

**IN THE MATTER OF:**

- **THE RESOURCE MANAGEMENT ACT 1991**
- **PRIVATE PLAN CHANGE PPC85 – MANGAWHAI EAST**

**Rebuttal Evidence – Windsor Way Owners**

*(CABRA, Black Swamp Limited, Riverside Holiday Park)*

**1. CABRA – Strategic Framework & Coastal Access**

The Windsor Way owners remain broadly supportive of the strategic planning intent of PPC85 as advanced by CABRA, including the use of open space zoning and managed coastal access to respond to natural hazard and ecological constraints.

In relation to coastal access, evidence before the Panel confirms that the concept of a **managed pedestrian route along the estuary margin is not novel** in this location.

Previous subdivision planning material demonstrates that pedestrian access easements and ecological buffers have been contemplated within a Council-facing planning framework, with access set back from the water's edge and constrained by ecology covenants, Figure 1.



**Figure 1:** Extract from earlier subdivision planning material illustrating the concept of managed public pedestrian access set back from the estuary margin and constrained by ecological covenants (planning context only).

This supports the proposition that **public access, ecological protection, and hazard management are not mutually exclusive**, provided access is carefully designed and managed. The Windsor Way owners therefore support the retention of CABRA's plan-led boardwalk / coastal access concept in principle, subject to detailed design and ecological safeguards.

However, that support remains conditional on **stormwater and flooding risks being resolved first and demonstrably**, rather than deferred. Given the flat topography, shallow seasonal groundwater, and sensitivity of the Windsor Way area, reliance on open space designation alone does not provide sufficient certainty that development enabled by PPC85 will avoid adverse effects on existing properties. Plan-stage confirmation of stormwater feasibility remains necessary.

## 2. Black Swamp Limited (BSL) – Zoning & Downstream Stormwater Effects

The Windsor Way owners acknowledge that **Low Density Residential Zoning (LDRZ)** proposed by Black Swamp Limited may align in form with the CABRA zoning framework along the eastern boundary of Windsor Way and could represent a more compatible interface than higher-intensity zoning outcomes.

However, the BSL landholding lies **up-gradient and to the north of Windsor Way**. Evidence before the Panel indicates that surface water runoff from higher ground will naturally discharge toward Windsor Way unless specifically managed. Any take-up of development under LDRZ has the potential to reduce subsoil storage and increase both the volume and rate of surface runoff.

The proposed **Mixed-Use Zone (MUZ)** would materially increase this risk by enabling greater imperviousness and development intensity in close proximity to Windsor Way. For this reason, MUZ is not supported near the Windsor Way boundary.

If LDRZ is to proceed on BSL land, it must be supported by **fully designed and quantified civil engineering works** that demonstrate, at plan-change stage, that stormwater effects on Windsor Way will be avoided or appropriately mitigated. Reliance on future consenting or unspecified mitigation measures does not provide sufficient certainty for existing downstream properties.

In this context, **LDRZ represents a better fit than MUZ**, and is more consistent with CABRA's PPC85 framework, but only where downstream stormwater effects are resolved upfront.

## 3. Riverside Holiday Park (RHP) – Access & Connectivity

The Windsor Way owners note that RHP's evidence is generally supportive of PPC85 but raises concerns regarding the practicality and utility of coastal walking and cycling connections.

In particular, the characterisation of an estuary-edge route as one that "goes nowhere" is not accepted. Evidence before the Panel shows that coastal pedestrian access has previously been contemplated within structured planning processes in this area, with alignments set back from the water's edge and integrated with ecological protection measures.

## PPC85 REVIEW OF EVIDENCE OF SUB-MISSION RECEIVED 2-2-2026.

In that context, it is reasonable to expect that a managed coastal access route could, through future detailed design, form part of a **wider connected movement network**, including potential links to existing routes toward Mangawhai Village and established boardwalk infrastructure already delivered within the township.

The effective occupation of the foreshore by RHP also raises legitimate questions about long-term public access outcomes. These matters warrant careful consideration to ensure that private occupation does not constrain the broader public access and connectivity objectives intended under PPC85.

## 4. Closing Rebuttal Position

In summary:

- CABRA's strategic framework, including managed coastal access, is supported in principle, but stormwater and flooding risks affecting Windsor Way must be resolved at plan stage.
- BSL's LDRZ proposal may align with the broader PPC85 framework, but only where downstream stormwater effects are quantified and mitigated; MUZ is not supported near Windsor Way.
- RHP's access narrative should be treated cautiously where it may underestimate the feasibility and public value of integrated coastal connectivity.

These matters reinforce the need for clear, enforceable plan-stage provisions to ensure that development enabled by PPC85 does not transfer unmanaged stormwater, flooding, or access constraints onto existing low-lying properties such as Windsor Way.

Regards.

Derek Westwood.

**Prepared for:** Owners of Lots 1–7 Windsor Way