdivision in the coastal environment: <ul style="list-style-type: none"> a. preserves the characteristics and qualities of the natural character of the coastal environment; b. is consistent <u>compatible</u> with the surrounding land use; <i>[Entire objective not shown here].</i>
CE-P3 Avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of land use and subdivision on the characteristics and	Oppose.	It is considered inappropriate to require all significant adverse effects to be avoided in areas of the coastal environment outside of “significant” (in a RMA section 6 sense) ONC, ONL and	CE-P3 Avoid significant adverse effects and avoid, remedy or mitigate other <u>Manage any</u> adverse effects of land use and subdivision on the characteristics and qualities of the

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Provision	Position	Reason	Relief Sought
<p>qualities of the coastal environment not identified as:</p> <ul style="list-style-type: none"> a. outstanding natural character; b. ONL; and c. ONF. 		<p>ONF areas. It is appropriate to facilitate an assessment of the merits of proposals with such effects rather than requiring outright avoidance as a first principle policy setting.</p>	<p>coastal environment <u>in locations</u> not identified as:</p> <ul style="list-style-type: none"> a. outstanding natural character; b. ONL; and c. ONF.
<p>CE-P4 Preserve the visual qualities, character and integrity of the coastal environment by:</p> <ul style="list-style-type: none"> a. consolidating land use and subdivision around existing urban centres and rural settlements; and b. avoiding sprawl or sporadic patterns of development. 	Oppose.	<p>Sub-clause (a) appears to disregard the presence of Special Purpose Zones, some of which (like the KCZ) were specifically established to provide for various developments beyond the boundaries of the district's towns.</p>	<p>CE-P4 Preserve the visual qualities, character and integrity of the coastal environment by:</p> <ul style="list-style-type: none"> a. consolidating land use and subdivision around existing urban centres and rural settlements <u>or in locations provided for by Special Purposes Zones</u>; and b. avoiding sprawl or <u>unplanned</u> sporadic patterns of development.
<p>CE-P6 Enable farming activities within the coastal environment where:</p> <ul style="list-style-type: none"> a. the use forms part of the values that established natural character of the coastal environment; or b. the use is consistent with, and does not compromise the characteristics and qualities. 	Oppose.	<p>It is unclear how sub-clause (a) could be operationalised in a resource consent application context.</p> <p>Sub-clause (b) appears to be incomplete. Nevertheless, WBF observes that the requirement to be “consistent with, and does not compromise” is indicative of a de-facto requirement to avoid farming activities if these are deemed to “compromise”</p>	<p>Delete this policy or amend to clearly enable farming in the coastal environment in line with Rule CE-R4.</p>

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Provision	Position	Reason	Relief Sought
		<p>the unspecified “characteristics and qualities”.</p> <p>Furthermore, this policy appears more tentative than Rule CE-R4, which permits farming in the coastal environment as long as it is done outside HNC or ONC areas.</p>	
CE-P9 Prohibit land use and subdivision that would result in any loss and/or destruction of the characteristics and qualities in outstanding natural character areas.	Oppose.	Part of WBFs site (the “Totara Forest”) is proposed to be included in the ONC80 area. WBF opposes the application of that layer to its property. For completeness, it also opposes this policy insofar as it would prohibit WBF’s landscape maintenance activities and the upgrade and development of structures in the Totara Forest.	In the event that the ONC80 layer is not deleted from WBF’s property, delete this policy.
CE-P10 Manage land use and subdivision to preserve and protect the natural character of the coastal environment, and to address the effects of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application: <ul style="list-style-type: none"> a. the presence or absence of buildings, structures or infrastructure; 	Oppose.	<p>Sub-clauses (a) to (m) are a list of assessment matters that are inappropriate to be included in a policy. They do not provide direction about how to achieve the overarching objectives.</p> <p>WBF recommends deletion of the policy and reliance on the remaining policies. If necessary, the assessment criteria can be relocated to rules and standards of the infrastructure chapter.</p>	Delete this policy.

S463.056 to
S463.058

S463.059



Provision	Position	Reason	Relief Sought
<ul style="list-style-type: none"> b. the temporary or permanent nature of any adverse effects; c. the location, scale and design of any proposed development; d. any means of integrating the building, structure or activity; e. the ability of the environment to absorb change; f. the need for and location of earthworks or vegetation clearance; g. the operational or functional need of any regionally significant infrastructure to be sited in the particular location; h. any viable alternative locations for the activity or development; i. any historical, spiritual or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6; j. the likelihood of the activity exacerbating natural hazards; k. the opportunity to enhance public access and recreation; 			



Provision	Position	Reason	Relief Sought
<ul style="list-style-type: none"> l. the ability to improve the overall quality of coastal waters; and m. any positive contribution the development has on the characteristics and qualities. 			
<p>CE-R1 New buildings or structures, and extensions or alterations to existing buildings or structures</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1</p> <p>If a new building or structure is located in an urban zone it is:</p> <ol style="list-style-type: none"> 1. no greater than 300 m². 2. located outside high or outstanding natural character areas. <p>PER-2</p> <p>If a new building or structure is not located within an urban zone it is:</p> <ol style="list-style-type: none"> 1. ancillary to farming activities (excluding a residential unit). 2. no greater than 25 m². 	Oppose in part	<p>The upshot of this rule for WBF is that in the coastal environment, a discretionary activity status applies to all development > 25 m². Even if smaller than 25 m², development is a discretionary activity if it is not ancillary to farming.</p> <p>At Kauri Cliffs the land in both the coastal environment <u>and</u> the RPROZ, is mainly cliffs or areas of regenerating vegetation. Farming is not carried out in these areas.</p> <p>The remaining areas of Kauri Cliffs that are in the coastal environment are in the Golf Living, Golf Playing or Lodge subzones, and accommodate limited farming activity, which will decrease further as the next stage of development is implemented.</p> <p>Therefore, the 25 m² and ancillary to farming performance standards are practically impossible for WBF to comply with. These standards are entirely misplaced in the context of</p>	<p>Amend PER-2 as follows:</p> <p>CE-R1 New buildings or structures, and extensions or alterations to existing buildings or structures</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>[PER-1 not shown here]</p> <p>PER-2</p> <p>If a new building or structure is not located within an urban zone it is:</p> <ol style="list-style-type: none"> 1. ancillary to farming activities (excluding a residential unit). 2. no greater than 25 m². 3. located outside outstanding natural character areas. 4. <u>Located in a Special Purpose Zone, where the zone provisions prevail and this rule does not apply.</u>

\$463.060



Provision	Position	Reason	Relief Sought
<p>3. located outside outstanding natural character areas.</p> <p>PER-3</p> <p>Any extension to a lawfully established building or structure is no greater than 20% of the GFA of the existing lawfully established building or structure.</p> <p>PER-4</p> <p>The building or structure, or extension or addition to an existing building or structure, complies with standards:</p> <p>CE-S1 Maximum height.</p> <p>CE-S2 Colours and materials.</p>		<p>Kauri Cliffs, given the activities that exist, or can reasonably be anticipated, in the Golf Living, Golf Playing or Lodge subzones.</p>	<p>PER-3</p> <p>Any extension to a lawfully established building or structure is no greater than 20% of the GFA of the existing lawfully established building or structure.</p> <p>PER-4</p> <p>The building or structure, or extension or addition to an existing building or structure, complies with standards:</p> <p>CE-S1 Maximum height, <u>except in a Special Purpose Zone, where the zone provisions prevail and this rule does not apply.</u></p> <p>CE-S2 Colours and materials.</p>
<p>CE-R2 Repair or maintenance</p> <p>Coastal environment</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1</p> <p>The repair or maintenance of the following activities where they have been lawfully established and where the size, scale and materials used are like for like:</p> <p>1. roads.</p>	<p>Support.</p>	<p>It is appropriate to provide a permitted activity status for repairs or maintenance of the listed structures.</p>	<p>Retain this rule.</p>

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Provision	Position	Reason	Relief Sought
2. fences. 3. network utilities. 4. driveways and access. 5. walking tracks. 6. cycling tracks. 7. farming tracks. Activity status where compliance is not achieved with PER-1: Discretionary			
CE-R3 Earthworks or indigenous vegetation clearance Coastal environment Activity status: Permitted Where: PER-1 The earthworks or indigenous vegetation clearance is: 1. required for repair or maintenance permitted under CE-R2 Repair or Maintenance. 2. required to provide for safe and reasonable clearance for existing overhead power lines. 3. necessary to ensure the health and safety of the public. 4. for biosecurity reasons.	Oppose.	The result of clause PER-2 of this rule is to impose permitted limits (via standard CE-S3) on earthworks or indigenous vegetation clearance of: > Nil permitted in the ONC80 area that the Proposed Plan seeks to apply to the Totara Forest; > 50 m ² for 10 years (i.e. 5 m ² per year) in a HNC area such as covers extensive areas of Kauri Cliffs coastal margin; and > 400 m ² for 10 years (i.e., 40 m ² per year) for areas in the coastal environment but not in outstanding or high natural character areas. If these meagre permitted limits are breached, a <u>non-complying</u> activity status applies.	Amend as follows: CE-R3 Earthworks or indigenous vegetation clearance Coastal environment Activity status: Permitted Where: <i>[PER-1 not shown here].</i> PER-2 The earthworks or indigenous vegetation clearance is not provided for within CE-R3 PER-1 but it: 1. complies with standard CE-S3 Earthworks or indigenous vegetation clearance; or 2. <u>is in the Golf Living, Golf Playing or Lodge subzones of the Kauri</u>

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Provision	Position	Reason	Relief Sought
<p>5. for the sustainable non-commercial harvest of plant material for rongoā Māori.</p> <p>PER-2 The earthworks or indigenous vegetation clearance is not provided for within CE-R3 PER-1 but it complies with standard CE-S3 Earthworks or indigenous vegetation clearance.</p> <p>Activity status where compliance not achieved with PER-1: Discretionary</p> <p>Activity status where compliance not achieved with PER-2: Non-complying</p>		<p>It is guaranteed that WBF will need to breach these permitted limits during the term of the Proposed Plan if it is to carry out golf course maintenance, track construction and maintenance, vegetation management and infrastructure installation duties/activities that are part of its regular operations. It goes without saying that the future residential subdivision of land in the Golf Living subzone will, where it encroaches into the coastal environment, also breach these highly restrictive provisions.</p> <p>The consequential non-complying activity status is a highly onerous regulatory intervention that is in WBF's opinion, likely to generate ongoing resource consenting burdens. These will be of little/no benefit to the environment or the community but a significant drag on resources that could be better allocated to WBFs business and ecological restoration activities.</p>	<p><u>Cliffs Zone.</u></p> <p>Activity status where compliance not achieved with PER-1: Discretionary</p> <p>Activity status where compliance not achieved with PER-2: Non-complying</p> <p><u>Activity status where compliance not achieved with PER-2 in the Kauri Cliffs Zone: Discretionary</u></p>
<p>CE-R4 Farming</p> <p>Coastal environment</p> <p>Activity status: Permitted</p> <p>Where:</p>	Support.	WBF agrees that it is appropriate to require resource consent for farming activities proposed in identified HNC or ONC areas.	Retain this rule as notified.

S463.063



Provision	Position	Reason	Relief Sought
PER-1 The farming activity is located outside high or outstanding natural character areas.			
CE-R5 Demolition of buildings or structures Coastal environment Activity status: Permitted Activity status where compliance not achieved: Not applicable	Support.	WBF agrees with the unequivocal provision of a permitted activity status for demolition in the coastal environment.	Retain this rule as notified.
CE-S1 Maximum height. 1. The maximum height of any new building or structure above ground level is 5m and must not exceed the height of the nearest ridgeline, headland or peninsula. 2. Any extension to a building or structure must not exceed the height of the existing building above ground level or exceed the height of the nearest ridgeline, headland or peninsula. This standard does not apply to: 1. The Orongo Bay zone	Oppose.	The imposition of a generic 5m permitted height limit over <i>all</i> land in the coastal environment is a very notable change introduced by the Proposed Plan. This is likely to heavily constrain some landowners' ability to use and develop land in accordance with its zoned purpose. This highly conservative and all-encompassing proposed rule is not mandated by any provisions of the Regional Policy Statement for Northland, the Proposed Regional Plan for Northland August 2022 – Appeals Version, nor by the New Zealand Coastal Policy Statement.	CE-S1 Maximum height. 1. The maximum height of any new building or structure above ground level is 5m and must not exceed the height of the nearest ridgeline, headland or peninsula. 2. Any extension to a building or structure must not exceed the height of the existing building above ground level or exceed the height of the nearest ridgeline, headland or peninsula. This standard does not apply to: 1. The Orongo Bay zone; <u>and</u> 2. <u>Special Purpose Zone - Kauri Cliffs.</u>

S463.064

S463.065

Provision	Position	Reason	Relief Sought
		<p>The planning issues created by the introduction of a resource consent requirement for buildings taller than 5m are apparent when considering the Special Purposes Zones. Such zones are, according to the Kauri Cliffs s32 report:</p> <p><i>“...locations where detailed site assessment and development have been completed by way of a resource consent, development plan, structure plan or master plan to result in outcomes for the area, managed by way of area specific objectives, policies and methods. Each Special Area is unique, with individual circumstances, site constraints, surrounding environment, resource management issues and development potential”.</i></p> <p>Given the foregoing, the Special Purposes Zones anticipate, and provide individualised planning frameworks for, unique developments.</p> <p>Introducing a 5 m permitted height limit as proposed by this rule contradicts the bespoke development outcomes that have previously been considered and embedded in the Special Purpose Zones, in Kauri Cliffs</p>	

Provision	Position	Reason	Relief Sought
		case since the commencement of the Operative Plan in 2009.	
<p>CE-S3 Earthworks or indigenous vegetation clearance.</p> <p>Any earthworks or indigenous vegetation clearance must (where relevant):</p> <ol style="list-style-type: none"> 1. not occur in outstanding natural character areas. 2. not exceed a total area of 50 m² for 10 years from the notification of the District Plan in an area of high natural character. 3. not exceed a total area of 400 m² for 10 years from the notification of the District Plan in an area outside high or outstanding natural character areas. 4. not exceed a cut height or fill depth of 1 m. 5. screen any exposed faces. <p>Note: The NESF requires a 10 m setback from any natural wetland in respect of earthworks or vegetation clearance and may require consent from the Regional Council.</p>	Amend	<p>If the relief sought in respect of the deletion of the ONC80 layer from the Totara Forest is not granted, WBF seeks that this rule is amended to provide a discretionary pathway for earthworks and vegetation removal within the ONC80, given that this area has been modified and needs ongoing maintenance to provide amenity to guests and future residents of Kauri Cliffs.</p> <p>Sub-clause (2) needs to be amended as 50 m² per calendar year is much more appropriate than 50 m² per 10 years. The latter is highly conservative, and these effects can be managed with appropriate management plans.</p> <p>For areas outside the HNC area there is no need for such a conservative approach and a discretionary activity provides and appropriate pathway.</p>	<p>CE-S3 Earthworks or indigenous vegetation clearance.</p> <p>Any earthworks or indigenous vegetation clearance must (where relevant):</p> <ol style="list-style-type: none"> 1. not occur in outstanding natural character areas. 2. not exceed a total area of 50 m² for 10 years from the notification of the District Plan <u>per calendar year</u>, in an area of high natural character. 3. not exceed a total area of 400 m² for 10 years from the notification of the District Plan <u>per calendar year</u> in an area outside high or outstanding natural character areas. 4. not exceed a cut height or fill depth of 1 m. 5. screen any exposed faces. <p>Note: The NESF requires a 10 m setback from any natural wetland in respect of earthworks or vegetation clearance and may require consent from the Regional Council.</p>

S463.066

Provision	Position	Reason	Relief Sought
Earthworks			
EW-O1 Earthworks are enabled where they are required to facilitate the efficient subdivision and development of land, while managing adverse effects on waterbodies, coastal marine area, public safety, surrounding land and infrastructure.	Support.	It is appropriate to provide for earthworks that are appropriately managed with respect to effects on the surrounding environment.	Retain this objective as notified.
EW-P1 Enable earthworks necessary to provide for the District’s social, economic and cultural well-being, and their health and safety where they provide for: <ul style="list-style-type: none"> a. urban land uses and development within urban zones; b. rural land uses and development including, farm tracks, land drainage, and other farming activities within the Rural zones; c. conservation and recreation activities; d. land drainage and flood control works; and e. installation, upgrade and maintenance of infrastructure. 	Oppose.	The policy fails to recognise the need for earthworks in the Special Purpose Zones.	Amend as follows: EW-P1 Enable earthworks necessary to provide for the District’s social, economic and cultural well-being, and their health and safety where they provide for: <i>[Entire policy not shown here].</i> f. <u>Land uses, development and subdivision anticipated in a Special Purpose Zone.</u>

S463.067

S463.068

Provision	Position	Reason	Relief Sought
<p>EW-P8 Manage earthworks to address the effects of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application:</p> <ul style="list-style-type: none"> a. the location, scale and volume; b. depth and height of cut and fill; c. the nature of filling material and whether it is compacted; d. the extent of exposed surfaces or stockpiling of fill; e. erosion, dust and sediment controls; f. the risks of natural hazards, particularly flood events; g. stormwater controls; h. flood storage, overland flow paths and drainage patterns; i. impacts on natural coastal processes; j. the stability of land, buildings and infrastructure; 	Oppose.	<p>Sub-clauses (a) to (t) are a list of assessment matters that are inappropriate to be included in a policy. They do not provide direction about how to achieve the overarching objectives.</p> <p>WBF recommends deletion of the policy and reliance on the other earthworks policies instead. If necessary, these assessment criteria can be relocated to rules and standards later in this chapter.</p>	Delete this policy.

S463.069



Provision	Position	Reason	Relief Sought
<ul style="list-style-type: none"> k. visual amenity, natural character and landscape values, l. historic heritage values, and whether any assessment or advice from a suitably qualified and experienced heritage expert is required; m. any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6; n. the life-supporting capacity of soils; o. the extent of indigenous biodiversity clearance and its effect on biodiversity values; p. outstanding natural character, outstanding natural landscapes and outstanding natural features; q. riparian margins; r. the location, operational and functional needs and use of infrastructure; s. temporary or permanent nature of any adverse effect; and 			



Provision	Position	Reason	Relief Sought	
t. traffic and noise effects.				
EW-R1 Earthworks for buildings or structures, and extensions to existing buildings or structures <i>[Entire rule not shown here].</i>	Support.	The rule provides appropriately for permitted earthworks and a fallback restricted discretionary consenting pathway is an efficient method to address a breach of the permitted activity performance standards.	Retain this rule as notified.	S463.070
EW-R2 Earthworks for creating fence lines, poles, piles and service connections <i>[Entire rule not shown here].</i>	Support.	The rule provides appropriately for permitted earthworks and a fallback restricted discretionary consenting pathway is an efficient method to address a breach of the permitted activity performance standards.	Retain this rule as notified.	S463.071
EW-R4 Earthworks for a farming activity where sites are 8 hectares or greater <i>[Entire rule not shown here].</i>	Support.	The rule provides appropriately for permitted earthworks and a fallback restricted discretionary consenting pathway is an efficient method to address a breach of the permitted activity performance standards.	Retain this rule as notified.	S463.072
EW-R5 Earthworks for farming a activity on sites less than 8ha and for sites in zones not listed in Rule EW-R4 <i>[Entire rule not shown here].</i>	Support.	The rule provides appropriately for permitted earthworks and a fallback restricted discretionary consenting pathway is an efficient method to address a breach of the permitted activity performance standards.	Retain this rule as notified.	S463.073

Provision	Position	Reason	Relief Sought	
EW-R7 Earthworks for new infrastructure or repair and upgrades <i>[Entire rule not shown here].</i>	Support.	The rule provides appropriately for permitted earthworks and a fallback restricted discretionary consenting pathway is an efficient method to address a breach of the permitted activity performance standards.	Retain this rule as notified.	S463.074
EW-R9 Earthworks for sport and recreation activity <i>[Entire rule not shown here].</i>	Support.	The rule provides appropriately for permitted earthworks and a fallback restricted discretionary consenting pathway is an efficient method to address a breach of the permitted activity performance standards.	Retain this rule as notified.	S463.075
EW-R10 Earthworks for the construction, or upgrade of walkways, cycle tracks and leisure activity <i>[Entire rule not shown here].</i>	Support.	The rule provides appropriately for permitted earthworks and a fallback restricted discretionary consenting pathway is an efficient method to address a breach of the permitted activity performance standards.	Retain this rule as notified.	S463.076
EW-R11 Earthworks for conservation activity <i>[Entire rule not shown here].</i>	Support.	The rule provides appropriately for permitted earthworks and a fallback restricted discretionary consenting pathway is an efficient method to address a breach of the permitted activity performance standards.	Retain this rule as notified.	S463.077
EW-S1 Maximum earthworks thresholds The following maximum volumes and area thresholds for all earthworks	Support.	This standard provides appropriate allowances and a range of suitable assessment criteria, to facilitate the assessment and processing of	Retain this standard as notified.	S463.078



Provision	Position	Reason	Relief Sought
<p>undertaken on a site within a single calendar year:</p> <p>Rural Production, Horticulture, Kauri Cliffs, Ngawha Innovation Park, Māori Purpose – Rural</p> <p>Volume (m3) 5000</p> <p>Area (m2) 2,500</p> <p>Where the standard is not met, matters of discretion are restricted to:</p> <p><i>[Entire standard not shown here].</i></p>		resource consent applications involving earthworks.	

Light			
<p>LIGHT-O1 Artificial outdoor lighting is designed and located to:</p> <ul style="list-style-type: none"> a) minimise adverse effects; b) be compatible with the characteristics and qualities of the surrounding environment; and c) protect the amenity values of light sensitive areas. 	Oppose.	Sub-clauses (a) and (c) are ambiguous in terms of what adverse effects are required to be minimised, and which locations constitute “light sensitive areas” (this term is not defined).	Delete this objective.
<p>LIGHT-P2 Control the intensity, location, and direction of outdoor lighting to:</p> <ul style="list-style-type: none"> a. ensure artificial lighting avoids conflict with existing light 	Oppose.	Sub-clause (a) and (c) impose policy directions in respect of undefined and subjective “light sensitive areas”, “views of the night sky” and “intrinsically dark landscapes”.	Delete this policy.

S463.079

S463.080



Provision	Position	Reason	Relief Sought
<p>sensitive areas, other established uses, and the transport network;</p> <p>b. internalises light spill within the site, and minimises light spill at the site boundary;</p> <p>c. avoid adverse effects on views of the night sky and intrinsically dark landscapes; and</p> <p>d. manage adverse effects on the health, safety, and wellbeing of people and communities in the surrounding area, unless it is for critical health and safety reasons.</p>			
<p>LIGHT-S1 Maximum level of light spill</p> <p>Kauri Cliffs zone</p> <p>The maximum level of light spill measured at the notional boundary of any habitable building located within the Rural production, Rural Lifestyle, Horticulture zone, Māori Purpose, Kauri Cliffs or Natural Open Space zones must not exceed:</p> <p>1. 10 lux (in both vertical and horizontal planes).</p>	Oppose.	In WBF's view the matters of discretion require amendment to capture the likely lighting scenarios at Kauri Cliffs and to dispense with subjective and unenforceable criteria.	<p>Amend as follows:</p> <p><i>[Entire standard not shown here].</i></p> <p>Matters of discretion are restricted to:</p> <p>a. whether artificial lighting is for operation or functional purposes <u>or provides a safety or wayfinding function</u>;</p> <p>b. whether <u>the adverse effects of lighting can be managed by adjustments to timing, duration, direction, intensity,</u></p>

S463.081



Provision	Position	Reason	Relief Sought
<p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. whether artificial lighting is for operation or functional purposes; b. whether timing, duration, direction, intensity, focus, design, height, or type of lighting contributes to avoidable or unnecessary light spill; c. adverse effects on the predominant character and amenity of the surrounding area, including views and enjoyment of the night sky; d. adverse effects on the health, safety and wellbeing of people and communities in the surrounding area, including the transport network; and e. the extent to which light spill or glare affects residential properties, including outdoor living space and/or has the potential to result in sleep disturbance. 			<p>focus, design, height, or type of lighting contributes to avoidable or unnecessary light spill; and</p> <ul style="list-style-type: none"> c. adverse effects on the predominant character and amenity of the surrounding area, including views and enjoyment of the night sky;
<p>Noise</p>			

Provision	Position	Reason	Relief Sought
<p>NOISE-R7 Helicopter landing areas</p> <p>All zones</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1</p> <p>Flight movements are for emergency purposes such as medical emergencies, search and rescue or firefighting purposes;</p> <p>PER-2</p> <p>The helicopter landing site complies with standard:</p> <p>NOISE-S4 Helicopter landing areas.</p> <p>This standard does not apply to:</p> <ol style="list-style-type: none"> i. Emergency or rescue helicopter operation occurring to or from Bay of Islands, Rawene or Kaitaia Hospital (excludes established helicopter bases on hospital land). ii. Emergency or rescue helicopter landings, departures, overflights or activity during operations that occur away from the 	Support.	<p>WBF supports the enablement of general helicopter flights as a permitted activity under sub-clause PER-2 of this rule. It suggests a minor amendment to reflect that helicopter movements are the source of the effect, not the helicopter landing site.</p>	<p>NOISE-R7 Helicopter landing areas</p> <p>All zones</p> <p>Activity status: Permitted</p> <p>Where:</p> <p><i>[PER-1 not shown here]</i></p> <p>PER-2</p> <p><u>Helicopter movements and landings at</u> <u>†The helicopter landing areasite</u> <u>complies with standard:</u></p> <p>NOISE-S4 Helicopter landing areas.</p> <p><i>[Entire rule not shown here].</i></p>

\$463.082

Provision	Position	Reason	Relief Sought
<p>permanently established helicopter base.</p> <p>iii. Cropping, top dressing, and spraying for the purpose of farming or conservation carried out in the Rural Production, Horticulture zones, or within Significant Natural Area on a seasonal, temporary, or intermittent basis for a period up to 30 days in any 12 month period.</p>			
<p>NOISE-S1 Maximum noise levels - zone specific</p> <p>Kauri Cliffs zone</p> <p>Noise generated by any activity shall not exceed the following limits within the notional boundary of any noise sensitive activity in the Rural Production, Rural Lifestyle or Māori Purpose zones:</p> <p>7.00 am to 10.00 pm - 55 dB LAeq (15min)</p> <p>10.00 pm to 7.00 am - 40 dB LAeq (15 min)</p>	Support.	With specific regard to Kauri Cliffs, WBF considers the permitted noise limited to be compatible with the general range of activities undertaken in the KCZ.	Retain this standard as notified.

S463.083



Provision	Position	Reason	Relief Sought
10.00 pm to 7.00 am - 70 dB LAFmax			
<p>NOISE-S1 Maximum noise levels - zone specific</p> <p>Natural Open Space zone</p> <p>Noise generated by any activity shall not exceed the following noise limits at any point within any other site in the Natural Open Space, Open Space, and Sport and Active Recreation zones:</p> <p>7.00 am to 10.00 pm - 50 dB LAeq (15min)</p> <p>10.00 pm to 7.00 am - 40 dB LAeq (15 min)</p> <p>10.00 pm to 7.00 am - 70 dB LAFmax</p>	Oppose.	Applying the noise rules for the NOSZ to the Natural Heritage subzone at Kauri Cliffs is inappropriate, given the NOSZ in this location is contained entirely in a private landholding.	<p>Amend as follows:</p> <p>Noise generated by any activity shall not exceed the following noise limits at any point within any other site in the Natural Open Space (<u>excluding the Kauri Cliffs Natural Heritage subzone</u>), Open Space, and Sport and Active Recreation zones:</p> <p><i>[Entire standard not shown here]</i></p>
<p>NOISE-S4 Helicopter landing areas</p> <p>All zones</p> <p>Noise generated from the movements and landing of helicopters shall comply with the following noise limits when measured at any point within any General Residential and Rural Residential zones, or within the notional boundary of any noise sensitive activity in the Rural Production, Rural Lifestyle, Settlement, Horticulture or Māori Purpose zones when assessed in accordance with</p>	Support in part.	WBF supports the provision for helicopter movements to/from Kauri Cliffs. It suggests a minor amendment to this rule to clarify where noise measurements are to be taken.	<p>Noise generated from the movements and landing of helicopters shall comply with the following noise limits when measured at any point within <u>a site in separate ownership in any General Residential and Rural Residential zones</u>, or within the notional boundary of any noise sensitive activity <u>on a site in separate ownership in the Rural Production, Rural Lifestyle, Settlement, Horticulture or Māori Purpose zones</u> when assessed in accordance with NZS 6807:1994: Noise Management</p>

S463.084

S463.085

Provision	Position	Reason	Relief Sought
<p>NZS 6807:1994: Noise Management and Land Use Planning for Helicopter Landing Areas.</p> <p>Note: Section 4.3 of NZS 6807:1994 shall not apply.</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. the extent of non-compliance and whether the proposal complies with noise limits of 50 dB Ldn; b. whether there are any restrictions on the number of movements proposed; c. the level, duration and character of the noise; d. proximity and nature of nearby activities and the adverse effects they may experience from the noise; e. effects on character and amenity values on the surrounding environment; f. effects on health and wellbeing of people; g. noise mitigation measures proposed; 			<p>and Land Use Planning for Helicopter Landing Areas.</p>



Provision	Position	Reason	Relief Sought
<ul style="list-style-type: none"> h. any wider social or community benefits from the operation of helicopters; and i. any potential cumulative effects. 			
Temporary Activities			
<p>TA-R1 Temporary activity (excluding any activity listed in the rules below as permitted or restricted discretionary)</p> <p>PER-1 The site is not used for more than two temporary activity events per calendar year, and the event does not exceed two consecutive days.</p> <p>PER-2 The activity occurs between 6.30am to 10.00pm on each day.</p> <p>PER-3 A maximum of 500 persons on the site each day.</p> <p>PER-4 Any accessory building or structure is removed within seven days of the activity finishing.</p> <p>PER-5 The activity complies with standards:</p> <p>TA-S1 Road controlling authority approval.</p>	Support.	<p>WBF supports the permitted allowance for temporary activity events but suggests refinements to make the performance standards clearer.</p>	<p>Amend as follows:</p> <p>TA-R1 Temporary activity (excluding any activity listed in the rules below as permitted or restricted discretionary)</p> <p>PER-1 The site is not used for more than two temporary activity events per calendar year, and each the event does not exceed two consecutive days.</p> <p>PER-2 The <u>temporary activity does not occur between outside the hours of</u> 6.30am to 10.00pm on each day.</p> <p>PER-3 A maximum of 500 persons <u>(excluding event staff) are hosted on</u> the site each day.</p> <p>PER-4 Any accessory building or structure is removed within seven days of the <u>temporary</u> activity finishing.</p> <p>PER-5 The <u>temporary</u> activity complies with standards:</p>

S463.086

Provision	Position	Reason	Relief Sought	
			TA-S1 Road controlling authority approval.	
Mineral extraction overlay				
ME-P2 Enable new and provide for the expansion of existing mineral extraction activities where significant adverse effects are avoided.	Support.	It is appropriate to require significant adverse effects to be avoided.	Retain this policy as notified.	S463.087
ME-P3 Provide for mineral extraction, and processing outside a Mineral Extraction resource overlay where: <ul style="list-style-type: none"> a. there is a public benefit derived from the activity; b. it is located outside of the Coastal and Natural Environment Overlays; c. the location is sufficiently away from Urban zones, Carrington Estate, Kauri Cliffs, Orongo Bay, Quail Ridge and Māori Purpose Special Purpose zones and Settlement and Rural Residential zones; d. significant adverse effects are avoided; and 	Oppose.	<p>While WBF agrees with the express recognition afforded to the special purpose zones in this policy, it considers the requirement in sub-clause (c) for extraction and processing activities to be “sufficiently away from” the Kauri Cliffs Zone to be unduly vague and difficult to enforce.</p> <p>WBF recommends the development of amended wording to clarify a required minimum setback.</p> <p>WBF has provided a placeholder dimension in the amended text of the adjoining column because it considers that the appropriate minimum setback to be specified will require further discussion between parties to this policy.</p>	<p>Amend as follows:</p> <ul style="list-style-type: none"> c. the location <u>of the extraction or processing activity is setback a minimum of [xx m] from any land in the sufficiently away from</u> Urban zones, Carrington Estate, Kauri Cliffs, Orongo Bay, Quail Ridge and Māori Purpose Special Purpose zones and Settlement and Rural Residential zones; 	S463.088

Provision	Position	Reason	Relief Sought	
e. other adverse effects are avoided, remedied or mitigated				
Part 3 – Area Specific Matters				
Rural Production Zone				
RPROZ-O1 The Rural Production zone is managed to ensure its availability for primary production activities and its long-term protection for current and future generations.	Oppose.	The drafting of this objective is vague. Presumably it seeks to ensure the ongoing availability of RPROZ land for primary production, however this is unclear from the text.	Amend to clarify the outcome that this objective seeks.	\$463.089
RPROZ-O2 The Rural Production zone is used for primary production activities, ancillary activities that support primary production and other compatible activities that have a functional need to be in a rural environment.	Support.	WBF agrees with the primacy accorded to primary production by this policy.	Retain this policy as notified.	\$463.090
RPROZ-P1 Enable primary production activities, provided they internalise adverse effects onsite where practicable, while recognising that typical adverse effects associated with primary production should be	Support.	WBF supports recognition of the typical effects of primary production, which cannot necessarily be internalised.	Retain this policy as notified.	\$463.091



Provision	Position	Reason	Relief Sought
anticipated and accepted within the Rural Production zone.			
RPROZ-P2 Ensure the Rural Production zone provides for activities that require a rural location by: <ul style="list-style-type: none"> a. enabling primary production activities as the predominant land use; b. enabling a range of compatible activities that support primary production activities, including ancillary activities, rural produce manufacturing, rural produce retail, visitor accommodation and home businesses. 	Oppose.	WBF seeks the inclusion of reference to 'staff accommodation' in this policy to clarify that this activity is ancillary to farming.	Amend as follows: <ul style="list-style-type: none"> b. enabling a range of compatible activities that support primary production activities, including ancillary activities (<u>including staff accommodation</u>), rural produce manufacturing, rural produce retail, visitor accommodation and home businesses.
RPROZ-P7 Manage land use and subdivision to address the effects of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application: <p><i>[Entire policy not shown here]</i></p>	Oppose.	Sub-clauses (a) to (j) are a list of assessment matters that are inappropriate to be included in a policy. They do not provide direction about how to achieve the overarching objectives of the zone. <p>WBF recommends deletion of the policy and reliance on the remaining policies instead. If necessary, the</p>	Delete this policy.

S463.092

S463.093

Provision	Position	Reason	Relief Sought
		assessment criteria can be relocated to rules and standards later in this chapter.	
<p>RPROZ-R1 New buildings or structures, and extensions or alterations to existing buildings or structures</p> <p><i>[Entire rule not shown here].</i></p>	Support.	WBF supports the permitted activity performance standards for development in the RPROZ, which, in its view, adequately provide for the type of buildings common to rural areas.	Retain this rule as notified.
<p>RPROZ-R2 Impermeable surface coverage</p> <p>Rural Production zone</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The impermeable surface coverage of any site is no more than 15%.</p> <p>Activity status where compliance not achieved with PER-1: Restricted Discretionary</p> <p><i>[Entire rule not shown here].</i></p>	Support.	WBF considers the allotted 15% site coverage performance standard and fallback restricted discretionary consenting pathway for proposals that exceed this standard, to be an adequate allowance for the RPROZ.	Retain this rule as notified.

S463.094

S463.095



Provision	Position	Reason	Relief Sought
RPROZ-R3 Residential activity Rural Production zone Activity status: Permitted Where: PER-1 The site area per residential unit is at least 40ha. PER-2 The number of residential units on a site does not exceed six. PER-1 does not apply to: a single residential unit located on a site less than 40ha. Activity status where compliance not achieved with PER-1 or PER-2: Discretionary Where: DIS-1 The site area per residential unit is at least 8ha. DIS-2 The number of residential units on a site does not exceed two.	Oppose.	Given the large size of lots in the RPROZ WBF proposes an amendment to exempt farm staff accommodation from this rule.	Amend as follows: RPROZ-R3 Residential activity <u>(excluding staff accommodation)</u> <i>[Entire rule not shown here].</i>

S463.096

Provision	Position	Reason	Relief Sought	
Activity status where compliance not achieved with DIS 1 or DIS 2: Non-complying				
Special Purpose Zones				
Special Purpose Zone - Kauri Cliffs ("KCZ")	Oppose.	<p>The KCZ is a bespoke "Special Purpose Zone" with evolving requirements.</p> <p>The next stage of development at Kauri Cliffs will deliver development outcomes that will necessitate reconfiguration of the subzones that apply in the KCZ and a small area of the RPROZ. Consequently, a straight "roll over" of the operative KCZ provisions is not the most appropriate method to achieve the purpose of the RMA with respect to the subdivision, use and development of land at Kauri Cliffs.</p> <p>Annexure C to this submission provides a track-changes version of the KCZ, which details the amendments to the KCZ set out below.</p>	Amend the KCZ as set out in the attached track-change version of the zone and as stated in the submission points below.	\$463.097
Overview The Kauri Cliffs zone is located between Matauri Bay to the north and Takou Bay to the south and has been	Oppose.	The commentary presented in this Overview section of the chapter requires updating to reflect developments undertaken during the term of the ODP, and to recognise and	Overview <u>Kauri Cliffs is a large landholding located between Matauri Bay to the north and Takou Bay to the south.</u>	\$463.098



Provision	Position	Reason	Relief Sought
<p>developed as a championship standard golf course, with an associated lodge and separate guest cottage 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.</p> <p>The zone recognises and provides for the management and development of an international standard golfing facility, accommodation facilities, conference and eating / dining facilities, 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' within the Kauri Cliffs Zone. These are:</p> <ul style="list-style-type: none"> › Lodge subzone; › Golf playing subzone; › Golf living subzone; and › Natural heritage subzone <p>These subzones provide specifically for development and activities, which are to be carried out in a manner that</p>		<p>provide for future development at Kauri Cliffs, including the residential subdivision and development anticipated in the Golf Living subzone.</p> <p>The Proposed Plan deletes references in Chapter 18.7 of the ODP to the future “further complementary” residential development that is anticipated for the Golf Living subzone. WBF considers the omission of these references to be an oversight, given the development is going to be advanced during the term of the Proposed Plan, and readers of the zone should be altered to this.</p> <p>The Proposed Plan has also, inappropriately in WBF’s view, deleted references to the wider farm landholding that forms the bulk of the property. The interfaces between the farm and the KCZ are a key influence on WBF’s proposed reconfiguration of the KCZ and any future subdivision layout. It therefore warrants recognition in the ‘Overview’ of this zone.</p> <p>A comprehensive overview section is considered necessary to provide Plan users with accurate context, given the KCZ is a Special Purpose Zone and therefore differs from all other zones.</p>	<p><u>While much of the property is used for farming, the portion of Kauri Cliffs contained in the Kauri Cliffs Zone is internationally recognised as a prestigious golfing facility and luxury accommodation and recreation destination.</u></p> <p><u>Activities in the Kauri Cliffs Zone are controlled by four subzones, the:</u></p> <ul style="list-style-type: none"> › Lodge subzone; › Golf Playing subzone; › Golf Living subzone; and › Natural Heritage subzone <p><u>These subzones provide specific development frameworks intended maintain the character, features and landscape of the Kauri Cliffs Zone.</u></p> <p><u>A championship standard golf course has been developed in the Golf Playing subzone. The development of an additional golf course and ancillary facilities is provided for in areas mainly to the west of the existing golf course.</u></p> <p><u>The Lodge at Kauri Cliffs is situated centrally in the Lodge subzone. The Lodge provides accommodation, dining, hospitality, golf-related retailing and guest and visitor activities and events. Guest and visitor facilities</u></p>

Provision	Position	Reason	Relief Sought
<p>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.</p>			<p><u>separate to the Lodge include a spa, gym, sports courts and pools. Detached visitor accommodation units are located north of the Lodge. The development of new visitor accommodation and family-oriented recreational facilities are also provided for in the Lodge subzone.</u></p> <p><u>The comprehensively master planned subdivision of land in the Golf Living subzone to create up to 60 lots for subsequent residential development is provided for on a restricted discretionary basis. This development will need to deliver appropriate services and amenity for future residents, within the Golf Living subzone and Lodge subzone and more widely around Kauri Cliffs, such as walking and cycling paths to provide access to services and points of interest.</u></p> <p><u>The activities in the Kauri Cliffs Zone contribute significant economic value to the Far North district through the tourism, hospitality and employment opportunities it generates, as well as via operational and capital expenditures.</u></p> <p><u>Large areas set aside for ecological restoration are present throughout the Kauri Cliffs Zone and wider property.</u></p>

Provision	Position	Reason	Relief Sought
			<u>Future development and activities in the Kauri Cliffs Zone will continue to support the protection and enhancement of environmental values.</u>
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.	Oppose.	The amendments sought will clarify the range of visitor and guest services required onsite and expressly identify that residential subdivision and development and supporting services/facilities continue to be provided for. This is necessary to provide regulatory certainty to Plan users and stakeholders associated with Kauri Cliffs.	KCZ-O1 The Kauri Cliffs zone is developed <u>To maintain and enhance</u> operate an international standard golfing facility, <u>premier</u> visitor accommodation <u>destination</u> , and <u>ancillary guest</u> facilities; including conference, gym, spa, <u>hospitality</u> , <u>recreation</u> and <u>eating / dining</u> facilities <u>as well as golf living facilities and residential activities and supporting facilities and services.</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.	Oppose.	WBF's amendments more concisely and accurately state a key objective for the zone.	KCZ-O2 <u>New uses, development and subdivision maintain and enhance significant natural character, conservation and environmental values</u> 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.
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	Oppose.	This policy is outdated and requires amendments to reflect developments undertaken during the term of the ODP. The changes recognise and	KCZ-P1 Provide for land use and subdivision in the Kauri Cliffs zone where it that maintains or enhances the purpose of the zone as an

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Provision	Position	Reason	Relief Sought
internationally recognised golfing and luxury accommodation facility.		provide for residential subdivision and development as anticipated in the Golf Living subzone and for development in the Lodge subzone which will be necessary to support both the golfing and residential components of Kauri Cliffs.	internationally recognised golfing, <u>recreation, tourism</u> and luxury accommodation facility <u>or delivers a master planned residential development.</u>
KCZ-P2 Provide for the development of future golf courses within the 'Golf playing subzone' in the Kauri Cliffs zone while ensuring that any adverse effects of development are avoided, remedied or mitigated.	Support.	WBF supports the intent of the original policy but seeks an addition to include ancillary structures related to “golf-playing” along with staff accommodation in relation to the golf activity. As per the track-changes copy of the zone at Annexure C , this policy has been placed in the “golf-playing sub zone” policies as Policy 6.	KCZ-P26 Provide for the development of future golf courses and their ancillary structures and staff accommodation within the 'Golf playing subzone' in the Kauri Cliffs zone while ensuring that any adverse effects of development are avoided, remedied or mitigated <u>managing any adverse effects of the development.</u>
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.	Support.	This policy has been placed in the “Kauri Cliffs general” section of the zone as this policy should apply to all subzones.	KCZ-P32 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 accommodation in the Kauri Cliffs zone where the adverse effects can be avoided, remedied or mitigated.	Oppose.	This policy has been amended to align with the requirements of WBF within this subzone by incorporating Policy 5, and also better aligns the policy wording with the definitions within the plan. In line with the proposed changes to KCZ-R2 below, the policy also allows	KCZ-P45 <u>Enable tourist and golf related activities and provide for the limited extension of the existing guest cottage visitor accommodation units in the Kauri Cliffs Lodge sub-zone where the adverse effects can be avoided, remedied or mitigated managed.</u>

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Provision	Position	Reason	Relief Sought
		for the extension of the visitor accommodation activity. A detailed reasoning for this is provided below.	
KCZ-P5 Enable tourist and golf-related activities in the Kauri Cliffs zone in association with the existing Kauri Cliffs Lodge.	Oppose.	As noted with respect to KCZ-P4, this policy has been incorporated into a revised Policy KCZ-P5 to prevent duplication.	Delete this policy.
KCZ-P6 Provide for 'golf living' activities in the Kauri Cliffs zone, where it is consistent with an open rural landscape character and located more than 0.5 km inland from the coast.	Oppose.	WBF considers it appropriate to provide more directive policy guidance about the matters to be addressed in relation to future residential development.	KCZ-P67 Provide for <u>residential activities in the Golf Living subzone more than 0.5 km inland from the coast and require the siting, design and landscaping to manage effects on the rural and coastal landscape character.</u> 'golf living' activities in the Kauri Cliffs zone, where it is consistent with an open rural landscape character and located more than 0.5 km inland from the coast.
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.	Oppose.	WBF is of the view that a more specific policy direction is appropriate to guide future development. This policy is proposed to be included with the Kauri Cliffs General policies as it applies to all development throughout the Kauri Cliffs Zone and is not distinct to one subzone.	KCZ-P73 Ensure <u>development in the Kauri Cliffs Zone is appropriately sited and serviced to manage adverse effects on the values of the coastal environment.</u> 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

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Provision	Position	Reason	Relief Sought
			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.	Oppose.	This policy can be interpreted as inadvertently requiring all new use and development to maintain or improve air and road access, regardless of whether there is a nexus between the proposal and the access network or not.	KCZ-P84 <u>Maintain or improve road and air access to the Kauri Cliffs Zone if necessary to support new land uses or developments in</u> Ensure that any land use or development undertaken in the Kauri Cliffs zone maintains or improves road and air access to the zone.
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.	Amend.	As detailed in its submission points on the Coastal Environment chapter, WBF considers those provisions to be incompatible with the planning framework for Kauri Cliffs that the KCZ establishes. It therefore proposes to confirm in this note that in the event of conflict, the zone provisions prevail over those of the Coastal Environment chapter.	Amend as follows: 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. <u>However, in the event of conflict between the provisions of the Kauri Cliffs Zone and the provisions of the Coastal Environment chapter, the zone provisions prevail.</u> Ensure that relevant District-Wide Matters chapters are also referred to in addition to this chapter, to

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Provision	Position	Reason	Relief Sought
<p>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.</p>			<p>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.</p> <p>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.</p>
<p>KCZ-R1 New buildings or structures, and extensions or alterations to existing buildings or structures</p> <p><i>[Entire rule not shown here]</i></p>	Support.	While WBF records its support for this rule, it foreshadows that it opposes the 25 m ² permitted GFA limit imposed by standard KCZ-S1(1), which this rule refers to.	Retain this rule as notified.
<p>KCZ-R2 Visitor accommodation</p> <p>Kauri Cliffs zone</p> <p>Lodge-sub zone</p>	Oppose.	The reference to “Kauri Cliffs Zone” in the first line of this rule appears to extend the permitted allowance for visitor accommodation to the entirety of the KCZ, not just the Lodge	Amend as follows: KCZ-R2 Visitor accommodation Kauri Cliffs zone

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Provision	Position	Reason	Relief Sought
<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 New buildings for the purpose of visitor accommodation does not exceed 8 guest cottages.</p> <p>Activity status where compliance is not achieved with PER-1:</p> <p>Discretionary</p> <p>Lodge-sub-zone</p> <p>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.</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; and 		<p>subzone, which is not the intent. The words “Kauri Cliffs Zone” are therefore recommended to be deleted.</p> <p>The amendments to rule PER-1 reflect WBF’s request to extend the Lodge subzone to cover the existing Residences and the area of the 2017 subdivision.</p> <p>The land within the 2017 subdivision will not be developed and sold as a freehold residential subdivision. Portions of the subdivision footprint may, however, be suitable for future visitor accommodation development complementary to and associated with, the Lodge.</p> <p>Furthermore, three of the existing visitor accommodation units are currently located in the Golf Playing subzone, rather than within the mapped extent of the Lodge subzone.</p> <p>Therefore, the requested permitted allowance for 22 visitor accommodation units accounts for:</p> <ul style="list-style-type: none"> ➤ 8 existing units in the Lodge subzone; ➤ 3 existing units in the Golf Playing subzone; 	<p>Lodge-sub zone</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1</p> <p><u>No more than 22 visitor accommodation units including the existing Owner’s Cottage and Residences. New buildings for the purpose of visitor accommodation does not exceed 8 guest cottages.</u></p> <p>Activity status where compliance is not achieved with PER-1:</p> <p>Discretionary</p> <p>Lodge-sub-zone</p> <p>CON-1</p> <p>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.</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



Provision	Position	Reason	Relief Sought
<p>d. the degree to which the landscape will retain its open character and visual value.</p> <p>Activity status where compliance not achieved with CON-1: Discretionary</p> <p>Golf living sub-zone</p> <p>PER-2 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).</p> <p>Activity status where compliance not achieved with PER-2: Discretionary</p>		<p>➤ The Owner’s Cottage and three dwellings that comprise the Residences; and</p> <p>➤ Leaves a balance allowance for 7 visitor accommodation units in the area of the 2017 subdivision.</p> <p>This arrangement makes provision for reasonable visitor development within approximately 3 ha available on the lower contours of the 2017 subdivision (lower than the internal road).</p> <p>Refer to Annexure B of this submission for a map showing the extent of the proposed enlarged Lodge subzone.</p> <p>With respect to the Golf Living subzone, the Proposed Plan appears to include this provision under “Visitor accommodation” in error. The Golf Living subzone is not an area anticipated for visitor accommodation development and as such, is recommended to delete this provision.</p>	<p>to which it integrates with existing buildings;</p> <p>c. the extent to which planting assists the integration of the structure into the environment; and</p> <p>d. the degree to which the landscape will retain its open character and visual value.</p> <p>Activity status where compliance not achieved with CON-1: Discretionary</p> <p>Golf living sub-zone</p> <p>PER-2 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);</p> <p>Activity status where compliance not achieved with PER-2: Discretionary</p>
<p>KCZ-R3 Residential activity</p> <p>Kauri Cliffs zone</p> <p>Golf living sub-zone</p> <p>Activity status: Permitted</p>	<p>Support.</p>	<p>The purpose of the Golf Living subzone is to facilitate a master planned residential subdivision and development. It is therefore appropriate to permit the development of single dwellings located on</p>	<p>Amend as follows:</p> <p>KCZ-R3 Residential activity</p> <p>Kauri Cliffs zone</p> <p>Golf living sub-zone</p>

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Provision	Position	Reason	Relief Sought
<p>Where:</p> <p>PER-1 The number of residential units on a site does not exceed one.</p> <p>PER 2 The residential unit is located within a building platform identified on an approved subdivision plan.</p> <p>Activity status where compliance not achieved with PER-1 and 2: Discretionary</p>		<p>previously consented building platforms.</p> <p>The discretionary consenting pathway for applications that do not meet the permitted activity performance standards gives certainty about a rigorous assessment and decision-making pathway for any such application.</p>	<p>Activity status: Permitted</p> <p><i>[Entire rule not shown here].</i></p>
<p>KCZ-R4 Commercial activity</p> <p>Kauri Cliffs zone</p> <p>Lodge-sub zone</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 Commercial activities are for the purpose of:</p> <ol style="list-style-type: none"> 1. Conferences. 2. Eating and dining facilities. 3. Gym and beauty spa facilities. 4. Retail activities associated with golf and other ancillary recreation. 	Oppose.	The rule requires updating to reflect the range of activities in the Lodge subzone.	<p>KCZ-R4 Commercial activity</p> <p>Kauri Cliffs zone</p> <p>Lodge-sub zone</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1</p> <p>Commercial activities <u>including</u> are for the purpose of:</p> <ol style="list-style-type: none"> 1. Conferences. 2. Eating and dining facilities. 3. Gym and beauty spa facilities. 4. <u>Tourism and hospitality including tours and events.</u>

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Provision	Position	Reason	Relief Sought
			5. Retail activities associated with golf, and other ancillary recreation, <u>visitor accommodation</u> or the <u>above activities</u> .
KCZ-R5 Infrastructure activity Kauri Cliffs zone Lodge-sub zone Activity status: Permitted Where: PER-1 Infrastructural facilities are associated with the operation and maintenance of the Lodge and associated accommodation.	Oppose.		KCZ-R5 Infrastructure activity Kauri Cliffs zone Lodge-sub zone Activity status: Permitted Where: PER-1 Infrastructural facilities are associated with the operation and maintenance <u>of the Lodge or golfing, recreation, hospitality or visitor accommodation activities in the Lodge subzone, the Lodge and associated accommodation.</u>
KCZ-R6 Recreation activity Kauri Cliffs zone Lodge-sub zone Golf playing-sub zone Activity status: Permitted Where: PER-1 The facilities or activities associated with the lodge where they have been lawfully established.	Amend.	The amendment sought simplifies the permitted activities within the sub-zones.	KCZ-R6 Recreation activity Kauri Cliffs zone Lodge-sub zone Golf playing-sub zone Activity status: Permitted Where: PER-1 The facilities or activities associated with the l odge where they have been lawfully established.

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Provision	Position	Reason	Relief Sought
<p>PER-2 Recreation activities are associated with golf tournaments.</p> <p>Golf playing-sub zone</p> <p>Golf living-sub zone</p> <p>PER-3 Recreational activities and facilities are associated with golf playing, establishment and maintenance of golf course and golf tournaments.</p> <p>Activity status where compliance not achieved with PER-1, PER-2 or PER-3: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. 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 			<p>Lodge sub-zone</p> <p>PER-2 Recreation activities are associated with golf tournaments.</p> <p>Golf playing-sub zone</p> <p><u>Lodge sub-zone</u></p> <p>Golf living-sub zone</p> <p>PER-3<u>2</u> Recreational activities and facilities are associated with golf playing, establishment and maintenance of golf course and golf tournaments.</p> <p>Activity status where compliance not achieved with PER-1; <u>and</u> PER-2: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. Any adverse visual effects on the natural environment and the extent to which mitigation measures ensure that such effects are no more than minor <u>managed</u>; b. The extent to which the replacement planting of any indigenous vegetation mitigates the loss of established vegetation more than 6m in height;



Provision	Position	Reason	Relief Sought
<p>archaeological resources or natural fauna;</p> <p>d. the extent to which any proposed measures will result in the protection and enhancement of the ecological values of the area; and</p> <p>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.</p>			<p>c. the extent to which the proposal has been formulated to avoid, remedy or mitigate adverse effects, on any <u>significant</u> archaeological <u>values</u> resources or <u>natural indigenous</u> fauna;</p> <p>d. the extent to which any proposed measures will result in the protection and enhancement of the ecological values of the area; and</p> <p>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.</p>
<p>KCZ-R7 Access</p> <p>Kauri Cliffs zone</p> <p>Lodge-sub zone</p> <p>Golf-playing sub-zone</p> <p>Golf living sub-zone</p> <p>Activity status: Permitted</p>	Amend.	<p>It is appropriate to provide a permitted activity pathway for works associated with pedestrian access, as well as vehicle access.</p> <p>Several of the matters of control appear to have been included in errors, as they relate to structures and</p>	<p>KCZ-R7 Access</p> <p>Kauri Cliffs zone</p> <p>Lodge-sub zone</p> <p>Golf-playing sub-zone</p> <p>Golf living sub-zone</p> <p>Activity status: Permitted</p>

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Provision	Position	Reason	Relief Sought
<p>Where:</p> <p>PER-1 Access is limited to the formation, maintenance and upgrading of vehicle access, tracks and roads.</p> <p>Activity status where compliance not achieved with PER-1: Controlled</p> <p>Matters of control are limited to:</p> <ul style="list-style-type: none"> 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 location and design of associated vehicle access, manoeuvring and parking area; e. the degree to which landscape will retain its open character and visual value; and f. the matters of discretion of any infringed standard. 		<p>buildings rather than access. WBF seeks that these be deleted.</p>	<p>Where:</p> <p>PER-1 Access is limited to the formation, maintenance and upgrading of vehicle <u>and pedestrian</u> access, tracks and roads.</p> <p>Activity status where compliance not achieved with PER-1: Controlled</p> <p>Matters of control are limited to:</p> <ul style="list-style-type: none"> 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 location and design of associated vehicle access, manoeuvring and parking area; <u>and</u> e. the degree to which landscape will retain its open character and visual value.; <u>and</u>



Provision	Position	Reason	Relief Sought	
			f. —the matters of discretion of any infringed standard.	
KCZ-R8 Farming	Support.	The WBF supports the continued provision for farming activities within the Golf Living subzone.	Retain standard as notified.	S463.117
KCZ-R9 Helicopter landing area Kauri Cliffs zone Lodge-sub zone Golf playing sub-zone Golf living sub-zone Activity status: Permitted Where: PER-1 Any helicopter landing area complies with standard NOISE R7 Helicopter landing areas.	Oppose.	The provision to comply with standard NOISE-R7 is redundant. NOISE-R7 refers to emergency take-off and landing scenarios. The amendment WBF seeks better reflects the use of helicopters within the KCZ where these comply with standard NOISE-S4. NOISE-S4 relates to noise generated from typical (not emergency) helicopter movements and landings. Compliance with NOISE-S4 is more appropriate as helicopter movements in the KCZ are not restricted to emergency movements only.	KCZ-R9 Helicopter landing area Kauri Cliffs zone Lodge-sub zone Golf Playing sub-zone Golf Living sub-zone Activity status: Permitted Where: PER-1 Any helicopter landing area complies with standard NOISE R7 <u>S4</u> Helicopter landing areas.	S463.118
KCZ-R16 Primary Production (excluding farming) Kauri Cliffs zone Activity status: Non-complying	Oppose.	WBF suggests that the Proposed Plan could more appropriately differentiate and provide for modest primary production activities in the KCZ. The amendment WBF proposes seeks to focus non-complying activity status	KCZ-R16 Primary Production (excluding farming mining and aquaculture) Kauri Cliffs zone Activity status: Non-complying	S463.119



Provision	Position	Reason	Relief Sought
		on sub-sets of primary production that are not contemplated in the zone.	
KCZ-S1 Buildings or structures Kauri Cliffs zone: Lodge sub-zone 1. The maximum footprint of a new building or structure is 25 m ² . 2. The maximum height of a new building or structure, or addition or alteration to an existing building or structure is 9 m above ground level.	Oppose.	WBF opposes the 25 m ² GFA limit for permitted buildings in the Lodge subzone. As explained in this submission, the Lodge subzone is a hub for the KCZ. It contains, and is intended to be further developed with, buildings/structures that will be significantly larger than 25 m ² GFA. WBF's considers that there is ample potential to manage any environmental effects of larger structures (particularly on landscape values) in the Lodge subzone, including in the enlarged (26 hectares) zone footprint sought by this submission.	KCZ-S1 Buildings or structures Kauri Cliffs zone: Lodge sub-zone 1. The maximum footprint of a new building or structure is 25 <u>350</u> m ² . 2. The maximum height of a new building or structure, or addition or alteration to an existing building or structure is 9m above ground level.
Schedules			
Schedule 3 – Sites and areas of significance to Māori	Oppose.	Having discuss the matter with Ngāti Rehia mana whenua, WBF seeks the inclusion of the Piakoa wāhi tapu site on Schedule 3 to ensure the site is afforded ongoing statutory protection.	Include Piakoa in Schedule 3 (Sites and Areas of Significance to Māori) of the Proposed Plan.

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Provision	Position	Reason	Relief Sought
		<p>Refer to Annexure D which provides the New Zealand Heritage List entry for this site.</p> <p>Figure 2 of Annexure B shows WBF's proposed mapping of the site, based on the coordinates given in the New Zealand Heritage List entry.</p>	
Schedule D8 – Schedule of outstanding natural character: ONC80	Oppose	<p>The proposed ONC80 area does not have “near to pristine indigenous land cover”. Numerous “human features” within and directly abutting the area present clearly apparent visual and acoustic modifications that cannot be described as “negligible”. While the Totara Forest is undoubtedly a pleasant area that provides amenity for guests and visitors to Kauri Cliffs, it does not provide a “very strong experience of naturalness”.</p> <p>On this basis WBF considers that it is inappropriate to apply ONC80 to the Totara Forest. The features and characteristics of this area are not consistent with the assessment criteria for areas of ‘Outstanding Natural Character’ stated in Appendix 1 of the Proposed Plan.</p>	Delete ONC80 from Schedule 8 of the Proposed Plan.

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Provision	Position	Reason	Relief Sought
Proposed Plan Maps	Oppose.	WBF seeks amendment of the Proposed Plan maps for the reasons set out in this submission.	<p>Amend the planning maps as set out in Annexure B to this submission with respect to:</p> <ul style="list-style-type: none"> ➤ The RPROZ, Kauri Cliffs Zone and its constituent subzones ➤ The Piakoa wāhi tapu site. <p>Delete the mapping of ONC80.</p>

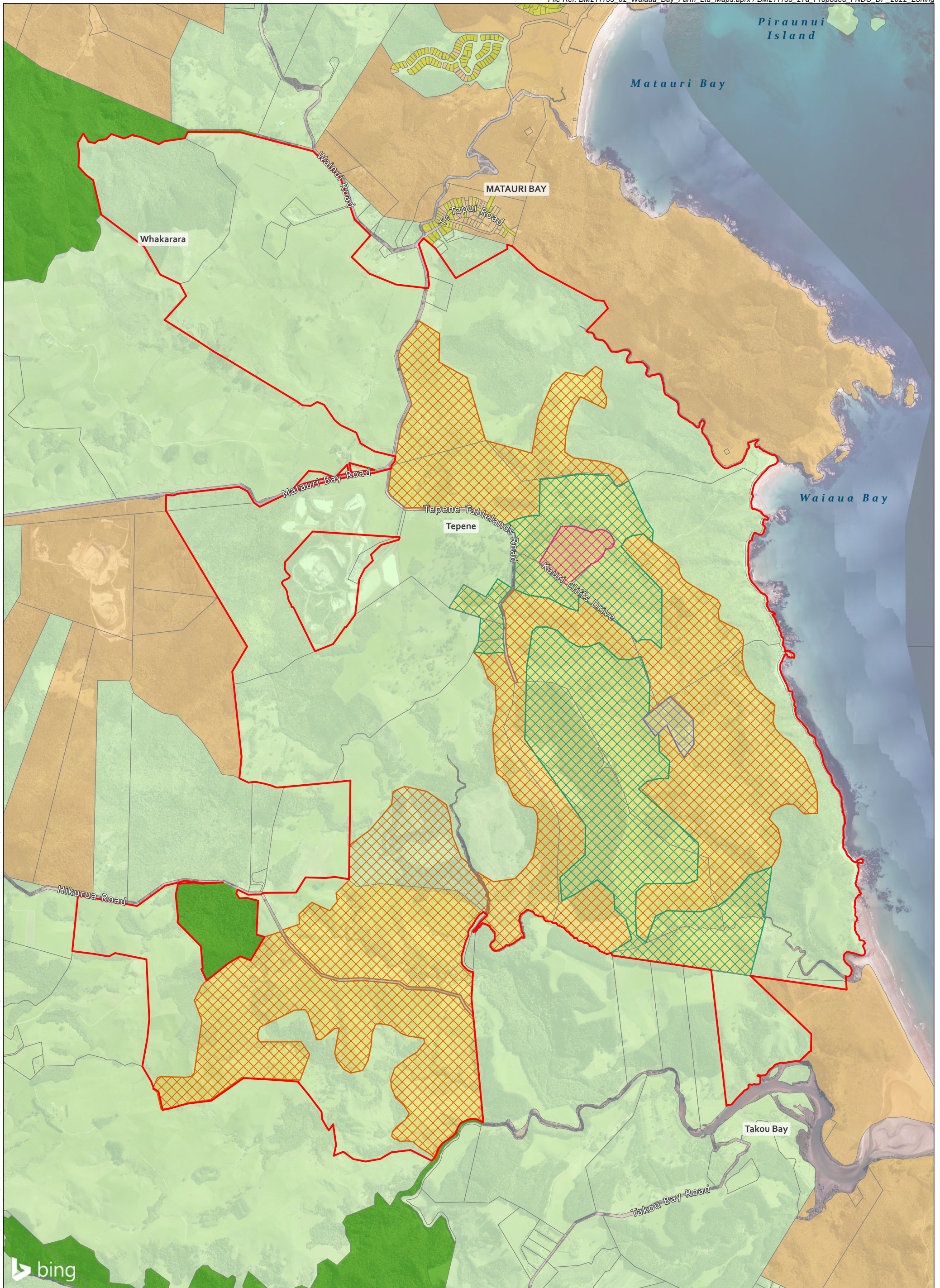
S463.123





ANNEXURE B

Amended Zoning Maps

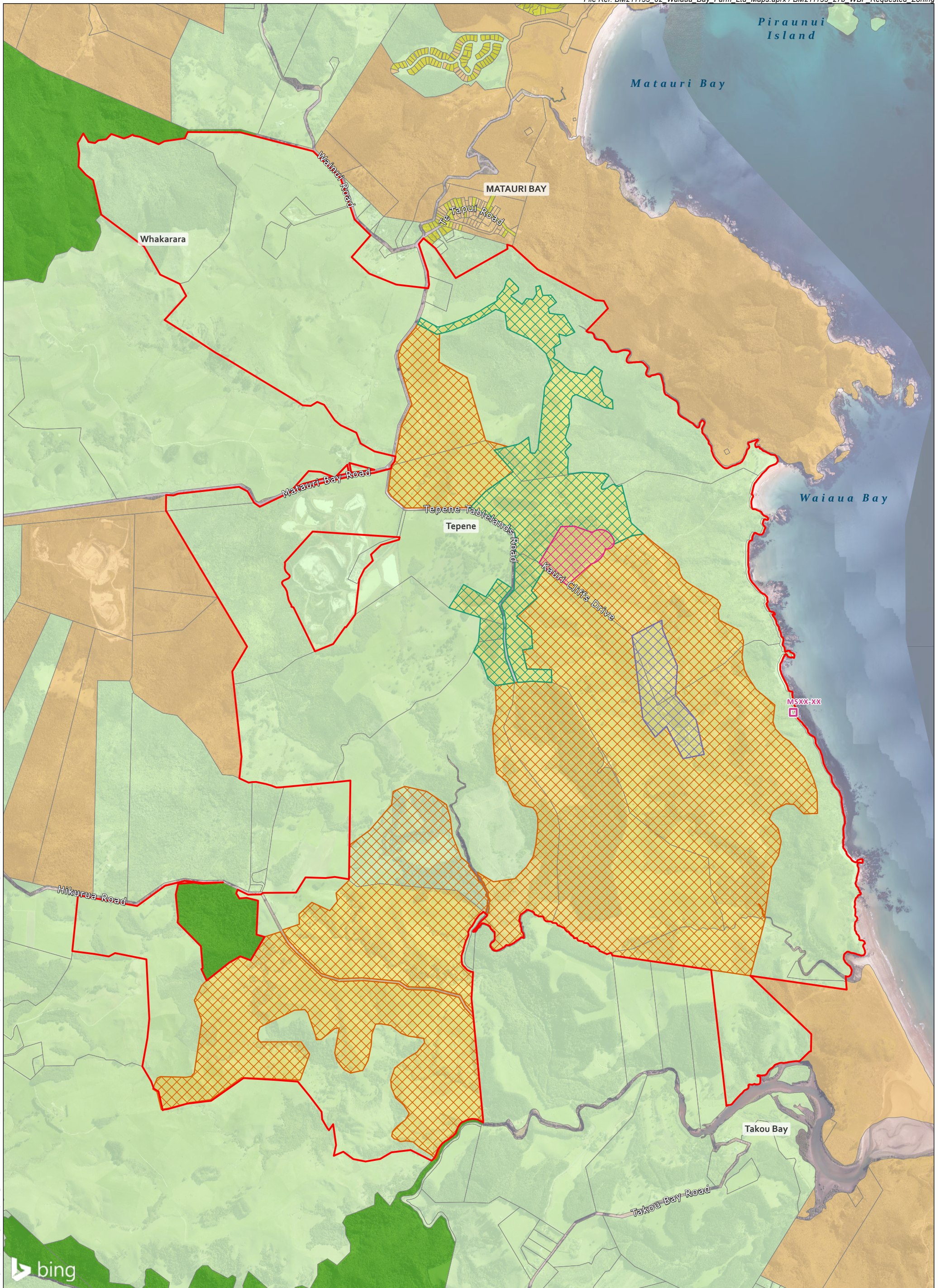


This plan has been prepared by Boffa Miskell Limited on the specific instructions of our Client. It is solely for our Client's use in accordance with the agreed scope of work. Any use or reliance by a third party is at that party's own risk. Where information has been supplied by the Client or obtained from other external sources, it has been assumed that it is accurate. No liability or responsibility is accepted by Boffa Miskell Limited for any errors or omissions to the extent that they arise from inaccurate information provided by the Client or any external source.

DRAFT

LEGEND	Property Boundary	Kauri Cliffs Special Purpose Zone
Zones	Kauri Cliffs	Golf Living Subzone
Rural Production	Golf Playing Subzone	Lodge Subzone
Natural Open Space	Natural Heritage Subzone	Land Parcels
Māori Purpose (Rural)		
Settlement		

Figure 1



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DRAFT

Property Boundary	Kauri Cliff Special Purpose Zone
Proposed Zones	Golf Living Subzone
Kauri Cliffs	Golf Playing Subzone
Rural Production	Lodge Subzone
Natural Open Space	Natural Heritage Subzone
Māori Purpose (Rural)	SASM Site
Settlement	Land Parcels

Figure 2

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DRAFT






- LEGEND**
-  Property Boundary
 -  Kauri Cliff Special Purpose Zone
 -  Golf Playing Subzone
 -  Lodge Subzone
 -  Land Parcels

Figure 4



ANNEXURE C

Kauri Cliffs Zone with Tracked
Changes

Overview

~~The Kauri Cliffs zone is a large landholding located between Matauri Bay to the north and Takou Bay to the south. While much of the property is used for farming, the portion of Kauri Cliffs contained in the Kauri Cliffs Zone is internationally recognised as a prestigious golfing facility and luxury accommodation and recreation destination, and has been developed as a championship standard golf course, with an associated lodge and separate guest cottage 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, accommodation facilities, conference and eating/dining facilities, 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' within the Kauri Cliffs Zone. These are:~~

~~Activities in the Kauri Cliffs Zone are controlled by four subzones, the:~~

- Lodge subzone
- Golf ~~P~~playing subzone
- Golf ~~L~~iving subzone
- Natural ~~h~~eritage subzone

~~These subzones 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.~~

~~These subzones provide specific development frameworks intended maintain the character, features and landscape of the Kauri Cliffs Zone.~~

~~A championship standard golf course has been developed in the Golf Playing subzone. The development of an additional golf course and ancillary facilities is provided for in areas mainly to the west of the existing golf course.~~

~~The Lodge at Kauri Cliffs is situated centrally in the Lodge subzone. The Lodge provides accommodation, dining, hospitality, golf-related retailing and quest and visitor activities and events. Guest and visitor facilities separate to the Lodge include a spa, gym, sports courts and pools. Detached visitor accommodation units are located north of the Lodge. The development of new visitor accommodation and family-oriented recreational facilities are also provided for in the Lodge subzone.~~

~~The comprehensively master planned subdivision of land in the Golf Living subzone to create up to 60 lots for subsequent residential development is provided for on a restricted discretionary basis. This development will need to deliver appropriate services and amenity for future residents, within the Golf Living subzone and Lodge subzone and more widely around Kauri Cliffs, such as walking and cycling paths to provide access to services and points of interest.~~

~~The activities in the Kauri Cliffs Zone contribute significant economic value to the Far North district through the tourism, hospitality and employment opportunities it generates, as well as via operational and capital expenditures.~~

~~Large areas set aside for ecological restoration are present throughout the Kauri Cliffs Zone and wider property. Future development and activities in the Kauri Cliffs Zone will continue to support the protection and enhancement of environmental values.~~

Objectives	
KCZ-01	The Kauri Cliffs zone is developed t To maintain and operate enhance an international standard golfing facility, premier visitor accommodation destination, and ancillary guest facilities, including conference, gym, spa, hospitality, recreation and eating/dining facilities as well as golf living facilities and residential activities and supporting facilities and services.
KCZ-02	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. New uses, development and subdivision maintain and enhance significant natural character, conservation and environmental values.

Policies	
Kauri Cliffs General	
KCZ-P1	Provide for land use and subdivision in the Kauri Cliffs zone where it that maintains or enhances the purpose of the zone as an internationally recognised golfing, recreation, tourism and luxury

	accommodation facility or delivers a master planned residential development.
KCZ-P3P2	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-P7P3	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 development in the Kauri Cliffs Zone is appropriately sited and serviced to avoid or minimize adverse effects on the values of the coastal environment.
KCZ-P8P4	Ensure that any land use or development undertaken in the Kauri Cliffs zone maintains or improves road and air access to Maintain or improve road and air access to the Kauri Cliffs zone if necessary to support new land uses or developments in the zone.
Lodge subzone	
KCZ-P4P5	Enable tourist and golf related activities and Pp provide for the limited extension of the existing guest cottage visitor accommodation units in the Kauri Cliffs Lodge subzone where the adverse effects can be avoided, remedied or mitigated managed.
Golf Playing subzone	
KCZ-P2P6	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 managing any adverse effects of the development.
Golf Living subzone	
KCZ-P6P7	Provide for 'golf living' activities in the Kauri Cliffs zone, where it is consistent with an open rural landscape character and located more than 0.5km inland from the coast residential activities in the Golf Living subzone more than 0.5 km inland from the coast and require the siting, design and landscaping to manage effects on the rural and coastal landscape character.
KCZ-P5	Enable tourist and golf-related activities in the Kauri Cliffs zone in association with the existing Kauri Cliffs Lodge.

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. However, in the event of conflict between the provisions of the Kauri Cliffs Zone and the provisions of the Coastal Environment chapter, the zone provisions prevail. 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, and extensions or alterations to existing buildings or structures
<p>Kauri Cliffs zone</p> <p>Lodge-sub zone</p>	<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 of any infringed standard</p>
<p>Golf Playing sub-zone</p>	<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>
<p>Golf living sub-zone</p>	<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: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <p>a. the matters of discretion of any infringed standard</p>
KCZ-R2		Visitor accommodation
<p>Kauri Cliffs zone</p> <p>Lodge-sub zone</p>	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 New buildings for the purpose of visitor accommodation does not exceed 8 guest cottages. No more than 22 visitor accommodation units including the existing Owner's Cottage and Residences.</p>	<p>Activity status where compliance is not achieved with PER-1: Discretionary</p>
<p>Lodge-sub-zone</p>	<p>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.</p> <p>Matters of control are limited to:</p> <p>a. the size, height, bulk and siting of the structure in relation to existing buildings;</p> <p>b. the colour and reflectivity of the structure and the extent to which it integrates with existing buildings;</p> <p>c. the extent to which planting assists the integration of the structure into the environment; and</p> <p>d. the degree to which the landscape will retain its open character and visual value.</p>	<p>Activity status where compliance not achieved with CON-1: Discretionary</p>

Golf living sub-zone	PER-2 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
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KCZ-R3		Residential activity
Kauri Cliffs zone Golf living sub-zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The number of residential units on a site does not exceed one.</p> <p>PER 2 The residential unit is located within a building platform identified on an approved subdivision plan.</p>	Activity status where compliance not achieved with PER-1 and 2: Discretionary
KCZ-R4		Commercial activity
Kauri Cliffs zone Lodge-sub zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 Commercial activities are for the purpose of including:</p> <ol style="list-style-type: none"> 1. Conferences. 2. Eating and dining facilities. 3. Gym and beauty spa facilities. 3.4. Tourism and hospitality including tours and events. 4-5. Retail activities associated with golf, other and other ancillary recreation, visitor accommodation or the above activities. 	Activity status where compliance not achieved with PER-1: Discretionary
KCZ-R5		Infrastructure activity
Kauri Cliffs zone Lodge-sub zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 Infrastructural Infrastructure facilities are associated with the operation and maintenance of the Lodge or golfing, recreation, hospitality or visitor accommodation activities in the Lodge subzone, and associated accommodation.</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"> 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 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; f. the matters of discretion of any infringed standard.
KCZ-R6		Recreation activity
Kauri Cliffs zone Lodge-sub zone Golf playing-sub zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The facilities or activities associated with the <u>L</u>odge where they have been lawfully established.</p>	<p>Activity status where compliance not achieved with PER-1, and PER-2 or PER-3: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. any adverse visual effects on the natural environment and the extent to which mitigation measures ensure that such

**Lodge-sub-
zone**

PER-2

Recreation activities are associated with golf tournaments.

- effects are ~~no more than minor~~managed;
- b. the extent to which the replacement planting of any indigenous vegetation mitigates the loss of established vegetation more than 6m in height;

<p>Golf playing-sub zone</p> <p>Golf living-sub-zone <u>Lodge subzone</u></p>	<p>PER-32 Recreational activities and facilities are associated with golf playing, establishment and maintenance of golf course and golf tournaments.</p>	<p>c. the extent to which the proposal has been formulated to avoid, remedy or mitigate adverse effects, on any <u>significant</u> archaeological resources-values or <u>natural indigenous</u> fauna;</p> <p>d. the extent to which any proposed measures will result in the protection and enhancement of the ecological values of the area; and</p> <p>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.</p>
<p>KCZ-R7 Access</p>		
<p>Kauri Cliffs zone</p> <p>Lodge-sub zone</p> <p>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 <u>and pedestrian</u> access, tracks and roads.</p>	<p>Activity status where compliance not achieved with PER-1: Controlled</p> <p>Matters of control are limited to:</p> <p>a. the size, height, bulk and siting of the structure in relation to existing buildings;</p> <p>b. the colour and reflectivity of the structure and the extent to which it integrates with existing buildings;</p> <p>c. the extent to which planting assists the integration of the structure into the environment;</p> <p>d.a. the location and design of associated vehicle access, manoeuvring and parking area;</p> <p>e.b. the degree to which the landscape will retain its open character and visual value; and</p> <p>f. the matters of discretion of any infringed standard.</p>
<p>KCZ-R8 Farming</p>		
<p>Kauri Cliffs zone</p> <p>Golf living 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>
<p>KCZ-R9 Helicopter landing area</p>		

<p>Kauri Cliffs zone</p> <p>Lodge-sub zone</p> <p>Golf playing sub-zone</p> <p>Golf living sub-zone</p>	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 Any helicopter landing area complies with standard NOISE-R7-S4 Helicopter landing areas.</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; the degree to which the landscape will retain its open character and visual value;
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		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 farmingmining and aquaculture)	
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	1. The maximum footprint of a new buildings or structures is 25350m ² . 2. The maximum height of a new building or structure, or addition or alteration to an existing building or structure is 9m above ground level.	Where the standard is not met, matters of discretion are restricted to: a. 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.
Kauri Cliffs zone: Golf playing sub-zone	1. The building or structure, or addition or alteration to an existing building or structure must be ancillary to golf activities. 2. 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	The maximum height of a new building or structure, or addition or alteration to an existing building or structure is 9m above ground level.	
KCZ-S2	Coverage	
Kauri	The maximum combined building	Where the standard is not met, matters of

Cliffs zone: Golf playing sub-zone	coverage and impermeable surface cover, excluding vehicle access, track and roads is 10% or 1,000m ² which ever is lesser.	discretion are restricted to: <ol style="list-style-type: none"> a. 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; 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; and f. extent of potential adverse effects on cultural, spiritual, heritage and/or amenity values of any affected waterbodies.
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ANNEXURE D

New Zealand Heritage List – Piakoa,
Tākou Bay (List no. 9832)



HERITAGE NEW ZEALAND
POUHERE TAONGA

New Zealand Heritage List / Rārangi Kōrero – Extract of Report for a Wāhi Tapu Area
Piakoā, Tākou Bay (List no. 9832)



Horeke basalt columns at Piakoā above Tākou Bay (©HNZPT, Xavier Forde, July 2019)

SUMMARY

The traditional burial caves of Piakoa are wedged in the fissures of the eroding Hōreke basalt columns that form the cliffs high above the coastline of Tākou Bay.

A number of great rangatira were laid to rest here including Auwha, who with Whakaaria led the Ngāpuhi conquest of the area, and his descendants. His grandson Hongi Hika, the renowned war chief of Ngāpuhi was placed here for a time after his death from a musket ball wound at Pupuke in 1828, before being removed to another burial place near Kaikohe. This was notably commemorated in a mōteatea (traditional lament) attributed to his senior wife Turikatuku.

The remains of many others that lay there were removed in the 1930s, when the hau kāinga decided to give their tūpuna a Christian burial by removing them to a cemetery at Matauri after a slip exposed the caves.

Piakoa, also known as Opiako, is sacred to the people of Tākou Marae and Ngāti Rēhia of Ngāpuhi, and stands near their whenua and papakāinga at the mouth of the Tākou river.

1. IDENTIFICATION¹

1.1. Name of Wāhi Tapu Area

Piako

Other Name: Opiako

1.2. Location Information

Address

Tākou Bay

Additional Location Information

-35.0751501, 173.9308862 (NZGD 2000)

Local Authority

Far North District Council

1.3. Current Legal Description

Lot 1 Deposited Plan 199909 and Lot 8 Deposited Plan 50236 (CT NZ126B/770)

1.4. Extent of Wāhi Tapu Area

Extent includes part of the land described as Lot 1 Deposited Plan 199909 and Lot 8 Deposited Plan 50236 (CT NZ126B/770) known as Piako, the coastal strip from the beach to the top of the cliffs including related wāhi tapu area features the burial caves and streams that are interconnected.

1.5. Existing Heritage Recognition

Other Heritage Recognition

Marked as “Opiako Wahi Tapu” on Old Land Claim 228 “Plan of Waiaua Estate”, dated 1856.

1.6. Use

Place associated with particular ancestors [Māori]

Rua Kōiwi [Māori] (former)

1.7. Associated List Entries

Te Kopua Kawai o te Whakaeke, Tākou Bay (List No. 9588)

¹ This section is supplemented by visual aids in Appendix 1 of the report.

2. SUPPORTING INFORMATION

2.1. General Nature of Wāhi Tapu Area

Piakoia is located along the Waiaua coastline north of the Tākou River, in Tākou Bay, within the tribal rohe of Ngāpuhi, in the takiwā of the Tākou Marae and Ngāti Rēhia. The Tākou river is the resting place of the ancestral Mataatua waka. A number of pā and kāinga housed the local population from Waiaua at the north end of Bay to Tākou papakāinga in the south, which is still today the abode of the Tākou community.

The lava that once flowed to the sea formed the fluted Hōreke basalt rock columns, which are clearly visible from the seaside at the top of the cliffs at Piakoia. Erosion causes these great columns to slowly collapse into a field of boulders which continues to the waterline. Fissures between the columns open into numerous gaps and caves (tōrere), which at Piakoia or Opiako (piako meaning “hollow”) were used as places of traditional Māori sepulture.

In 1836, the land around it was initially sold to missionary Philip King, one of the first Pākehā settlers at Matauri, by local rangatira ‘Tiki, Niho and Ihaka lamoe’. In an updated 1845 Crown Grant the deed was signed by Haumia and Kira. Piakoia was excluded from the sale, and described as ‘the sacred place of Opiako’ in the 1845 deed, and later marked out as a ‘wahi tapu’ on the 1856 survey of the Old Land Claim 228.

In the 1930s, a concerted effort by the hau kāinga was made to relocate the bones to Matauri for a Christian burial. Numerous slips before and since have modified the cliff face, its tōrere, and the boulder beach below. The land above the cliffs is now the home of the Kauri Cliffs lodge and golf course.

2.2. Wāhi Tapu Area Statement

Piakoia, also known as Opiako, is an area containing burial caves held to be sacred in the traditional and ritual sense.

The area is one of traditional Māori sepulture where the bones of many ancestors were once laid to rest. These include Auwha (Auha), who with his brother Whakaaria led the conquest of the area from Taiamai to Ipipiri (the Bay of Islands) and to Tākou and Waiaua, later returning to live nearby for a time at Matauri and at Taumatangi pā, and many of his descendants.

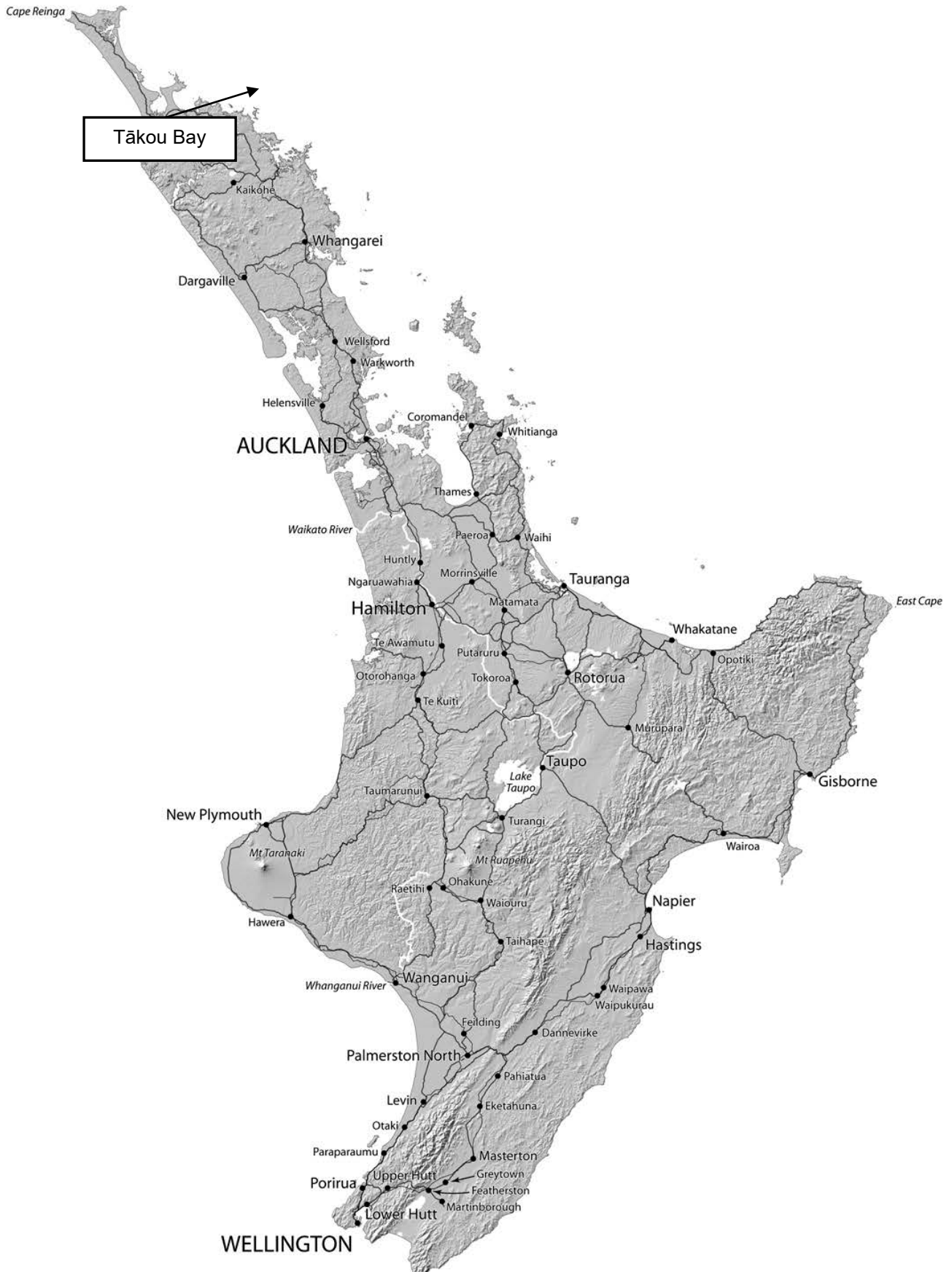
For a time Hongi Hika, the grandson of Auwha, and Ngāpuhi rangatira of great renown, lay here after his death in 1828. Piakoia was set aside as a wāhi tapu by the rangatira Haumia and Kira who are recorded as the initial sellers of the surrounding land at Waiaua in 1836. Although the tūpuna were removed to Matauri for a Christian burial by the hau kāinga in the 1930s, the area is still held to be tapu. At the time, none of those who participated in the relocation or reburial were allowed to touch food with their hands, and they were fed morning and night by others.

Nga Whānau o Tākou, principally of Ngāti Rēhia descent, are the Kaitiaki of the Tākou area and Piakoia on behalf of Ngāpuhi and the descendants of the Mataatua waka.

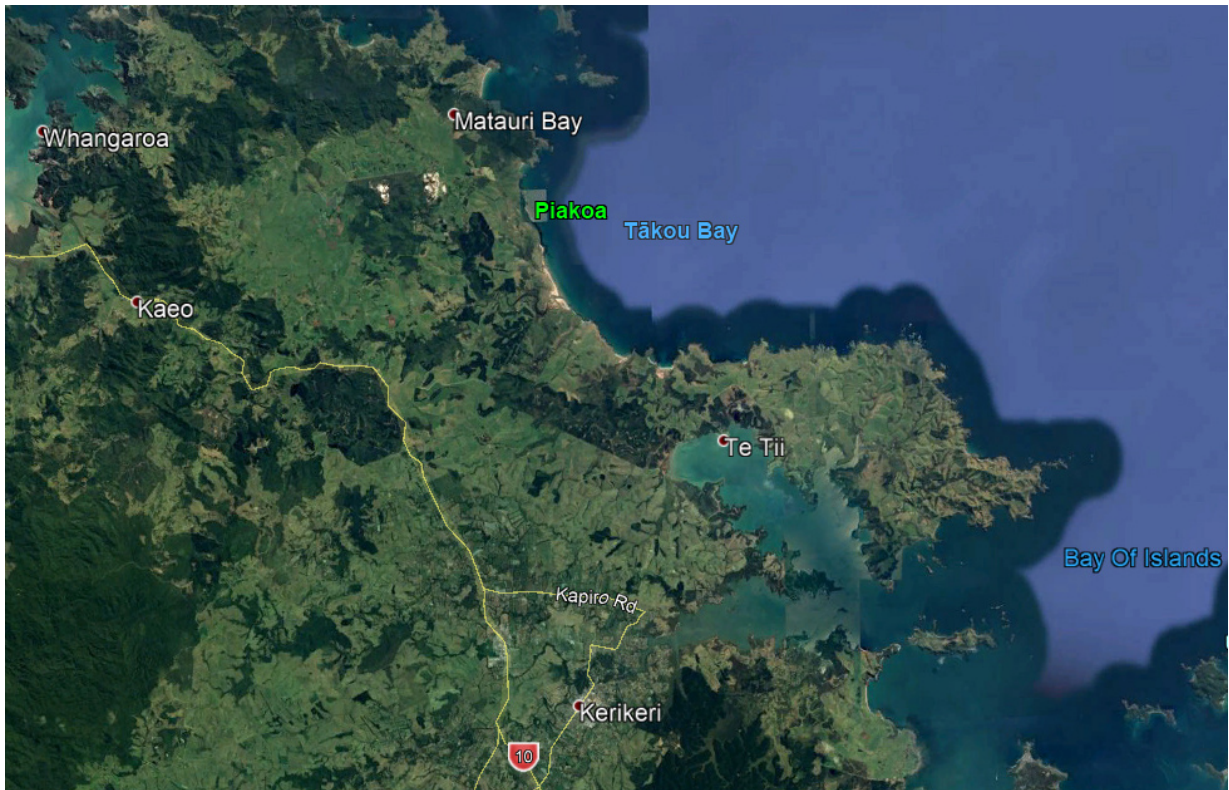
3. APPENDICES

3.1. Appendix 1: Visual Identification Aids

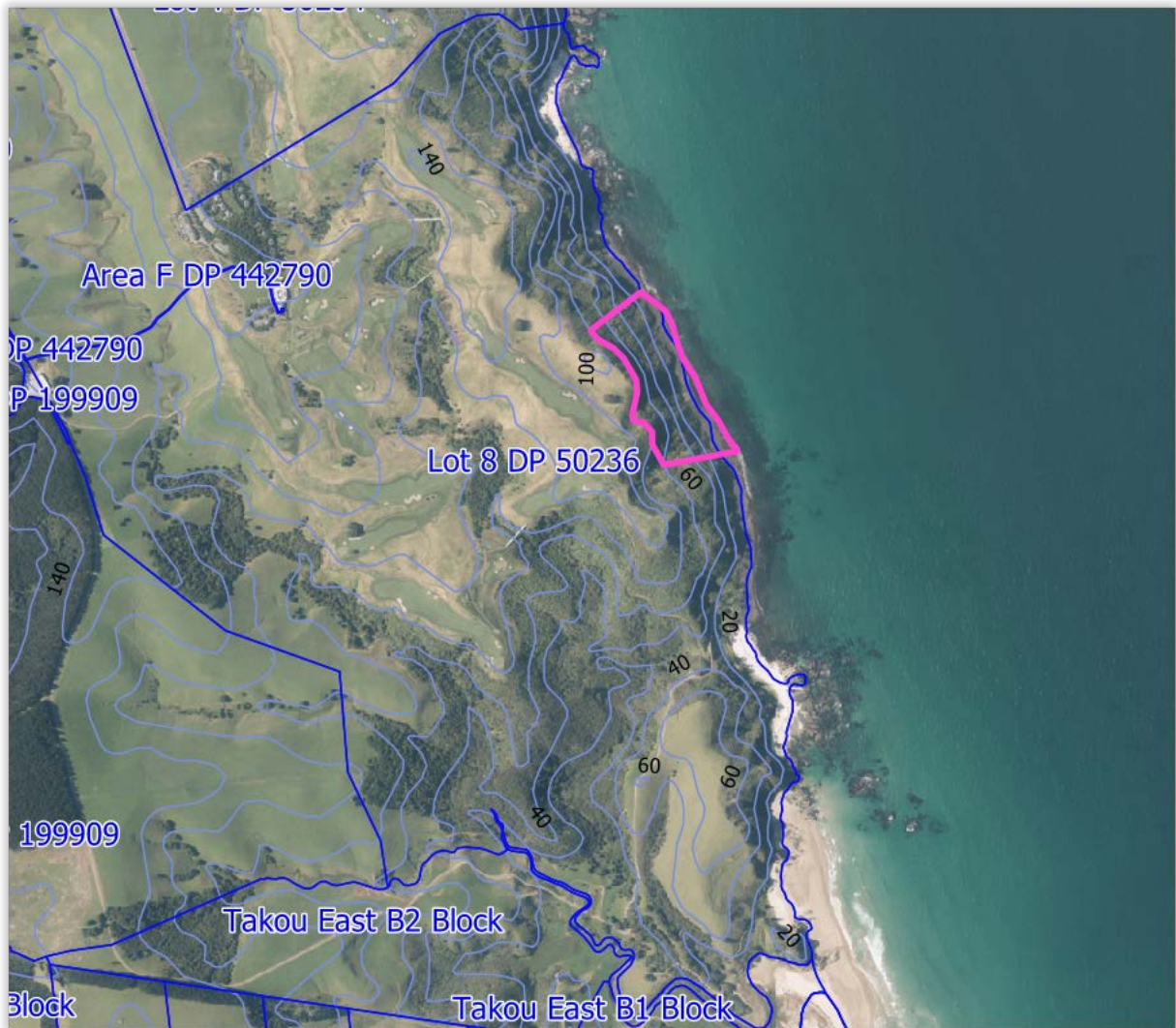
Location Maps



Location Map



Map of Extent (in pink)



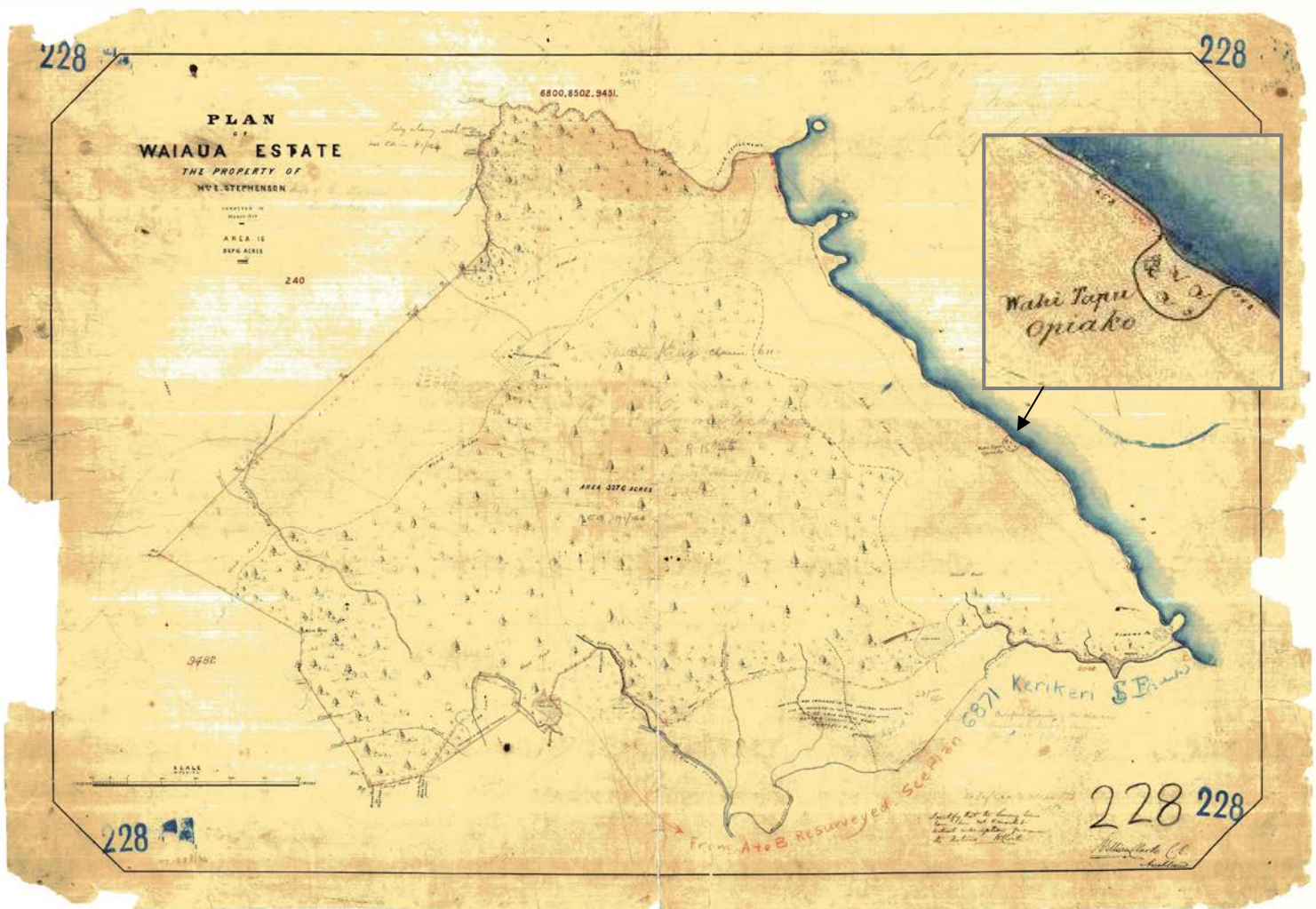
Extent includes part of the land described as Lot 1 Deposited Plan 199909 and Lot 8 Deposited Plan 50236 (CT NZ126B/770) known as Piakoa, the coastal strip from the beach to the top of the cliffs including related wāhi tapu area features the burial caves and streams that are interconnected.

Title Plan



3.2. Appendix 2: Visual Aids to Historical Information

Survey Plan - Old Land Claim 228 dated 1856



Appendix 3: Visual Aids to Physical Information

Current Photographs of Place



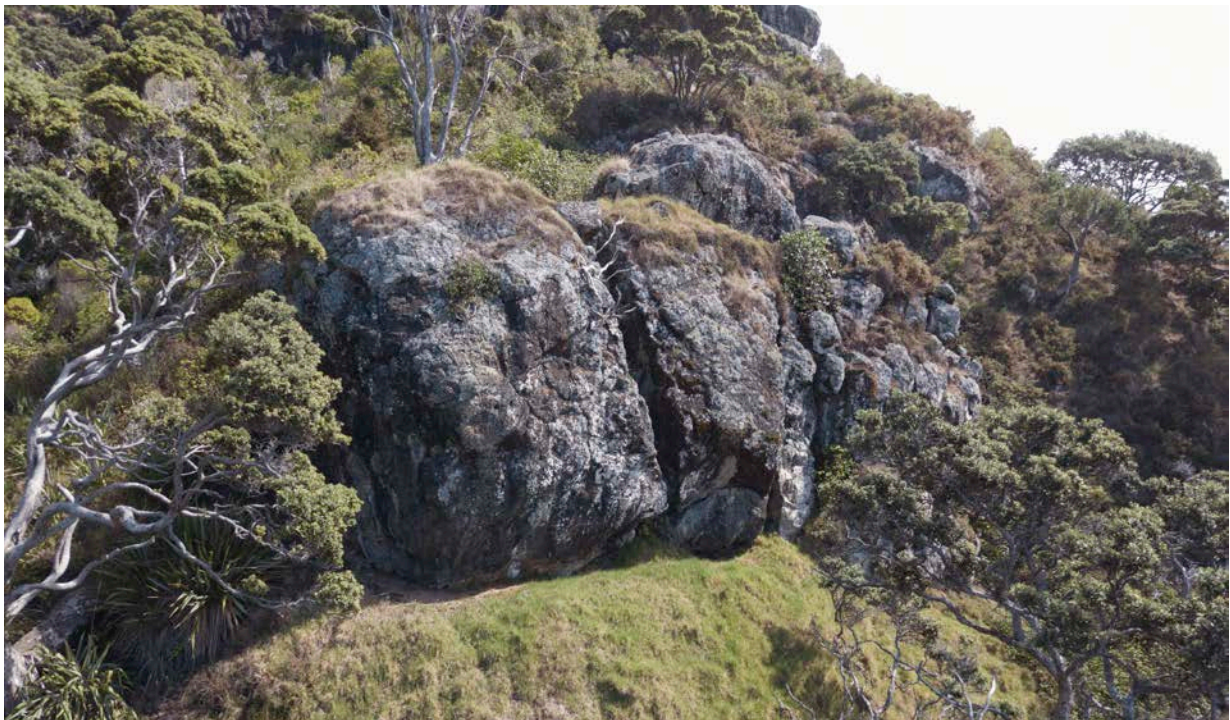
Looking South East at Opiako shoreline



Horeke basalt columnar formations forming the cliff faces where fissures and caves are located



Columns crumbling to boulders with crevices and overhangs



Fissured rock formations opening inwards into hollows



ANNEXURE E

Waiau Bay Farm Limited –
Submission on Draft Far North District
Plan – May 2021

SUBMISSION ON DRAFT FAR NORTH DISTRICT PLAN

TO: FAR NORTH DISTRICT COUNCIL

SUBMITTER: WAIAUA BAY FARM LIMITED

INTRODUCTION AND OVERVIEW

1. Waiaua Bay Farm Limited (**WBF**) made a submission on 12 December 2018 on the first draft Far North District Council Plan (**Draft Plan**) and welcomes the opportunity to provide a submission on the second Draft Plan.
2. WBF owns and operates Kauri Cliffs - a world class facility that has been a significant contributor to the local and regional economy since 2001. Kauri Cliffs is located at 139 Tepene Tablelands Road, Matauri Bay and is home to a luxury Lodge, a top ten ranked David Harman designed par 72 golf course, and a working farm. It is spread across an expansive (2,305 ha) coastal property with rolling green hills, three beaches and a network of nature trails.
3. WBF has landowning interests throughout New Zealand including: Auckland (Waiheke Island), Hawkes Bay (Cape Kidnappers Lodge), Martinborough (Dry River Winery), Canterbury (Brooksdale Station) and Queenstown (Matakauri Lodge).
4. WBF has invested significant time, effort and expense in developing Kauri Cliffs to the high-quality world-class venture it is today. WBF is keen to ensure that the Draft Plan appropriately recognises and provides for its interests at Kauri Cliffs both now and into the future.
5. Due to the limited detail currently available for the Draft Plan WBF reserves its position but provides some comments on the provisions of the Draft Plan that it **supports and opposes** in this submission.

DRAFT PLAN PROVISIONS

6. WBF has not undertaken a comprehensive review of all of the Draft Plan provisions at this stage, given the likelihood that these may change prior to notification. The two key areas on which this submission is focused are the Kauri Cliffs zone and the coastal environment provisions.

Kauri Cliffs zone

7. WBF supports the continuation of a separate zone for Kauri Cliffs. Kauri Cliffs is a significant and unique development in Northland which could not be

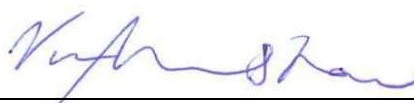
appropriately enabled by any other zone or the introduction of an overlay, precinct, designation, development area or specific control.¹

8. WBF notes that there have been a number of changes to the Kauri Cliff zone provisions. Some of these are stylistic and others are more substantive. Most of the changes are supported by WBF. However, there is a need to clarify that the Kauri Cliff zone provisions prevail in the event of any conflict with the coastal environment provisions, and there are a number of other provisions to which WBF seeks amendment. The amendments that WBF seeks and the reasons for those changes are set out in the table contained in **Appendix 1**.

Coastal environment provisions

9. The coastal environment provisions have been subject to a significant rewrite. While acknowledging that there is now an altered national and regional policy landscape, WBF is concerned that the coastal environment provisions go further than what is necessary to give effect to the higher order planning documents. WBF is also concerned that the provisions contain a focus on consistency with surrounding land use irrespective of the merits of the surrounding land use, and that the permitted activities within the environment are too limited. There is also no direction in the coastal zone provisions as to how the provisions apply in the event of a conflict with other zone provisions. WBF considers it is appropriate for the Kauri Cliff zone provisions to prevail in the event of any conflict with the coastal environment provisions. Further comment on these matters and some requested changes are set out in **Appendix 2**.
10. WBF appreciates the opportunity to provide feedback and is happy to discuss any aspect of this feedback with the Council should that be helpful.

DATE: 4 May 2021



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on behalf of **Waiaua Bay Farm Limited**

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¹ Being the criteria for the establishment of a special purpose zone set out in the National Planning Standards 2019.

APPENDIX 1 – CHANGES SOUGHT TO KAURI CLIFF ZONE PROVISIONS

Note:

The amendments requested should be read to include any relief to similar effect which responds to the reasons for the request, as well as any consequential relief arising therefrom.

Kauri Cliffs Subzone Provision	Requested Amendment	Reasons
Overview – paragraph 1	<p>Amend the last sentence of the first paragraph as follows:</p> <p><u>Kauri Cliffs</u> The complex is internationally recognised as a prestigious golfing facility and <u>luxury accommodation destination and the development</u> contributes to the economic growth, of the District through tourism, and employment opportunities <u>of the District</u>.</p>	<p>Changes are sought to recognise that the lodge is an internationally acclaimed destination in its own right, and to reflect that the contributions to economic growth are not limited to tourism and employment but also include contracts for servicing and provisioning the existing operation as well as further development of that operation (such as the three recently constructed cottages, the subdivision of some of the 60 lot allowance and the plans Kauri Cliffs is currently progressing to revamp and provide further facilities for guests of the site).</p> <p>This submission was made regarding the earlier version of the Draft Plan but has not been adopted in the most recent revision of the Draft District Plan.</p>

Kauri Cliffs Subzone Provision	Requested Amendment	Reasons
Overview paragraph 3	These subzones 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. <u>Where the rules are different between the Kauri Cliffs Zone and the Coastal Environment Rules, the Kauri Cliffs Zone and Kauri Cliffs Sub-zone rules prevail.</u>	The change is necessary to give clarity as to which rules prevail in the event of any conflict. Given the Kauri Cliff zone provisions have been developed to respond to the specific circumstances of the zone, these rules are considered to be more appropriate than the general coastal rules in the event of any conflict.
KC-01	The Kauri Cliffs zone is developed to maintain and operate an international standard golfing facility, <u>visitor accommodation and ancillary facilities, including conference, gym, spa, and eating/dining facilities as well as golf living residential activities.</u>	This is to recognise the existing beauty spa facility provided at the lodge for guests. Most of the changes requested in relation to this point were made in a submission on the earlier version of the Draft Plan but has not been adopted in the most recent revision of the Draft District Plan.
KC-P1	Provide for development in the Kauri Cliffs zone where it maintains or enhances the purpose of the zone as an internationally recognised golfing facility, <u>including visitor accommodation and golf living residential activities.</u>	Change is sought to recognise that the lodge is an internationally acclaimed destination as well. This submission was made regarding the earlier version of the Draft Plan but has not been adopted in the most recent revision of the Draft District Plan.

Kauri Cliffs Subzone Provision	Requested Amendment	Reasons
KC-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.	<p>A more enabling policy is sought to reflect recent consents granted and the further development potential provided in the rules.</p> <p>This submission updates one made regarding the earlier version of the Draft Plan but which has not been adopted to date.</p>
KC-P6	Provide for 'golf living' <u>accommodation and ancillary activities</u> in the Kauri Cliffs zone, where it is consistent with an open rural landscape character and located more than 0.5km inland from the coast.	<p>To clarify that further housing is anticipated within this zone.</p> <p>This submission is similar to one made regarding the earlier version of the Draft Plan but has not been adopted in the most recent revision of the Draft District Plan.</p>
<u>(New Provision) KC-P9</u>	<u>Ensure that land adjacent to the Kauri Cliffs zone is developed and managed to protect the environmental values of the Kauri Cliffs zone</u>	<p>The requested change is based on policy 18.7.4.9 in the operative plan to recognise that neighbouring activities may also have effects on the zone.</p> <p>This submission was made regarding the earlier version of the Draft Plan but has not been adopted in the most recent revision of the Draft District Plan.</p>

Kauri Cliffs Subzone Provision	Requested Amendment	Reasons
KCZ-R1	<p>Lodge subzone</p> <p>PER-1</p> <ol style="list-style-type: none"> 1. The facilities or activities associated with the lodge existed on 30 June 2003. All existing lawfully established activities as existed on [3 May 2021] 2. Visitor accommodation. 3. Conferences. 3a. <u>Wedding and function venue.</u> 4. Golf and other related or ancillary recreational and retail activities. 5. Eating and dining facilities. 6. Activities associated with golf tournaments. 7. Repairs and maintenance to buildings. 8. Infrastructural facilities associated with the operation and maintenance of the Lodge and associated accommodation. 9. Formation, maintenance and upgrading of vehicle access, tracks and roads. 10. Landing and take-off of helicopters at the existing Kauri Cliffs helicopter landing area and at other sites within the Kauri Cliffs Zone, provided that such activities at the latter sites comply with NZS 6807 "Noise Management and Land Use Planning for Helicopter Landing Areas". 11. <u>Beauty spa and ancillary activities for guests</u> 12. <u>Gyms, spa pools, saunas, and swimming pools and ancillary activities for guests.</u> <p>PER-2</p> <p>A building or structure where it complies with KCZ-S1 Buildings and structures</p>	<p>Changes are to:</p> <ul style="list-style-type: none"> • recognise the existing development • reinstate the other permitted activities set out in the operative plan) but amend to be consistent with drafting approach in the Draft Plan

Kauri Cliffs Subzone Provision	Requested Amendment	Reasons
KCZ-R2	<p>Golf playing subzone</p> <p>PER-1</p> <ol style="list-style-type: none"> 1. <u>All existing lawfully established activities as existed on [12 April 2021]</u> The facilities or activities associated with the lodge existed on 30 June 2003. 2. Golf and other related or ancillary recreational activities. 3. Activities associated with golf tournaments and other permitted activities within the Golf playing sub-zone. 4. Facilities associated with golf playing and golf course maintenance. 5. Establishment and maintenance of golf courses. 6. Formation, maintenance and upgrading of vehicle access, tracks and roads. 7. <u>Repairs and maintenance to buildings and structures.</u> 8. <u>Landing and take-off of helicopters at the existing helicopter landing area and at other sites within the Kauri Cliffs zone provided that such activities at the latter sites comply with NZS 6807 "Noise management and land use planning for helicopter landing areas".</u> 9. <u>Infrastructural facilities associated with the operation and maintenance of golf and other related or ancillary recreational activities, including water storage and irrigation.</u> <p>PER-2 A building or structure where it complies with KCZ-S1 Buildings and structures</p>	

Kauri Cliffs Subzone Provision	Requested Amendment	Reasons
KCZ-R3	<p>Golf living subzone</p> <p>PER-1</p> <ol style="list-style-type: none"> 1. Accommodation and ancillary buildings located within building platforms identified on an approved subdivision plan. 2. Facilities associated with golf playing and golf course maintenance. 3. Activities associated with golf tournaments. 4. Landing and take-off of helicopters at the existing Kauri Cliffs helicopter landing area and at other sites within the Kauri Cliffs zone, provided that such activities at the latter sites comply with NZS 6807 "Noise Management and Land Use Planning for Helicopter Landing Areas". 5. Stock keeping and grazing. 6. Formation, maintenance and upgrading of vehicle access, tracks and roads.. 7. <u>Repairs and maintenance to buildings and structures.</u> 8. <u>All existing lawfully established activities as existed on [12 April 2021].</u> <p>PER-2 <i>A building or structure where it complies with KCZ-S1 Buildings and structures</i></p>	

APPENDIX 2 – COASTAL ENVIRONMENT PROVISIONS

Note:

The amendments requested should be read to include any relief to similar effect which responds to the reasons for the request, as well as any consequential relief arising therefrom.

Coastal Environment Provision	Amendment Requested	Reason
CE Introductory text under rules – paragraph 4	The rules apply in addition to the rules for the underlying zone. Where the rules are different between the underlying zone and the rules relating to areas of high or outstanding natural character then the most restrictive rule applies. <u>This does not apply to the Kauri Cliffs Zone, where the rules of the Kauri Cliffs Zone and Kauri Cliffs Sub-zones prevail.</u>	Given the Kauri Cliff zone provisions have been developed to respond to the specific circumstances of the zone, these rules are considered to be more appropriate than the general coastal rules in the event of any conflict.
CE-01	The natural character of the coastal environment is identified and managed to ensure its long term preservation and protection <u>from inappropriate subdivision use and development</u> for future generations	<p>The objective does not include the important qualifier set out in s 6 of the RMA and in the NZCPS about the protection being from inappropriate subdivision, use and development. Some uses within the coastal environment will be appropriate and it is important that this objective is not cast too broadly.</p> <p>This submission was made regarding the earlier version of the Draft Plan but has not been adopted in the most recent revision of the Draft District Plan.</p>
CE-02	<p>Land use and subdivision in the coastal environment:</p> <ul style="list-style-type: none"> a. preserves the characteristics and qualities of the natural character of the coastal environment; and b. is consistent <u>appropriate</u> with the surrounding land use; and c. does not result in urban sprawl occurring outside of urban zones; and 	This objective should recognise that new land use and subdivision is better required to be appropriate with surrounding land use. Requiring it to be consistent would fail to recognise that dissimilar land uses of different scales and appropriate types can occur adjacent to each other in the coastal environment.

Coastal Environment Provision	Amendment Requested	Reason
	<p>d. maintains and enhances public access to and along the coastal marine area; and</p> <p>e. demonstrates the risk to people, property and infrastructure from natural hazards is appropriately manage; and</p> <p>f. manages effects to improve the overall quality of coastal waters; and</p> <p>g. promotes restoration and rehabilitation.</p>	
CE-P4	<p>Preserve <u>Protect</u> the visual qualities, amenity values and integrity of the coastal environment by:</p> <p>...</p>	<p>The change recognises that the proposed RPS does not require preservation of these qualities and values per se and instead refers to protection.</p>
CE-P5	<p>Enable appropriate land use and subdivision in existing urban zones where <u>there</u> is three waters infrastructure services; and <u>within existing rural zones where appropriate services are available or able to be provided on-site</u></p>	<p>The addition recognises that for rural areas in the coastal environment development can be enabled when services can be appropriately managed.</p>
CE-R1	<p>PER-1</p> <p>The repair and maintenance of the following activities where they have been legally established and where the size, scale and materials are like for like:</p> <ol style="list-style-type: none"> 1. roads 2. fences 3. network utilities 4. driveways and access 5. walking tracks 6. cycling tracks 7. farming tracks 8. <u>boardwalks</u> 9. <u>buildings and structures</u> 	<p>This submission was made regarding the earlier version of the Draft Plan but has not been adopted in the most recent revision of the Draft District Plan.</p> <ul style="list-style-type: none"> • While boardwalks may come within walking tracks it would provide greater certainty to expressly refer to them. • While the demolition, removal, addition of or extension to buildings and structures are expressly included later – the repair and maintenance of existing legally established buildings is not. This should be provided for as a permitted activity to protect amenity values.

Coastal Environment Provision	Amendment Requested	Reason
New Rule CE-RX Permitted activity rule	<u>Activity Status: Permitted</u> <ul style="list-style-type: none"> • <u>Pest management</u> • <u>Existing lawfully established recreational activities</u> • <u>Existing lawfully established primary production activities</u> 	<p>This submission was made regarding the earlier version of the Draft Plan but has not been adopted in the most recent revision of the Draft District Plan.</p> <ul style="list-style-type: none"> • While vegetation clearance for biosecurity reasons is permitted, other pest management activities are not expressly referred to. WBF considers these should also be provided for as a permitted activity and can be made subject to conditions if there is any concern about effects on coastal waters. • It is important that existing recreational activities such as golf at Kauri Cliffs are able to continue to be undertaken as a permitted activity. • It is also important that other existing land uses such as farming and primary production are able to continue.
Coastal environment maps	Amend the extent of the coastal environment maps to exclude the main lodge and living areas from being located within the zone.	The coastal environment extends across a significant portion of the property. However, no account appears to have been taken of the existing development on the site, and the changes to the character that have resulted from this development. Kauri Cliffs considers the extent of the coastal environment across its property should be the subject of a review, and amendments made in line with technical advice as to the appropriate extent of the coastal environment.