

Report to:	Council
Date:	26 August 2026
Subject:	Plan Change 6: Ocean Ridge Development Area
Prepared by:	P Kearney – Senior Manager Corporate Services
Input sought from:	Jono Cleese – Consultant Planner
Authorised by:	W Doughty - Chief Executive Officer

1. PURPOSE

The purpose of this report is to seek a Council decision on the recommendations of the Independent Hearing Panel for Private Plan Change 6: Ocean Ridge Development Area (PC6).

PC6 was requested by Cargill Station Limited as a private plan change and applies to the existing Ocean Ridge Development Area. It does not expand the existing zone boundary. It updates the planning framework for residential yield, housing typologies, The Hub mixed-use area, ecological restoration, infrastructure servicing, transport connections, and natural hazard provisions.

The Hearing Panel has recommended that PC6 be accepted in the form presented in Appendix 1 of its recommendation report, with one additional amendment to the new Native Restoration Planting Management Plan to include an advice note on Wildlife Act obligations for lizard populations. The Panel also recommends that submissions be accepted, accepted in part, or rejected as set out in the Appendix.

Attachments

- Hearing Panel Recommendation Report on Private Plan Change 6 – Ocean Ridge Development Area
- Section 42A Report – Plan Change 6
- Recommended amendments (referred to as Attachment 1A & 1B)
- Recommendations on Submissions (referred to as Appendix 2)

2. RECOMMENDATION

It is recommended that the Council:

- Receives the report titled Proposed Private Plan Change 6: Ocean Ridge Development Area – Recommendation Report of the Independent Hearing Panel to the Kaikōura District Council.
- Notes that Private Plan Change 6 was requested by Cargill Station Limited and applies to the existing Ocean Ridge Development Area.
- Notes that the section 42A report recommended that Private Plan Change 6 be approved, subject to amendments to the proposed provisions.
- Notes that submissions on Private Plan Change 6 were generally supportive, with no original submitters remaining in opposition following withdrawals and changes in submitter positions.
- Notes the Hearing Panel recommendation report dated 18 August 2026, as attached
- Having considered the Hearing Panel recommendation report, adopts the recommendations of the Hearing Panel on Private Plan Change 6 as Council's decision on the plan change and on the matters raised in submissions, in accordance with Clause 10 of Schedule 1 of the Resource Management Act 1991.
- Approves Plan Change 6 in the form set out in Appendix 1 to the Hearing Panel recommendation report, including the further advice note to the new Native Restoration Planting Management Plan relating to Wildlife Act 1953 obligations for lizard populations.
- Authorises the Chief Executive to publicly notify Council's decision on Private Plan Change 6 in accordance with Schedule 1 of the Resource Management Act 1991 and that provided no appeals

are received, that Council affix the seal of Kaikoura District Council at which time the Plan Change becomes operative as per Schedule 1 requirements.

- i) Notes that staff hold existing delegated authority under Clause 16 and Clause 20A of the First Schedule to make minor editorial corrections to the decision version of the plan provisions, where such corrections are of minor effect or correct minor errors, with approval requiring two authorised staff members.

3. BACKGROUND

PC6 was lodged with Council on 22 September 2025. Council issued a request for further information on 21 October 2025 and the applicant responded on 10 November 2025. The plan change was accepted for public notification by Council on 19 November 2025 and formally notified on 20 November 2025.

Submissions closed on 19 December 2025. A total of 28 submissions were received: 19 in support, three in support in part, two neutral, and four in opposition. The summary of submissions was publicly notified on 4 February 2026 and further submissions closed on 18 February 2026. One further submission was received.

Following the close of submissions, several submitters withdrew their submissions or changed their position. The Blakes, Wrights, Ms Clelland and Mr McGregor withdrew their submissions, and Ms Solomon changed her position from opposition to support. As a result, there were no original submitters remaining in opposition to PC6.

The Independent Hearing Panel comprised Gary Rae, Independent RMA Hearing Commissioner and Chair, and Vicki Gulleford, Independent RMA Hearing Commissioner. A hearing was held on 5 May 2026 and the hearing was closed on 6 August 2026 following post-hearing directions, legal advice, and further information on flooding and aggradation matters. PC6 submission included:

- Increasing the total residential yield within Ocean Ridge from 336 residential units to 486 residential units.
- Providing for a greater range of housing typologies, including medium density housing in parts of the Greenlane, Farm and Hub sub-areas.
- Expanding The Hub mixed-use area from 1.54 hectares to 5.64 hectares.
- Providing updated provisions for infrastructure servicing, transport, stormwater, ecological restoration, landscape, natural hazards, and urban design.
- Retaining existing native restoration areas and updating the future restoration framework.

PC6, while separate, is closely linked to delivery of the Green Lane road connection, which is being progressed through Infrastructure Acceleration Fund support. The existing requirement that no more than 168 residential units be built before the Green Lane link is in place remains part of the PC6 package.

4. KEY MATTERS FOR COUNCIL

4.1 Council's role at this stage

Council's role is to consider the Hearing Panel's recommendation and make a decision on PC6 and on the matters raised in submissions. The recommended approach is to adopt the Panel's recommendations as Council's decision under Clause 10 of Schedule 1 of the RMA.

4.2 Hearing Panel recommendation

The Hearing Panel recommends that PC6 be accepted in the form presented in Appendix 1 of its report. It also recommends that the new Native Restoration Planting Management Plan be amended

to include an advice note alerting plan users to Wildlife Act obligations, specifically that wildlife permits may be required in respect of lizard populations in the area.

The Panel recommends that all submissions be accepted, accepted in part, or rejected as set out in Appendix 2 of its report.

4.3 Flood risk in the Farm sub-area

Flood risk was the key substantive issue considered by the Panel, particularly in relation to the Farm sub-area and potential flood risk from a breakout of the Kōwhai River. Approximately 25 of the proposed Farm sub-area lots are within parts of the site exposed to flood risk.

PC6 proposes to front-load the flood hazard assessment through plan provisions and mapped finished floor levels, rather than relying solely on case-by-case future flood certificates. The Panel accepted the evidence that the modelling was conservative, that finished floor level mitigation is appropriate, and that flood risk is proportionately, adequately and appropriately addressed by PC6.

The Panel also considered the July 2026 flooding event and subsequent information on flooding and aggradation from both Ecan and CSL and was ultimately satisfied that on the evidence received that the proposed approach managed flood risk appropriately and concluded that no further modelling of gravel aggradation and transportation in the Kōwhai River was required (see natural hazard risk within section 6).

4.4 Building height in The Hub

The section 42A report and Council's landscape advice had raised concerns about the proposed 15 metre height limit in a discrete part of The Hub. The Panel considered jurisdictional submissions and legal advice on whether it could reduce the height limit in the absence of a submission seeking that change.

The Panel ultimately found that the proposed 15 metre height limit is appropriate on the merits of the evidence and does not recommend reducing it to 11 metres. It accepted that the 15 metre height area is limited in extent, visually and functionally subordinate to the Kaikōura town centre, and able to be absorbed into the local landscape and topographical setting.

4.5 Ecology, wetlands and restoration planting

The Panel noted broad agreement that existing restoration areas should be retained and that the proposed restoration plan will result in positive ecological outcomes. It found that the disagreement over the classification of part of Wetland 2 was minor and did not materially affect the appropriateness of PC6.

The Panel recommends only one amendment to the new Native Restoration Planting Management Plan: an advice note on Wildlife Act obligations relating to lizard populations. The Panel did not recommend further changes for retrospective pest plant management or planting flammability.

4.6 Firefighting water supply

Fire and Emergency New Zealand sought more explicit provisions relating to firefighting water supply. The Panel accepted the evidence of Mr Cleese and Mr Jones that firefighting water supply can be addressed through existing regulatory frameworks and consent stage processes, and that no bespoke additional provisions are required for PC6.

4.7 Infrastructure, transport and servicing

The Panel was satisfied that the additional development enabled by PC6 can be serviced for water, wastewater and stormwater, subject to detailed design, subdivision-stage assessment, regional consenting where required, and alignment of local network upgrades with development staging. The Panel was also satisfied that transport effects can be managed, including through the Green Lane link, the retained 168-unit staging limit before that link is in place, and the rule framework applying to the Hub and State Highway 1 access arrangements.

4.8 Statutory evaluation

The Panel concluded that PC6 meets the relevant statutory tests for evaluating a plan change request. It found that the provisions, as recommended to be amended, are the most appropriate way to achieve the objectives of the District Plan, accord with Part 2 of the RMA, and give effect to relevant higher order statutory direction.

5. OPTIONS

Option	Description	Advantages	Disadvantages
Option 1	Adopt the Hearing Panel's recommendations as Council's decision. This is the recommended option.	Follows the RMA process; gives weight to the independent Panel process; enables notification of Council's decision; provides certainty to the applicant, submitters and community.	Parties may still appeal to the Environment Court; Council accepts the Panel's reasoning and recommended provisions.
Option 2	Do not adopt the Hearing Panel's recommendations and refer specified matters back for further consideration, or make a different decision if there is a clear statutory and evidential basis.	Allows reconsideration if Council identifies a clear and material issue with the recommendation.	Creates cost and delay; may raise natural justice, process and legal risk; would require clear reasons supported by the evidence and RMA framework.

6. RISKS

Risk area	Comment
Legal and process risk	Council's decision may be appealed to the Environment Court. Risk would increase if Council departed from the Panel recommendation without clear reasons supported by the evidence and statutory framework.
Natural hazard risk	Flood risk in the Farm sub-area was the key substantive risk. The Panel found that the proposed approach manages flood risk proportionately, adequately and appropriately following review of further reports from CSL post flood.
Urban form and visual risk	The Panel considered the proposed 15 metre height area in The Hub and found that it is appropriate and does not need to be reduced.
Infrastructure delivery risk	Infrastructure upgrades will need to be aligned with subdivision and development staging. The Panel found that servicing solutions are available and can be addressed through later processes.
Financial risk	The applicant is responsible for plan change processing costs in accordance with Council's fees and charges and RMA cost recovery processes. Council may incur costs if appeals are lodged.

7. NEXT STEPS

- Finalise the decision version of the plan change provisions, including the recommended advice note in the Native Restoration Planting Management Plan.
- Publicly notify Council's decision in accordance with Schedule 1 of the Resource Management Act 1991.
- Serve notice of the decision on the applicant and submitters.
- Allow the statutory appeal period to run.
- If no appeals are received, progress the plan change toward becoming operative.
- If appeals are received, manage those appeals through the Environment Court process.

8. LEGISLATION

The relevant legislative framework is the Resource Management Act 1991. The key provisions include:

- Section 31, which sets out the functions of territorial authorities, including integrated management of land use and development and control of actual or potential effects.
- Section 32, which requires evaluation of whether plan change objectives and provisions are appropriate.
- Section 32AA, which applies to evaluation of changes made after notification.
- Section 42A, which enables reports to be prepared to assist decision-makers in hearings.
- Sections 74 and 75, which set out matters to be considered in preparing or changing district plans and the requirements for district plan contents.
- Section 76, which requires consideration of the actual and potential effects on the environment of activities when making rules.
- Section 106, which provides an additional mechanism to address natural hazard matters at subdivision stage.
- Schedule 1, including Clauses 10 and 29, which set out decision-making requirements for plan changes and private plan change requests.

The section 42A report and Hearing Panel recommendation also considered relevant higher order planning documents, including national policy statements, national environmental standards, the Canterbury Regional Policy Statement, regional plans, and the Operative Kaikōura District Plan.

9. COMMUNITY OUTCOMES SUPPORTED

The work is in support of all community outcomes.



Community

We communicate, engage and inform our community



Development

We promote and support the development of our economy



Services

Our services and infrastructure are cost effective, efficient and fit-for-purpose



Environment

We value and protect our environment



Future

We work with our community and our partners to create a better place for future generations