

BEFORE THE THAMES COROMANDEL DISTRICT COUNCIL

IN THE MATTER of the
Resource Management
Act 1991
AND

IN THE MATTER of the Thames
Coromandel Proposed District
Plan

**EVIDENCE OF
KEITH CULLUM
ON BEHALF OF THE MATARANGI RATEPAYERS ASSOCIATION INC**

1.0 Introduction

1.1 My name is Keith Roland Cullum. I am a Committee Member of the Matarangi Ratepayers Association Incorporated (*MRAI*). I have visited Matarangi since the early 1980's and have owned a property there since 1998.

1.2 I am a qualified planner with a Master of Town Planning degree from Auckland University, and since 2006 have worked for a private planning consultancy based on Auckland's North Shore. My role today is not as an expert witness, but rather to utilise my planning experience to provide an outline of the planning issues and development history at Matarangi on behalf of the *MRAI*.

1.3 Matarangi is a beach resort community located on the eastern seaboard of the Coromandel Peninsula, on a low lying sand spit that is backed by a shallow and ecologically sensitive harbour. The current Proposed District Plan (*PDP*), the Operative District Plan (*ODP*) and various previous District Plans have sought in various ways to address the special challenges that have arisen, and will continue to arise, at Matarangi.

1.4 Matarangi has a permanent population of around 300, but a much higher short-stay population at weekends and holiday periods, that increases to a peak of around 8000 during the Christmas / January period. It is peak population (both now and following any future growth) that sets the level of demand placed on water supply, sewerage and other services and facilities, including those for recreation.

1.5 Throughout the various stages of Matarangi's development there have been two consistently recurring concerns:

- The retention of sufficient areas of open space and undeveloped land to ensure that Matarangi retains some of its original qualities, remains as an attractive holiday destination, and avoids becoming like a metropolitan residential suburb.
 - The provision of an adequate water supply and an environmentally acceptable sewerage system to meet the demands of development at Matarangi. The Council files include extensive consultant reports on these matters.
- 1.6 The original submission by MRAI on the Matarangi Structure Plan focused primarily on two distinct aspects:
- (a) The policies, zoning and associated rules in relation to the open space areas at Matarangi associated with the golf course.
 - (b) The policies and rules that would apply to the currently undeveloped residentially zoned land within the Matarangi Structure Plan area.
- 1.7 The MRAI has sought in this presentation of verbal evidence to take into account the advice from the Commissioners to avoid unnecessary repetition of matters that have already been well addressed in submissions or are covered in the S.42A report. With respect to the Open Space zoning of the Matarangi golf course we believe that the critical aspects supporting this have not been fully canvassed in either the S.32 Report or the Section 42A Report, and therefore require further detail to be presented to the Hearing Panel.
- 1.8 The MRAI has further considered the submissions that it lodged in relation to the undeveloped residentially zoned land at Matarangi. This set of submissions sought to strengthen the policies and rules in the Structure Plan to ensure that future development of residentially zoned land would be to a much higher standard than has been evident in some of the more recent Matarangi subdivision activity.
- 1.9 The MRAI has been concerned that future development at Matarangi could still fail to achieve the intent of policy provisions of the Structure Plan as set down in the ODP and as largely carried through into PDP. More recently however, the MRAI has been heartened by the preliminary plans prepared by Burfoot Limited for the remainder of the residentially zoned land, and the willingness of this developer to engage in consultation. The MRAI also believes that the Council is now much more aware of its need and ability to demand a significantly higher standard of development than occurred under previous owner/developer, Matarangi Beach Estates Limited (*MBEL*). It is our expectation that the Council will insist on a quality subdivision outcome and will engage skilled professional advice to review the concepts and the

detail of the proposal. On the assumption that Burfoot Limited's proposed development plan will be lodged in the near future, MRAI will not submit further evidence on this aspect of the Structure Plan.

1.10 All of the evidence presented today by the MRAI therefore relates to the matters of the Open Space zoning of the golf course and the related matter of the boundary of the Matarangi Structure Plan. It is the view of MRAI that these are currently the most critical matters affecting the future of Matarangi as a beach settlement. The evidence that I will present is reasonably detailed, but given the significance of the issue, the range of matters that must be considered, and the number of individuals that MRAI is also representing, I seek the forbearance of the Hearing Panel.

2.0 **Open Space Zoning and Matarangi Golf Course**

2.1 As indicated above, of the issues facing Matarangi in conjunction with the PDP, the ones that have the potential to generate the most significant adverse effects relate to the submission by Golf (2012) Limited seeking to change the zoning of the golf course land (or potentially even part of the golf course land) from Open Space to Residential.

2.2 The development of Matarangi has been premised on a mix of public and private open space to provide amenity and recreational opportunities. For all present and future users of Matarangi, whether they are permanent residents, regular holidaymakers or short stay visitors, the retention of the golf course area as open space is vitally important.

2.3 It is the view of the MRAI, and the 104 individual submitters for whom I speak (see list at **Annexure C**), that planning history, sound planning practice and the public interest generally support the Open Space zoning of the land occupied by the golf course. To explore the issues associated with this matter, I will review relevant aspects of the planning and development history of Matarangi.

2.4 The areas of land that this evidence is focused on are shown coloured red (Open Space zone) on the PDP zoning map for Matarangi (**Annexure A**). From this map it can be seen that this land falls into two categories:

- The Open Space land that acts as a separation for areas zoned residential
- A large block of land that includes the whole of the area at the end of the Matarangi spit. This block of land commences

at what is referred elsewhere in this evidence as “the 3300 metre mark”.

2.5 The zoning map does not distinguish between land and lakes within the Open Space zone. The two lakes were developed to assist with stormwater control, to provide a source of irrigation water for the golf course and also to provide fill to raise land to a level suitable for residential use. Their location is more clearly shown on the aerial photo at **Annexure B**.

2.6 This evidence considers why the Open Space zoning on the golf course is appropriate and legitimate under the following eight headings:

1. The origins of the Matarangi beach resort development, including the original consents and District Plan documents prepared up until 1990, that set the framework for development.
2. The basis on which Matarangi was developed during the period 1990 to 2001, including the initial implementation of the Matarangi Structure Plan.
3. The planning framework and the basis on which further resource consents at Matarangi were granted for development between 2001 and 2005.
4. The significance of the negotiations between the Council and Matarangi Beach Estates Limited in relation to the land at the western end of the Matarangi Spit.
5. The Structure Plan approach in TCDC Planning Documents and its relevance to the provision and protection of private open space at Matarangi.
6. The appropriate Structure Plan boundary.
7. Infrastructure, servicing and the supply of residential Land.
8. Assessment of the proposed Open Space Zoning against the Principles of the RMA.

3.0 The origins of the Matarangi beach resort development including the original consents and District Plan documents prepared up until 1990 that set the framework for development

3.1 The background included in this section has been sourced primarily from the decision of the Town and Country Planning Appeal Board (*Appeal Board*) dated 16 August 1977 (attached at **Annexure D**) and a report to the TCDC District Plan Hearings Committee for meetings on 1 and 2 October 1997 (attached at **Annexure E**).

- 3.2 The Matarangi Peninsula (also known as Omara Spit) was purchased by brothers George and Charlie Simpson from a Mr Wall about 1958. The property was operated for a period as a pastoral farming block and included an airstrip. The property was subsequently acquired by Kenwood Properties Limited and in 1968 the Coromandel County Council approved a strip subdivision of 115 lots at the eastern end of the beachfront at Matarangi which straddled both sides of Kenwood Drive.
- 3.3 The County Council made provision in a Proposed District Scheme in 1972, and again in the 1975 Variation No. 4 to this District Scheme, for the future development of Matarangi. While these documents were soon to be superseded, it is significant that at this very early stage Variation No. 4 (that identified 350 acres to be developed first; 300 acres to be developed second; and 250 acres to be developed last), stated:
“The figures for the development at Matarangi are misleading in that the actual area to be developed for urban uses is very much less than the figures indicated. The preliminary structure plan for this area indicates substantial areas of open space occupying some 60% of this total land area.”
- 3.4 Subsequently, a further Variation No. 7 to the District Plan, was initiated by the then landowner. Its detail, however, is not of great significance as this Variation No. 7 was appealed by the Physical Environment Association of Coromandel Incorporated, and it was the subsequent decision by the Appeal Board that set the framework for Matarangi’s continued development.
- 3.5 The 1977 Appeal Board decision (**Annexure D**) was incorporated into a TCDC promoted Scheme Change that was included in the District Scheme (Coromandel Division) in 1979. The emphasis given to open space provision in the Appeal Board decision on Variation No.7 is illustrated by wording such as the following:
“... the Board is not satisfied with the answer it received to its inquiry as to the manner in which the respondent will ensure that a substantial part of the peninsula will in fact be given over to open space uses. It appears to the Board that in order to achieve that object not only must the owner vest certain areas as reserve but also that as and when defined areas are zoned in a way which permits the development thereof, the intermediate areas should be rezoned rural”.
- 3.6 In directing that the respondent (TCDC) not proceed further with Variation 7 the Appeal Board stated that the public interest and the orderly development of Matarangi required:
(a) That before any of the present Future Urban Development Zone is rezoned in such a way as to permit development, those parts of

Matarangi which will be essential as public open space in the overall development of Matarangi, if it is to retain the character of a holiday and recreation resort, should be identified and defined and that they should be vested as public land at that stage;

(b) That the staged development of Matarangi should proceed from east to west – among other things that order of staging will keep as much of the peninsula in its natural state as long as possible;

(c) That at each stage of rezoning from Future Urban Development, the land surrounding and between the development areas be rezoned rural. In other words, and importantly, in addition to reserves vested in the Council referred to in (a) above, open undeveloped areas should remain between residential areas. It is relevant to note that a rural zone was at this stage of the District Plan's evolution the appropriate zone to place over land that was to remain undeveloped between residential areas. As later District Plans became more sophisticated the zoning of these areas altered to 'passive recreation' and/or 'open space'.

- 3.7 The Appeal Board in 1977 was also concerned about potential erosion on the spit and arrived at the following conclusions (among others):
- “(a) That on the oceanfront, subdivision and building should be prohibited in the strip 100m wide inland from the seaward toe of the outer foredune (or the seaward limit of vegetation), and extending along the ocean beach from the bluff on the east to the 3300m mark on the west.*
- (b) That subdivision and building should be prohibited on the spit-head, which in this subparagraph is the whole of the area west of a line drawn across the peninsula at the 3300m mark ..”*

- 3.8 This decision of the Appeal Board is significant, for
- Foresight in identifying the threat of foreshore erosion and the vulnerable nature of the spit beyond the 3300m mark and
 - Establishing of a framework for the next (1979) TCDC Scheme Change for Matarangi and for subsequent planning documents that have shaped the evolution of Matarangi through until the present day.

Over the years there have been a number of alterations to the detail of the originally proposed configuration of open space and residential development. However, the basic principles have continued to be incorporated into all planning documents and have been accepted and understood by both the Council and the

residents and ratepayers of Matarangi. Further, as will be shown later, these principles were also understood and referenced by a future owner (MBEL) in various property negotiations and resource consent applications.

3.9 The 1979 Scheme Change incorporated a basic Matarangi Land Use Concept (attached at Appendix II of **Annexure E**). For ease of reference a hand-coloured version is included at **Annexure F**.

3.10 The Scheme Change included the following Development Objectives for Matarangi:

- *To protect and supplement the natural amenities of the area*
- *To retain as far as possible the openness and spaciousness of the existing natural character*
- *To provide for development in a manner which will maintain and enhance the recreational resources*

These objectives have been restated in various forms through the various planning documents since 1979. The wording of the current Proposed District Plan reinforces the intent of these objectives.

3.11 The Land Use Concept (**Annexure F**) that was included in the 1979 Scheme Change sought to implement the key elements of the Appeal Board decision and provided extensive areas of open space where subdivision or building would be prohibited. This included all of the land beyond the 3300m mark towards the end of the spit, all of the undeveloped land within 100 metres of the base of the oceanfront dune, and extensive areas separating the 'Future Development Areas'. On the Land Use Concept Plan the areas identified as 'Public Open Space' were clearly noted as being areas where "Subdivision and building is prohibited".

3.12 This Land Use Concept plan identified an area as 'Golf Course' on the central part of the spit, and an 'Environmental Improvement' area in the eastern part of the spit. Both areas fell under a broad category of 'open space' and were consistent with the intent of the Appeal Board's 1977 recommendation that at least 60% of the Matarangi peninsula should remain open space.

3.13 Further refinements occurred with the Thames Coromandel Transitional District Plan (notified April 1986 and operative September 1990). This Plan zoned the 'Future Development Areas' from the 1979 Plan Change as Housing or Future Urban Development. By this stage some parts of the area defined as golf course had been relocated towards the western end of the spit in part of the area designated as Proposed Reserve and there had been a reduction in the size of the golf course in the central part of

the peninsula. This change is clear when comparing the maps from the 1979 District Plan (**Annexure F**) and the 1990 District Plans. The 1990 maps are included at Appendix V in **Annexure E** and on a hand-coloured version at **Annexure G**. The following provisions and wording included on this map are particularly relevant to the status of the golf course area:

- All of the land from the 3300m mark, the 100 metre strip on the ocean frontage and a narrower strip on the harbour frontage were designated as reserve. This included the most western golf holes of the then developed 9 hole golf course, which ran to the west and north of the clubhouse building. Additional land on both sides of the airstrip was also specified as 'golf course' and was intended to accommodate the next 9 holes.
- The designated land was annotated thus:
"This designated reserve land to be vested progressively as a condition of consent to the subdivision and development in housing zones".
- The map also has a notation as follows:
"Land designated as Proposed Reserve and identified as GOLF COURSE shall be leased for a golf course to and controlled by MATARANGI BEACH ESTATES LTD or its successors and assigns upon vesting".
- All of the golf course land that was not designated was zoned Rural B. The purpose of the Rural B zone was stated as follows:
"In the Rural B zone the emphasis is on keeping the land clear of any substantial buildings. This zone is used .. [among other things) where the land is in effect private open space..... Houses are not permitted in this zone."
- All of the golf course land (including that zoned Rural B) had a special notation "Land of Value to the Community".

3.14 By 1990 the Operative District Plan followed quite closely the guidelines for the development of Matarangi that were laid out in the 1977 Appeal Board decision. Included were significant areas of publicly and privately owned open space that provided both the intended landscape amenity and the opportunity for recreation. The 1990 District Plan map was subsequently incorporated in a generalised form into a sales brochure map promoting Matarangi as a holiday destination (see **Annexure H**).

3.15 This sales brochure map is reasonably consistent with what has come to occur at Matarangi today. The principal difference is that the layout of the golf course in the vicinity of the airfield has been altered by the deletion of some holes and their replacement by residentially zoned land. These proposed golf holes were replaced by four new holes at the northern part of the end of the spit, in an

area that had been designated as reserve in the 1990 Operative District Plan. These changes (including the uplifting of the reserve designation) were made as a result of negotiations around 1998 between the Council and a future owner (MBEL). As will be shown later in this evidence, the rationale for these changes and the subsequent legal procedures that enabled the original intent of the designation to be nullified, reinforce the need to retain all of the existing golf course area as open space.

- 3.16 When the new Thames-Coromandel District Plan became operative in October 1998, all land within the existing and proposed golf course areas was zoned either Coastal Zone (Recreation Policy Area) or Coastal Zone (Open Space Policy Area). This continued the principle of zoning these areas to separate the various blocks (or cells) of residential development. Importantly, in this 1998 version of the District Plan, all of Lot 36 DPS 72837, which is the area currently occupied by Holes 1 and 2 of the golf course, was included as area where development was not to occur.

4.0 The basis on which Matarangi was developed during the period 1990 – 2001, including the initial implementation of the Matarangi Structure Plan

- 4.1 During the 1990's the staged residential development of Matarangi proceeded largely east west along the area between the beachfront and the central spine road known as Matarangi Drive. One stage (Stage 8) in the vicinity of Mercury View was commenced out of sequence, partly, as was made clear in the subdivision application, to utilise the attraction of a frontage to Hole 1 of the golf course to sell sections.
- 4.2 During the first seven years of the 1990's, development proceeded under the provisions of the 1990 Operative District Plan. Most of the subdivision consents during this period were approved subject only to meeting engineering standards, as they were clearly provided for by the District Plan framework of the time. However it is important to note that even at this early stage the demands that expansion was placing on fresh water supply, wastewater and stormwater servicing was a recurring theme in most subdivision consents.
- 4.3 A significant change to the ownership structure of the development land and golf course at Matarangi occurred in 1997 when Hanover Group purchased MBEL.
- 4.4 In 1997 also, the then Proposed Thames Coromandel District Plan was notified. During progress through to Operative status, a

Structure Plan to set the framework for Matarangi's future was integrated into the District Plan.

- 4.5 In the later part of the 1990's a number of subdivision applications were made by MBEL. These included an 80 lot subdivision known as The Fairway and located between Holes 3 and 6 of the present golf course. A significant new lake (for purposes of stormwater control and golf course water supply) was developed around the same time. In addition, consent was also granted for a large lot subdivision to the spit end of Holes 1 and 2, known as The Pines, and for a higher intensity villa development surrounding Hole 7 of the golf course. All these developments fell within areas specified for residential development and were to be separated from other residential land (as provided for in the then Operative District Plan) by the open space of the golf course.
- 4.6 In February 2000 MBEL lodged a major new subdivision application to develop 228 individual lots as Stages 16a and 16b on the harbour side of Matarangi. This application was assessed against both the Proposed District Plan and the Transitional District Plan. Although at the time the application was lodged the Council had issued its decisions in relation to the Proposed Plan, there remained matters relevant to Matarangi that were under appeal. These would be resolved by subsequent Consent Order.
- 4.7 The application for the Stage 16a and 16b subdivision, prepared by Boffa Miskell for MBEL, specified the core criteria that the subdivision application was required to meet to achieve Controlled Activity status.
- 4.8 Section 3.1 of the Application is headed 'Approach to Design' and states (among other matters)
"Core criteria (rules) are:
- *Neighbourhoods (cells) are to be designed and consented to comprehensively*
 - *Neighbourhoods are to maintain open space between*
 - *Additional open space is to be provided adjacent to the esplanade reserve along the harbour edge*
 - *A high percentage of open space to development is to be provided (overall), a ratio of 40/60 open space to housing development is the target.*
- 4.9 The Application document also assessed the proposal as a controlled activity against the rules included in the Consent Order and concluded that it complied with all of the following (among other matters):
- *Provision of an open space network which structures residential development*
 - *Defined boundaries of village neighbourhoods*

- *Provision of a variety of functions and experiences on land which is kept free of buildings and structures*
- *High quality amenity by use of open space*
- *Village environments defined by major areas of open space.*

4.10 The sales brochure at **Annexure I** produced by MBEL around the year 2001, illustrates the emphasis given to the golf course in the marketing of sections at Matarangi. The 18 hole Championship Golf Course not only provided the open space required under the Structure Plan rules and policies, but was also cited as a key reason for buying at Matarangi e.g.:

- 18 Hole Championship Golf Course
- At the tip of the Matarangi sandspit lies the golf experience of a lifetime
- World class links course
- Five minutes from your front door to the first tee

4.11 The Consent Order dated 13 August 2001 in relation to the Appeals on Matarangi (**Annexure J**) was issued during the period when the application for Stages 16a and 16b was being considered by the Council.

4.12 The Consent Order (the wording of which was incorporated into the ODP) reinforced the principle that areas of private open space at Matarangi used to separate residential cells should remain as open space and not be available for future development. The key relevant wording within the Matarangi Structure Plan in the ODP is given below, with additional explanation on its significance for the golf course as open space:

342.3 Matarangi Structure Plan

1. Purpose

To create a settlement that complements the ocean beach and harbour values in the context of an outstanding coastal environment and with the Coromandel ranges providing a visual backdrop.

To achieve this purpose the Structure Plan would among other things:

1.3 Establish a high quality of amenity for the residents and visitors through preserving and using open space to:

(i) define boundaries of areas for residential development and contain them within neighbourhood villages, and within those villages, neighbourhood cells.

(iii) create a network of areas which are free from buildings, but in variety, function and experience may include: (among other things)

- golf course

- *recreation facilities*

(iv) create and maximize edges to coast, lake, managed wetland, golf course, pedestrian access, active or passive recreation which can enhance quality for the residences fronting it.

(v) provide for a wide range of recreational activities.

1.4 *Establish a comprehensive development which is in accord with the structure plan Diagram A: Structure Plan which contemplates:*

(i) the establishment of no fewer than three village neighbourhoods on the harbourside of Matarangi Drive, the neighbourhoods to be defined by major areas of open space

Significance

The purpose of the Structure Plan, and the means by which this purpose would be achieved, is clearly spelt out in this Section 342.3 of the Structure Plan. As indicated below, development was to be in accord with this purpose as well as with diagrams and specific rules. The critical balance of open space (including golf course) and residential neighbourhoods that has been central to Matarangi's development since the original 1977 Appeal Board decision, remains very clear in this Section 342.3

The purpose of the Structure Plan also extended to the upgrading, extension and establishment of utility services including wastewater, raw water and stormwater so as to, among other things:

1.7 *(iii) ensure no adverse environmental effects arise from additional loads from new subdivision or development.*

Significance

The references to utility services in the Structure Plan, and to the potential effects of increased load levels on these services, are inextricably linked to the need to achieve a balance between land given over to residential development and land retained as open space at Matarangi. In addition to the visual and recreational benefits that accrue from the retention of open space, the long-standing requirement for significant areas of open space to be retained at Matarangi has been one way of limiting adverse environmental effects that may arise from excessive development.

2. Rules

All subdivision and development of land within the structure plan area shall be in accordance with the purpose, rules and diagrams (A-E) of this structure plan.

Significance

In order to meet the rules for subdivision and development within the Structure Plan area, the developer is required to not only demonstrate accord with specific rules and diagrams, but also to be in accord with the purpose of the Structure Plan, where provision of the golf course is one way to achieve this purpose.

3. Activity Status and Rules for Subdivision

3.1 The subdivision of land within the Housing Zone – Outside all Policy Area and the Housing Zone – Extra Density Policy Area (which are the relevant zones for residential development within the area of the Matarangi Structure Plan) shall be a controlled activity provided it meets the following standards, terms and matters; (The following rules are selected as being the most relevant to the matter under consideration);

(ii) The subdivision provides for the comprehensive design and development of a neighbourhood village or of a neighbourhood cell of not less than 100 lots.

(iii) Any neighbourhood village is clearly articulated by major open space corridors as Illustrated on Diagram A.

(iv) Any neighbourhood cell is articulated by open space areas and secondary view corridors as Illustrated on Diagram A.

(xvi) Open space areas (managed wetlands, lakes, golf course) are retained in private ownership subject to conservation covenants granted under the Conservation Act 1987 or are vested in the Council.

Significance

Diagram A (see **Annexure K**) clearly shows neighbourhood residential cells and the open space that separates these cells. Within Stage 16a and 16b this structuring open space is provided in part by the foreshore esplanade reserve (a statutory requirement quite separate to the Structure Plan) and by one reserve leading to the harbour in a north/south direction. However, the principal means of achieving compliance with the requirement to provide open space is the provision of the golf course and its associated network of lakes.

7. Financial Contributions

Contributions by way of land and money were guided by a range of purposes and principles, but the following are most relevant to the status of golf course land at Matarangi:

7.1 In accordance with the following purpose(s)

(i) To ensure the purposes of this structure plan are met through supplying and treating water; treating and disposing of wastewater, providing a solid waste transfer station, roading and service lanes, footpaths, reserves, open spaces and harbour park and providing a comprehensively designed stormwater system.

Significance

Developer contributions by way of land and money to achieve a range of outcomes are clearly identified as integral to the right to develop land for residential purposes within the Structure Plan area. All of the items in 7.1 above were to be provided at no cost to the Council. Significantly they included not only reserves (which by definition would most likely fall into Council ownership) but also 'open spaces' that are not 'reserves'. These can only, therefore, fall into the category of 'private open space' that is referenced elsewhere in the Structure Plan.

7.2 In accordance with the following principles:

(i) Primary Principle - that Council shall not be liable for providing any land or meet any costs arising from, or associated with, subdivision and development meeting full compliance with the purpose and rules of this structure plan and general rules of the district plan applying to land within this structure plan.

(ii) Open space which varies in function across the spectrum from protection to access and drainage within the structure plan area to meet a ratio of 40 per cent open space vested as public land or covenanted as private open space to 60% development.

(iv) Golf course privately owned, maintained and operated as a recreational facility available for public use and enjoyment (whether or not there is a charge for public access and use).

Significance

The requirement for the developer to provide private open space and golf course is clear from a reading of the above three clauses of 7.2. The original intent that Matarangi should be developed with a ratio of 60% open space has been reduced in this Structure Plan wording, to a ratio of 40% open space to developed area. There is clear expectation however in Clause 7.2(ii) that this 40% open

space would either be vested as public land or covenanted as private open space.

Despite this provision in the ODP for private open space to be covenanted, the Council, in approving a controlled activity consent for Stages 16a and 16b, did not stipulate that covenanting should occur. This does not, in our view, alter the status of golf course open space which was offered as an integral part of the resource consent applications for subdivision.

Provision for Public Notification

The 2001 Consent Order also amended Section 824.2 of the ODP “Presumption in Favour of Public Notification” to include:

Subdivision or development of land which is a controlled activity within the Matarangi Structure Plan where public amenity values may be compromised; or where the purpose of the structure plan may be compromised.

Significance

Section 824.2 of the ODP provides that if there is any likelihood that an application for subdivision or development of land at Matarangi would compromise public amenity values, or the purposes of the Structure Plan, then the proposal would be publicly notified.

The applications that MBEL made for subdivision consent within the Structure Plan area sought not only to achieve controlled activity status, but also to avoid compromising the purpose of the Structure Plan, which would have triggered Rule 824.2 and as a result required public notification. The fact that the all subdivision applications were accepted and processed as controlled activities, and were determined by the Council not to require public notification, reinforces the argument that the provision and permanent retention of the golf course as open space was an integral part of each subdivision approval.

- 4.13 During the Council’s consideration of the subdivision application for Stages 16a and 16b the Environment Court Consent Order took effect. On 26 April 2001 the applicant submitted further information to confirm how the application was consistent with the policies and rules of the amended Structure Plan (letter at **Annexure L**)

The most relevant responses in this letter to the new matters to be addressed are shown in italics under points 1-4 below:

1. A high quality of amenity is sought through open space.
Open space is provided by the golf course, the lake, the esplanade reserve and access reserves.
2. Neighbourhoods articulated by open space.
As explained open spaces to golf course, lake and airfield (later to contain a lake) – complies.
3. Layout to maximize views.
This has been achieved by design which offsets many lots to achieve views between and by maximising the number of lots to reserve frontages, the golf course and lake.
4. Open space areas (managed wetlands, lakes, golf course) retained in private ownership and appropriately covenanted, or vested in Council.
We interpret this as a permissive provision allowing open space to be managed in a number of ways – as is proposed.

Significance

This response by MBEL, which forms part of the resource consent documentation, shows a clear acceptance by the developer that provision and retention of the golf course as open space is a requirement of subdivision consent for Stages 16a and 16b. When referring to the policy stating that the golf course should either be appropriately covenanted private open space or should be vested in the Council, the response from MBEL was ambivalent and was unfortunately not pursued further by the Council of the time. However, the MBEL response did accept that the golf course was 'open space' and that it should be managed as such.

5.0 The planning framework and the basis on which further resource consents at Matarangi were granted for development between 2001 and 2005.

- 5.1 Works associated with Stages 16a and 16b fully occupied the developer for the period up to 2005. In 2005, however, new resource consents were sought by MBEL. The wording in these applications continued to reinforce the principle that private open space was an integral and accepted part of Matarangi's future.
- 5.2 In December 2004 Variation 3 to the Proposed Thames-Coromandel District Plan was publicly notified, with the zoning of land occupied by the Golf Course proposed to change from the previous Coastal Zone (Recreation Policy Area) and Coastal Zone (Open Space Policy Area) to Recreation Passive Zone and Open Space zone. These new zones were ultimately adopted and are as shown in the ODP.

5.3 In 2005 consent was granted to MBEL for an envelope approval to undertake earthworks as required from time to time for altering and upgrading the golf course. Consent was granted, including a condition that no earth was to be moved outside of the golf course boundary. The intent of this was most likely to protect the integrity of the golf course landform and to prevent reconfiguration of the golf course simply for the purpose of providing fill to raise ground levels for future stages of residential development.

However, what is of particular relevance is the application's assessment of the proposal against objectives and policies of the Matarangi Structure Plan (see **Annexure M** for relevant excerpt). This assessment shows that MBEL, the then owner both of the golf course and the bulk future development land, had a clear understanding of the role of the golf course in the planning framework for Matarangi.

In measuring the earthworks proposal against the objectives and policies of the Matarangi Structures Plan, the applicant stated:

It is considered that the proposal meets the relevant objectives and policies of the Matarangi Structure Plan for the following reasons:

- *The proposal will enhance the Matarangi Links Golf Course, which is an important recreational facility for the residents of Matarangi*
- *Upon completion of the greens, the proposal will ensure that a high quality recreational experience continues to be provided to the residents and visitors to Matarangi, in accordance with the objectives and policies of the Matarangi Structure Plan*
- *The proposal will continue to ensure that a high quality of amenity is provided by the Golf Course, without affecting the established settlement pattern at Matarangi*
- *The proposal is in accordance with Diagram A of the Matarangi Structure Plan as it ensures that the Golf Course will continue to be provided in its defined location*

Each of these four reasons advanced by the applicant to support the resource consent application reinforce an understanding that the developer of Matarangi (as well as the residents and the Council) fully accepted the premise that the golf course open space was an essential and permanent feature.

5.4 In 2005 Hanover Property Limited also lodged a resource consent application for the development of Stages 17 -30 to cover the

remainder of the Structure Plan area. This full application did not proceed, and staged consents were only granted as far as Stage 20. Much of the development in Stages 18-20 was adjacent to, or fronting, Holes 4 and 5 of the golf course, and again the golf course provided the structuring open space to separate residential neighbourhoods and thereby comply with the requirements of the Structure Plan.

- 5.5 By 2008 the Global Financial Crisis had pushed Hanover Group (the effective owner of MBEL) into receivership. Minimal land development has occurred since that time, although a new owner with no linkage to the current owner of the golf course is currently proposing a residential subdivision of the land that was included in the original proposed Stages 21-30.

6.0 The significance of the negotiations between the Council and MBEL in relation to the land at the western end of the Matarangi Spit

- 6.1 As indicated earlier in this evidence (Section 3.15) there were matters in relation to the treatment of land beyond the 3300 metre mark at Matarangi that in our view further reinforce the status of the golf course as permanent structuring open space.

- 6.2 As is apparent from the 1990 Operative District Plan map (**Annexure G**) all of the spit-end area was at that stage designated as Proposed Reserve. This map also shows that while a portion of it was utilised by 3 holes of the original 9-hole golf course, the reserve designation over these 3 holes and the extensive area towards the beach to the north, still remained.

- 6.3 In 1997-1998 MBEL was in negotiation with the Council with a view to expanding the golf course north towards the ocean beach, and at the same time having the reserve designation uplifted. Negotiations resulted in a Deed of Encumbrance (**Annexure N**) that provided for the uplifting of the reserve designation on the basis of a range of compensatory provisions. These included:
- (a) Development of a village green open space. (This was never provided).*
 - (b) Establishment of a walkway around the coast, together with its ongoing maintenance. If coastal erosion affected the reserve it was the responsibility of the developer or its successor in title to realign the walkway further inland. (As indicated below this provision and also (c) and (d) below are no longer enforceable).*
 - (c) A requirement that if the golf course ceased to be used for a golf course then the developer would vest the land in the Council as a Local Purpose Reserve (Esplanade) at no cost to the Council.*

(d) Financial penalties in case any of the requirements of the Encumbrance were not fulfilled by the developer.

- 6.4 The uplifting of the reserve designation allowed for four further golf holes to be developed at the end of the spit. Consequentially construction of four golf holes proposed for the central part of the peninsula on land zoned Rural B (i.e. open space with no housing permitted) did not proceed. When the 1997 Proposed Plan finally became Operative in 2010 the planning maps (see **Attachment O**) reflected this change and provided for more housing and less open space in the central part of the Peninsula.
- 6.5 The benefits to MBEL from this outcome were significant in terms of greater availability of well-located land for residential development. However, for the community, the result was a reduction in the total area of open space. This placed even greater value on the recreational and amenity benefits of the remaining public and private open space.
- 6.6 In November 2010 the receiver for MBEL transferred the assets of MBEL to a new shelf company, Coromandel Assets Limited. With this sale the Deed of Encumbrance was removed from the title. This was possible only because a mortgage had been registered over the property prior to the Deed of Encumbrance, and the mortgage took precedence. Six years elapsed between the Encumbrance being signed in 1999 and it being registered on the title in 2005. This delay has now resulted in a situation, where none of the requirements identified in 6.3 above, can be enforced.
- 6.7 The Encumbrance may no longer be enforceable. However its origins and stated purposes are relevant to 'public interest' considerations when determining the appropriate zoning for the golf course area at Matarangi and in our view adds further weight to the premise put forward elsewhere in this evidence that substantiated an open space zoning for the golf course appropriate and reasonable.
- 7.0 The Structure Plan approach in TCDC Planning Documents and its relevance to the provision and protection of private open space at Matarangi.**
- 7.1 The Section 32 Report in relation to the PDP evaluates the relevance of Structure Plans with the TCDC planning framework. The Report recognises that a structure plan approach is appropriate for the Matarangi situation. Among reasons given for this is the need to confirm the open space zoning of the golf course area.

- 7.2 The structure plan approach enables situations that are outside the norm (such as the history surrounding the provision of open space at Matarangi) to be given specific attention. While some plan-wide zones, rules and policies are applicable in the Structure Plan area, the PDP (and the ODP before it) make clear that it is the provisions of the Structure Plan that take precedence.
- 7.3 It is clear from at least one other Structure Plan currently operative under the ODP (and included with similar wording in the PDP) that Matarangi is not unique in having special provision made for recreation and open space areas that are greater than what would normally be required in an urban area.
- 7.4 The Pauanui Orchard Estate Structure Plan includes the following wording in its Purpose statement:
The Structure Plan enables residential development and provides for limited expansion of Pauanui, in a form, density and layout that maintains the continuity of the settlement's character, form and scale, complements harbour values and maintains a high quality of amenity.
- The rules of this Structure Plan include the following:
The reserves shown on Diagram 1 - Concept Plan: Design and Layout are located, designed, formed and landscaped and vested in the Council so as to achieve:
- i) A continuous network of reserves including walkways and cycleways making up the key structure reserve element (shown as R1 to R4 inclusive and CR on Diagram 1 - Concept Plan: Design and Layout); and*
 - ii) A series of links to provide a second tier network of reserves and walkways connecting the main structure reserve structure, roads and cul-de-sac heads in the manner shown in Diagram 1 - Concept Plan: Design and Layout; and*
 - iii) A minimum average reserve area of 255 m² per lot over the whole Structure Plan area;*
- 7.5 There is a key difference between the Matarangi Structure Plan and the Orchard Estate Structure Plan in that the latter requires all of the open space required (a very sizeable 255m² per residential lot, which equates to around 40% of a 640m² lot] to be vested in the Council. Matarangi, on the other hand, has been developed under both informal and formal structure plan documents. However at all stages of development at Matarangi it has been recognized that extensive areas of open space must be provided and that these should separate neighbourhood residential cells. Private management and ownership of the golf course area was

accepted as appropriate throughout the development process and over the years, zonings consistent with this 'private open space' have applied. It is only now that a split has occurred between ownership of the future development land and ownership of the golf course that an alternative approach is being mooted.

7.6 The question can be asked as to why the zoning of the golf course area at Matarangi should be different to what may occur on other privately owned land covered by the District Plan. The rationale in our view is:

- The evolution of the Matarangi development and the various issues that have arisen over the years, as outlined in this evidence, make it unique
- While the Council has in the PDP altered its general stance on the zoning of private land, and no longer proposes that passive or active recreation zones should apply to this land, the PDP validly recognises that Matarangi is unique, and that the Open Space zone should be adapted to reflect its special status.
- The zoning history in the two areas is quite different. At Pauanui the golf course area has always had a residential zoning, while at Matarangi the golf course area has always had a rural, passive recreation or open space zoning. Pauanui is also quite different, in that the public interest has been protected through the original developer handing ownership of the golf course land to an incorporated society serving the local community.

8.0 **The appropriate Structure Plan boundary**

8.1 The PDP proposes that Structure Plan boundary is altered to include Lot 36 DPS 72837 that incorporates Holes 1 and 2 of the golf course. It is considered that this revised boundary is appropriate for the following reasons:

(a) The history of Matarangi's development indicates that these areas are an integral part of the public open space and private open space that has been used to provide the buffers between areas of housing.

(b) The added residential land that became available in the central portion of Matarangi by the uplifting of the spit end designation; the loss of the encumbrance designed to permanently protect the spit end; and the failure to implement requirements of this encumbrance including the provision of a compensatory village green, in our view confirm that from a public interest perspective the Structure Plan boundary should be set as proposed in the PDP.

(c) While the MRAI does not agree that there is any justification for the zoning of any golf course land as residential, the fact that Golf (2012) Limited is seeking to have some land outside the Structure Plan (notably Lot 36 DPS 72837) zoned residential, highlights the need to include this area within the Structure Plan boundary. Its inclusion will assist in ensuring that all decisions with respect to the future development of Matarangi can be made from a unified and consistent base. This is particularly important now that ownership of the major remaining property titles at Matarangi has been split between two parties.

9.0 Infrastructure, servicing and the supply of residential land

- 9.1 Through all stages of development at Matarangi, the ability to provide the necessary infrastructure services, particularly water supply and sewerage have been major issues. The Council files in relation to Matarangi include extensive reports and exchanges of letters between the developer, the developer's agents and the Council.
- 9.2 It is not proposed in this evidence to identify in detail the engineering and environmental constraints that impact on the number of residential lots that could or should be accommodated at Matarangi. Specific infrastructure requirements will be addressed in any future application lodged in relation to the remainder of the undeveloped residential land in the Structure Plan area. Suffice to say that future proposals for sewerage treatment and the disposal of residue following treatment, are a major concern to all parties with an interest in the future of Matarangi and the Whangapoua Harbour.
- 9.3 MRAI has recently undertaken a survey of the vacant sections and houses for sale at Matarangi. The results of this survey undertaken on 29 January 2015 are shown on the attached map at **Annexure P**.
- 9.4 The current supply of developed residential sites and of undeveloped residentially zoned land at Matarangi is considered by the MRAI to be more than sufficient to meet requirements for many years to come. The survey established that there are currently 60 serviced residential sites at Matarangi that have no house or utility building constructed on them and currently have for sale notices located on the property.
- 9.5 In addition there are 68 sites with no house or utility that are not specifically identified on the site as being for sale. It is likely that a

significant percentage of these would also be available for sale. When the supply of vacant residential sites is added to the 315 lot development proposed by Burfoot Limited for the residentially zoned area within the Structure there is already a current and future availability of 383 residential sites – possibly a lot more.

- 9.6 It has taken over four decades for Matarangi develop to its current size. There are now approximately 1150 residences for both permanent and holiday makers, which would indicate an average of less than 30 houses a year being added to the housing stock. Over the last 3 years (February to February) there have been a total of 58 building permits issued for new houses – an average of less than 20 per year.
- 9.7 Based on both the historic pattern over four decades and reinforced by the evidence of the last 3 years it is likely that the current and planned future availability of sections in existing residentially zoned area at Matarangi will be adequate to meet demand for between 12 and 15 years.
- 9.8 As the total housing stock continues to increase, consideration of supply of residential properties must also take account of the number of existing houses on the market. At the time of the recent MRAI survey there were approximately 60 houses with for sale signs located on the property, a figure which almost certainly underestimates the total number of houses for sale. In 2011 Strategic Risk Analysis published a survey of the Matarangi housing market (see Annexure Q) and concluded that at that date (when there were 60 houses on the market) that this represented 2.6 times annual demand and was more than twice the normally expected level of supply for a settlement such as Matarangi..
- 9.9 It is the view of the MRAI that no addition to the amount of land zoned residential anywhere in the vicinity of Matarangi should be even contemplated until all development of current residentially zoned land within the Matarangi Structure Plan area is completed and it has been demonstrated that all servicing demands for this development are able to be met in an environmentally responsible way.
- 9.10 The development of Matarangi was always premised on there being large areas of open space to ensure that environmental qualities could be maintained. The optimum balance between open space and development will ensure that not only are visual qualities and land-based recreational opportunities maintained, but that water quality standards of the fragile Whangapoua Harbour are not unduly impacted.

- 10.0 Assessment of the proposed Open Space zoning against principles of the RMA**
- 10.1 In the view of MRAI, the background set out in this evidence confirms that from an historical perspective the zoning of the golf course as 'Open Space' is well justified. A further question to be asked is, is such a zoning justifiable under the provisions of the RMA?
- 10.2 The zoning of the golf course area as 'Open Space' has received almost universal support from submitters, with the only submitter in opposition being Golf (2012) Limited which seeks a residential zoning. The principal arguments advanced against the 'Open Space' zoning relate to it being
- contrary to the principles of Part 2 of the RMA in that it will not promote the sustainable management of natural and physical resources
 - not an appropriate way for the Council to exercise its functions having regard to efficiency and effectiveness and to the benefits and costs of environmental, economic, social and cultural effects.
 - 'unreasonable' under the provisions of Section 85 of the RMA, in that the 'Open Space' zoning renders the land incapable of reasonable use.
- 10.3 In determining what may be 'unreasonable' under Section 85 of the RMA a key consideration is whether the zoning serves the Section 5(2) purpose of promoting the sustainable management of natural and physical resources. Golf (2012) Limited considers that Section 5(2) provided support for Residential zoning of the golf course land. However, the alternative, and in our view more valid interpretation, would support continued Open Space zoning.
- 10.4. Section 5(2) defines the purpose of the RMA as *'managing the use, development and protection of natural and physical resources in a way and at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing...'* One matter to be considered is how the social, economic and cultural wellbeing of the wider community including existing and future land owners, residents and holiday makers at Matarangi and surrounding areas, should be balanced against the economic interests of the current owner of the golf course.
- 10.5 More particularly, how should the long established principle of maintaining a balance between developed and undeveloped areas at Matarangi (which is considered to be in the overall public interest) be reconciled with the wish of the owner of the golf course to have the golf course open space converted to a Residential zoning?

- 10.6 Under Section 5(2) the social and cultural wellbeing of the wider community must be considered. The golf course is an established community asset at Matarangi with its continued operation a vital component of the social/ recreational fabric of this beach resort.
- 10.7 Further, extension of the total area of land at Matarangi zoned residential should not be approved without a rigorous assessment of how it might impact on sewerage disposal and on the water quality of the Whangapoua Harbour. As has been shown with previous proposals for development at Matarangi, impacts on the Whangapoua Harbour can have significant cultural implications for local iwi. Proper consideration of this and other matters should not be avoided through an ad hoc extension to the quantum of the available residentially zoned land.
- 10.8 Under Section 5(2) economic considerations are also relevant. The ratepayers of Matarangi have invested in properties at Matarangi in the reasonable expectation that the golf course would remain as non-residential land and that its most appropriate use would continue to be golf course. The basis for this expectation is outlined in the previous parts of this evidence that describe how Matarangi has evolved. The cumulative loss of value to properties at Matarangi from development of the golf course area would be significant and would arise from:
- The desirability of Matarangi as a holiday resort would be significantly diminished by the loss of one of its three key attractions. Beach and boating would remain, but the golfing experience would be lost or considerably downgraded.
 - The numerous properties that front the golf course, and were sold at a premium price because of the visual qualities provided by the golf course open space, would be reduced in value.
 - The additional residential lots that could be created on land that was never intended to be part of the Matarangi residential land bank would impact on the value of all other sites. The development potential (and value) of the existing extensive area of residentially zoned land within the Structure Plan area would also be undermined.
- 10.9 Golf (2012) Limited acquired all of the 46.787 hectares of land comprising the Golf Course and an additional 1.0525 hectares including the golf clubhouse for a sum that was understood to be in the vicinity of \$2.5 million. As the golf clubhouse itself has a council rating value of \$1,159,000, it would seem clear that the purchase price for all of the land and associated assets reflected very much its established and generally accepted usage for recreation/ open space purposes.

- 10.10 On this basis, and considering matters only from an economic standpoint, it is our view that the wellbeing of the wider Matarangi community would be more seriously and negatively impacted by a change from open space to Residential zoning, than would the economic wellbeing of Golf (2012) Limited by retaining the proposed Open Space zoning.
- 10.11 *'Managing the use, development and protection of natural and physical resources'* also requires consideration of the rate (or timing) of any proposed change. In this case there is already more than adequate residentially zoned land to provide for demand in the period covered by the new District Plan. As of February 2015 there are approximately 128 serviced sections not built on, and there is also a proposal to subdivide the existing residential land within the Matarangi Structure Plan into a further 315 residential sections. The ability of the existing zoned residential area to meet anticipated future demand is further reinforced by figures that indicate that there are currently at least 60 houses and a further 60 serviced sections on the market at Matarangi.
- 10.12 The golf course was sold by the receiver to Golf (2012) Limited in December 2011 with an encumbrance on the title requiring that the golf course continue to operate for a period of 10 years. The obvious rationale for this encumbrance was the recognition by the receiver that the ability to sell the remaining bulk residentially zoned land within the Structure Plan area would be seriously compromised if the golf course did not continue to exist and to operate. As indicated above this is a matter of concern not just for potential new property purchasers, but for all existing landowners at Matarangi.
- 10.13 While the protection offered by the encumbrance is limited as to time, this protection has some degree of consistency with what would be provided by Open Space zoning for the golf course in the PDP. This Open Space zoning will be applicable for the period of the District Plan and will be subject to reconsideration when a new District Plan relating to Matarangi is prepared. Future evaluation will need to consider the circumstances that will exist at the time of the next review. It is likely by then the importance of the golf course as open space will have been further reinforced and a substantially increased population base will have resulted in an improvement in the financial aspects of golf course operation.
- 10.14 Overall it is considered that the purposes and principles of the RMA would be given better effect by retaining the proposed Open Space zoning for the Matarangi golf course.

11.0 Conclusion

11.1 The following matters have been addressed in this evidence, and in the view of the MRAI, individually and collectively, support the premise that Open Space zoning for the full area of the golf course at Matarangi is the appropriate provision in the PDP:

- **The origins of the Matarangi beach resort including the original consents and District Plan documents prepared up until 1990, all of which set the framework for design and development.**
- **The basis on which Matarangi was developed during the period 1990 – 2001 and the development of the Matarangi Structure Plan.**
- **The basis on which further resource consents were granted for development after 2001.**
- **The significance of the negotiations between the Council and Hanover in relation to the land at the end of the Matarangi Spit.**
- **The Structure Plan approach in TCDC Planning Documents and its relevance to the provision and protection of private open space at Matarangi.**
- **The appropriate Structure Plan boundary.**
- **Infrastructure, servicing and the supply of residential Land.**
- **The validity of the open space zoning when assessed against the principles of the RMA and in particular Section 5.**

11.2 This is not a situation where, in the view of MRAI, a compromise solution is appropriate. The concept of privately owned areas of open space has been integral to the right to develop Matarangi as a beach resort. Some of this intended open space has already been traded off, most notably when in 1998 the Council agreed to uplift the designation at the end of the spit and allow 4 proposed holes of the 18 hole golf course to be relocated from the central part of the peninsula.

11.3 It is unlikely that those parts of the golf course towards the end of the spit would ever be considered for development. This western part of the golf course is primarily an environmentally sensitive erosion buffer, and does not fulfill a role in separating residential neighbourhoods. It is the central and eastern parts of the golf course that provide critical structuring open space between residential neighbourhoods and require the protection of Open Space zoning in the District Plan.

11.4 Matarangi is a purpose-built holiday destination 3 hours drive from Auckland and Hamilton. The key attractions of Matarangi for

the permanent population, holiday homeowners and visitors, are beach, fishing, and golf. If one of these was to be compromised (for example through pollution or loss of the golf course land) the attraction of Matarangi as a retirement and holiday destination would be significantly downgraded.

- 11.5 While outside of holiday periods the golf course may not be heavily used, this situation is the same for all other infrastructure at Matarangi. The roading, the boat ramp, the water supply and sewerage system and even privately owned businesses, must service a peak population and be under utilised for large parts of the year. This is the reality of Matarangi. Golf (2012) Limited knew this situation when in 2012 it made an offer to buy the golf course. Economic hardship resulting from a speculative purchase is not a valid argument for seriously downgrading the Matarangi experience for current and future generations.
- 11.6 During the peak holiday period the population of Matarangi swells to 8,000 plus. With many existing lots still undeveloped and with a subdivision application for more than 300 sections currently in train, it is likely that in the future the peak population could increase to 12,000 or more.
- 11.7 At other beach settlements such as Omaha and Pauanui the developer gifted the golf course to the local community on completion of the development – having utilised it as a promotional tool for selling the development. This should have been the long-term outcome at Matarangi. However, once MBEL went into receivership, this opportunity was at least temporarily lost, with the golf course now owned by a different entity to that owning the remaining residential development land. While ownership of the key bulk land areas is split, it remains vital that decisions affecting the future of Matarangi view the whole Matarangi Spit as a single entity for planning and development purposes.
- 11.8 The landscape benefits of the open space and the recreational opportunities afforded by the golf course will become even more important to Matarangi, as it continues to grow. The MRAI therefore urges the Hearing Panel to accept the recommendation of the Reporting Planner and confirm that the zoning of all of the area occupied by the golf should be Open Space and that the boundary of the Matarangi Structure Plan should be amended to include Lot 36 DPS 72837.

Annexures

- Annexure A** Matarangi Zoning Map Proposed District Plan 2013
- Annexure B** Aerial Photograph of Matarangi
- Annexure C** List of Individual Submitters represented by MRAI
- Annexure D** Town and Country Planning Appeal Board Decision 16
August 1977
- Annexure E** Report to the TCDC District Plan Hearings Committee 1 and
2 - October 1997
- Annexure F** Matarangi Land Use Concept Plan included in 1979 Scheme Change
(Hand-coloured)
- Annexure G** Matarangi Zoning Plan included in 1990 Operative District Plan
(Hand-coloured)
- Annexure H** Sales Brochure Map Promoting Matarangi (circa 1992)
- Annexure I** Sales Brochure for the Harbour Subdivision (Part of Stage 16a and 16b)
(circa 2001).
- Annexure J** Environment Court Consent Order in Relation to Matarangi –
13 August 2001
- Annexure K** Diagram A Matarangi Structure Plan (Hand- Coloured)
- Annexure L** Letter from Boffa Miskell on Behalf of MBEL / Hanover Providing Further
Information Following Environment Court Consent Order
- Annexure M** Excerpt from Application for Envelope Approval for
Earthworks at Matarangi Links Golf Course
- Annexure N** Deed of Encumbrance in Relation to Spit End
- Annexure O** Matarangi Zoning Map from 2010 Operative District Plan
- Annexure P** Map of Matarangi Showing the Location of Serviced Undeveloped Section
for Sale, other Undeveloped Serviced Sections and Houses for Sale.
- Annexure Q** Matarangi House and Section Market Update prepared by Strategic Risk
Analysis, 2 March 2011