

Dated: 12 May 2025

STATEMENT OF EVIDENCE OF EVAN CHRISTOPHER WILLIAMS

INTRODUCTION

1. My full name is Evan Christopher Williams. My statement of evidence relates to the submission of Mataka Residents Association Incorporated (Matakā) on the Far North District Council's (**Council**) Proposed District Plan (**PDP**) that sought the introduction of a new special purpose zone or Precinct for Matakā Station to recognise and provide for the unique farming, conservation and limited residential development at Matakā Station.
2. My qualifications and experience relevant to my evidence are:
 - (a) I hold the degrees of Bachelor of Laws and Master of Laws with Honours from Victoria University of Wellington, New Zealand Law Society Cleary Memorial Prize, and am a Barrister and Solicitor of the High Court of New Zealand. Following three years as a member of the Law Faculty of Victoria University, I practised as a commercial lawyer from 1979 to 1995, specialising in large cross border mergers and acquisitions, IPOs and capital markets transactions. I advised a variety of public and private companies and individuals, banks, governments and government entities. I was a partner, board member, managing partner and chair of Chapman Tripp, one of New Zealand's leading national law firms, from 1985 to 1995.
 - (b) From 1995 I focussed on public service/charity roles and private equity investments.
 - (c) My public service/charity roles included a variety of church or charitable organisations including the Auckland City Mission, Save the Kiwi, Parents Inc., Te Papa Tongarewa, and currently Sydney Contemporary Art Fair, Marsden Cross Trust Board / Rangihoua Heritage Reserve, and Koi Tu The Centre for Informed Futures.
 - (d) I was appointed to the Board of Te Papa Tongarewa, National Museum of New Zealand as a director in 2011, Deputy Chairman in 2012 and Chairman from 2013 to 2019. I was deeply involved in restructuring Te Papa and was deeply involved in reinforcing and growing Te Papa's work in mātauranga Māori and iwi relationships.
 - (e) In 2019 I assisted Sir Peter Gluckman to establish Koi Tu, the Centre of Informed Futures, a think tank focussing on the future, incubated within

Auckland University. Koi Tu Centre of Informed Future is now an independent trust of which I am a trustee and a member of the Advisory Board.

(f) My property or government roles or investments relevant to the development and management of properties such as Matakā Station include:

- (i) a lead role in developing Denarau Island (a successful island resort acquisition and development in Fiji) including the development of a new hotel, residential developments and a port;
- (ii) advising the New Zealand Government in 2009 on the Waikato – Tainui settlement relating to the Waikato River, subsequently negotiating a restructuring of the agreed deeds and legislation to produce legislation and settlement deeds for co-management by 7 iwi and the Crown of the Waikato River and catchments; and
- (iii) founding and developing four large coastal developments in New Zealand - Matakā Station, Wiroa Station, Bream Tail and Weiti - each of which was based on significant environmental, conservation and heritage programmes with strong iwi relationships, combined with limited development occupying small percentages of the property. Matakā Station has developed one of the most successful kiwi recovery programs in New Zealand Aotearoa. Following a long consenting program, from 2015 to 2020 I led the construction of the first stages of the Weiti project – an 850ha subdivision development on the North Shore of Tamaki Makaurau. The combination and alignment of environmental, conservation and heritage/iwi programmes with limited development flowing out of Matakā Station were the underpinning of my subsequent and ongoing property experience.

- 3. I am currently a director of Williams Group NZ companies. I was a founding Shareholder & Director of Matakā Limited and am a Board Member of Mataka Residents Association Incorporated (the body corporate managing owners' collective interests and managing over 95% of the land). I am a current trustee of the Marsden Cross Trust Board / Rangihoua Heritage Reserve.
- 4. I managed the design, consenting, construction and sale Matakā Station and the development from 1999 to 2005 and since then I have been a member of the board of Matakā Residents' Association from nearly all of the time since.

5. As a result, I am familiar with the details of the property and dynamics and issues relating to the project. I am authorised to give this evidence on behalf of Matakā.

PURPOSE AND SCOPE OF EVIDENCE

6. The purpose of my evidence is to outline our plans for Matakā Station; the consents and consent conditions (the current regulatory framework on which the proposed Matakā Station Precinct ("**the Precinct**") is based; and the implementation of the future plans for Matakā Station, under the following heads:
- (a) Rural conservation subdivision.
 - (b) Environment of Matakā Station.
 - (c) Background to the Matakā Station Concept Plan
 - (d) Conservation initiatives.
 - (e) Landscape and Visual Outcomes.
 - (f) Iwi, History, Archaeology, Access.
 - (g) Farm Development.
 - (h) The importance of a supportive planning framework.
 - (i) The need for the proposed Precinct.

RURAL CONSERVATION SUBDIVISION AROUND NEW ZEALAND

7. I first looked at Matakā Station and the Purerua Peninsula in 1999. I was struck by the natural beauty of the peninsula and Matakā especially. As it was explained to me, in those days (now more than 25 years ago) the way to do coastal development was to get a contract on beachfront land and maximise lots on the beach; and if you could buy coastal land including a beach, you extracted profit by developing the most amount of lots as possible as near to the beach. The traditional wisdom was also that as a developer you did not propose or agree to conservation, access, heritage or ecology controls or covenants which would:
- (a) reduce profit (due to costs on conservation, archaeological or access works during development);
 - (b) require ongoing work and cost at the expense of buyers (such as predator programs) - reducing sales prices;

- (c) place constraints on use or privacy by agreeing to unrestricted or controlled access to beaches or historic or iwi sites or regulatory scrutiny of ecological programs - reducing sale prices; and
 - (d) reduce future value of land sold to new buyers and reducing sale prices by agreeing to ongoing covenants such as preserving land as planted or rural uses or covenants controlling future subdivision or density of building - reducing sales prices.
8. In 2000 development objectives for coastal properties were seen in most places as being in conflict with conservation and environment objectives and the development community seemed to be hostile to organisations like Environmental Defence Society Incorporated (**EDS**) and the costs imposed by conservation groups. Conservation groups were opposing development vigorously (in many cases for good reasons).
 9. In short, development and conservation were seen as opposing forces.
 10. I reviewed a number of current and historical coastal developments including older developments and found a reasonably consistent pattern of developments that were:
 - (a) not designed around the needs or patterns of the land and natural features;
 - (b) mostly replicating urban subdivisions or urban neighbourhoods;
 - (c) aimed at maximising value near beaches usually on small lots; or
 - (d) making few concessions to the land, habitat, public needs or the natural beauty of that portion of the coast.
 11. It was also clear that once any form of development occurred on a beach or in a bay, further development occurred as values and development opportunities emerge on the back of the initial development approvals.¹

¹ For example, Northland communities of Mangawhai and Mangawhai Heads, Ruakaka & Marsden Point and Waipu have grown dramatically from relatively small beach communities to much larger communities, increasing as recently examples over the period 2013-2023: Mangawhai Central and Mangawhai Heads - 137.9% (Mangawhai Rural 110%), Ruakaka & Marsden Point – 31% and Waipu – 71%. More extreme examples exist nearer to and south of Auckland.

DESCRIPTION OF MATAKĀ STATION ENVIRONMENT

12. Matakā Station is located on the Pureura Peninsula in the northern Bay of Islands. Attachment One of Mr Goodwin's landscape evidence contains a suite of plans showing the location of the Pureura Peninsula and key locations and physical and cultural features at Matakā Station that are discussed in this section of my evidence.
13. Matakā Station has a very rich history and a central place in the history of modern New Zealand, particularly at Rangihoua pa and Oihi Bay (below the pa) and Matakā, outlined immediately below.
14. Ngāti Torehina, Ngāti Rēhia, and Ngāti Rua have all held or shared mana whenua over Matakā and Rangihoua at various stages of the last few hundred years. The current Waitangi Tribunal processes place Matakā and Rangihoua within the rohe (area) of Ngāti Torehina. There are eleven identifiable pa and (now) over 80 archaeology sites within the areas surveyed by our archaeologists of the development areas, including 11 pa sites dating to pre European periods.
15. Chiefs who lived at Matakā such as Te Pahi, Hongi Hika and Ruatara initiated many of the first meetings between Māori and Europeans. They were responsible for large sections of the initial dialogue between Māori and Europeans and a number of the more significant moments in that dialogue took place at Oihi Bay and the mission at Rangihoua, previously within the boundaries of Mataka. Those contacts now occupy a national role as described well by Dame Anne Salmond in her book "Between Worlds – Early Exchanges Between Māori and Europeans 1773-1815" Within that period the landing of the missionary Samuel Marsden on 22 December 1814 and preaching of the first Christian sermon on Christmas Day 1814 are widely recognized to be a key point in the contact between Māori and European.²
16. Matakā Station was mainly used as a breeding property from 1950's due to its poor natural soil fertility and steep terrain through the majority of Matakā Station. In its relatively natural state in the 1950's, Matakā Station was heavily covered by gorse - a testament of the result of doing nothing and a problem that remains today. Each year, a fire was lit at the northern end of the property in a high northerly wind to burn the gorse - resulting in the pattern of existing valleys filled with manuka as the fires raced from ridge line to ridge line in the wind allowing manuka to seed and grow. In 2000 an elder of Ngāti Torehina told me that even

² Reports of Architage Limited prepared by Dr Diane Harlow dated November 2000, February 2004, March 2004 pp 460-465

in those days after annual removal of gorse it took him 3 days on foot and horse to get from (now) the south entrance of Matakā Station to the Nine Pin.

17. In 1975 Bill Subritzky purchased Matakā and embarked on a project to construct 22 kms of all-weather farm roads, remove invasive gorse and weeds, established and maintained extensive grazing areas, established woodlots and shelter belts, built an extensive network of farm ponds and create a working sheep and beef farm with over 250kms of fences. He fenced off substantial areas of shrubland, which had the potential over time to become regenerating native forest. Those areas of shrubland had been recognised as areas of ecological importance and that they supported populations of Northern Brown Kiwi, Spotless Crane, Bittern and Fernbird. The coastline contained a large number of Pohutukawa trees some of which were ancient trees. All of the Pohutukawa were heavily damaged by possums who had eaten vast swathes of leaves. It was clear that we needed to reduce or less likely, eradicate possums from Matakā Station. The wetlands on Matakā were identified by the Department of Conservation (DOC) as important and that both the shrubland and wetlands were worthy of preservation.³
18. As described above, the eastern tip of Matakā Station is the western headland of the Bay of Islands and Matakā has approximately 8kms of waterline in the Bay and approximately 8 kms of waterline facing the ocean. Mt Matakā is 258m high and the cliffs around it are steep and spectacular. As a result of those factors Matakā Station had and has a significant role in the viewscape of the Bay of Islands and in the character of the Bay of Islands. In my experience a high proportion of residents, visitors and water users are affected by the appearance of Matakā Station and its obvious history.
19. Drawing together the descriptions above, the three dominant characteristics of Matakā Station are that it is:
 - (a) rugged, beautiful and has extraordinary views;
 - (b) large; and
 - (c) dominated by its natural character with hundreds of hectares (c.350ha) of native trees and plants preserved, long coastlines largely untouched, hundreds of hectares (c.700ha) of open farmland space and a nearly unique population of kiwi.

³ DOC letter dated 1 February 2000, Attachment 7A to Application by Mataka Limited under Resource Management Act of 23 November 2000.

20. Matakā Station also has a natural inbuilt advantage in tackling conservation fighting against weeds and predators and protecting kiwi. It is at the end of a peninsula.
21. The combination of unusual and special features of Matakā described above became the driving force behind our campaigns for the regulatory structure we obtained and our approach to marketing Matakā Station. We concluded that purchasers would be drawn to Matakā by its beauty, size and natural character - the native bush areas, rolling farmland, extensive roads, farming, history, beaches, views and the kiwi. We knew that in turn those buyers would support the conservation activities we planned on Matakā and that support in turn would create the environment which is special. And over time, that proved to be true.

PURCHASE OF MATAKA STATION AND MATAKA STATION CONCEPT PLAN

22. When I first learnt of Matakā Station, a tender was underway for the sale of the property by Mr Subritzky, with significant buyer interest. There was a widespread public debate on the future of Matakā Station focussing on the possibility that it would be sold to overseas buyers and would be developed without regard for conservation, environment, heritage and access issues. Dame Catherine Tizard (the ex-Governor General) spearheaded a high profile campaign to pressure the government to intervene and buy the property. I was aware that a number of competing buyers planned significant developments with large numbers of houses and that fuelled public concern further.
23. In 1999, I and Mr Bill Birnie (a former colleague) purchased Matakā through a company (Matakā Limited) owned at that time 50/50 by me and Mr Birnie. Matakā Limited made an offer which enabled the vendor to first offer the property to the New Zealand Government as a public park. The Government declined that offer and Matakā Limited's offer proceeded to settlement. I understood that there were back up offers or proposals based on intensive development. Mr John Bayley of Bayleys Real Estate had been guiding us through the purchase and he advised us that the real estate market would be attracted to Matakā Station if we could ensure that it was different and carefully designed. As he put it to me '*You need to do something different.*'
24. There were no development consents in place, and Matakā Limited was not prepared to embark on a traditional beach coastal development that was unsympathetic to the natural environment of the style described above. The questions were '*What do we design, what development rights can we apply for, and what do we offer in return for development rights?*' We were walking a tightrope

between the sales revenue we could achieve and the costs of construction and the cost of conservation, environment, archaeological, iwi and public access benefits which we should offer.

25. Matakā Limited proposed to Council an overall plan for 30 lots to be consented in stages and we accordingly proceeded to apply in stages for development consents based on an offer of conservation, environment, archaeological, iwi and public access benefits as part of a plan for limited development rights (one house site per 100 acres/40ha). Matakā Limited presented the plan as a holistic approach to a large piece of coastal land by taking development, conservation and public benefits as a single package, staged on availability of information and research.
26. The scheme Matakā Limited presented provided for:
 - (a) A maximum of 30 house lots consented in Stages over 2000-2006, with strict controls on additional buildings and prohibitions of further subdivision. A cap of 30 house lots was agreed with Council.
 - (b) Twenty kms of roads servicing 5 beaches, a mountain and key owner assets including more than 20kms of walking trails.
 - (c) Permanent preservation of covenanted conservation areas.
 - (d) Permanent preservation and legal protection for landscape and visual outcomes.
 - (e) Ongoing predator control, bush protection, open space and other mechanisms to protect the rare wildlife at Matakā Station – especially kiwi.
 - (f) Permanent protection of over 700 ha of additional farmland and coastal as undevelopable space including commitments to farming and a land use plan based on a single management of the whole property – avoiding a patchwork of different uses.
 - (g) Permanent protection of all Māori archaeological sites including GPS identification and protection and commitment to further research and protection and ongoing access for iwi on an agreed basis.
 - (h) Development of physical and legal access to the Rangihoua Māori Reserve and Marsden Cross (which did not exist legally and was not practicable other than by sea) and ultimately establishment of the Rangihoua Heritage Park).

- (i) A legal structure to protect the above that would avoid development 'creep' by continued development and subdivision.
 - (j) A body corporate to protect owners' interests; to fund and manage key common infrastructure and facilities; and accept and manage the mutual obligations of owners to the Council on environment and other commitments.
27. This overall concept plan guided the process throughout and was refined through the first five years of consenting. Matakā Limited's objective was to take the varied competing needs and uses above and align them in harmony (or at least mainly).
28. The subdivision consenting history that implemented the overall concept plan is discussed in the planning evidence of Mr Hall. In summary, the first 29 lots (of which 22 lots for residential purposes were consented on 12 February 2001⁴ (**Stage One**); and the final eight lots were consented on 16 September 2004⁵ (**Stage Two**). As set out in Mr Hall's evidence there were also variations to the Stage One and Stage Two subdivision consents.
29. Matakā Limited chose to offer the benefits above and lock them in from the beginning of the consent process. I understood that offers of that kind and scale were rare in those days and for a period we seemed to become heavily out of favour within the development community.
30. I was aware that anyone who owned lots at Matakā Station needed an effective plan to protect the land, to manage a sensible land use plan and to protect rare species and habitat (especially kiwi). And we also knew that the plan required money – in essence the value of the property (sales) and ongoing cash support of the owners of the property to whom we would sell.
31. I understood intuitively when we purchased Matakā Station that conservation does not just happen, but rather has to be paid for, fought for, and defended. However, that point has been continually reinforced by our experience in developing and caring of the land over last 25 years. The scheme created by the original consents created a delicate network of obligations and rights which has underpinned and funded the conservation, environment, heritage, public access and development objectives originally agreed with the Council in 2000. Protecting or repairing the farmland and conservation areas from pests, weeds and extreme weather has

⁴ Application by Mataka Limited under Resource Management Act of 23 November 2000 - RC2010428.

⁵ Application by Mataka Limited under Resource Management Act of 24 May 2004 - RC2041080.

proved to be a continuous and expensive task. That network is delicate, complex and interdependent.

32. As Matakā Limited developed and consented the plan for Matakā station, it became more and more clear that:
- (a) Matakā Station, the plan, and the array of environment, public and private interests needed (and still need) to be managed and protected as one entity;
 - (b) the plan had to be built specifically on the land and conditions of Matakā, which is large enough and a significant public footprint to justify a single overall plan; and
 - (c) the consents and conditions issued by Council, the use of covenants and consent notices in titles to properties, and the use of the Matakā Residents' Association Inc as a single management entity has provided stability and commitment over time.
33. I note that, while I have organised this evidence under separate headings to assist the Panel in understanding the various workstreams, the practical reality is that each plan and work stream supports other plans and the parts do not stand on their own.

CONSERVATION

34. The Stage One subdivision consent application recorded the low density approach to housing and a first priority to preserve and enhance what was there in terms of wildlife and habitat.⁶
35. The Stage One subdivision consent application, included a Subdivision Concept Plan by DJ Scott Associates, and proposed extensive coastal planting to protect and enhance visual qualities of Matakā, controls on house sites, and design rules to minimise adverse effects from development of houses being:⁷
- (a) less than 1% of Matakā Station be occupied by houses and garden;
 - (b) fixed location of houses in approved sites;
 - (c) continuance of farming or rural uses over maintaining rural land as the predominant use of Matakā Station;

⁶ Application by Mataka Limited under Resource Management Act of 23 November 2000 - RC2010428.

⁷ *Ibid.*

- (d) Outstanding Landscape Unit (**OLU**) and Outstanding Landscape Feature (**OLF**)⁸ of 354ha preserved and 157 ha of additional tree planting and farming land preserved;
 - (e) requirements for landscaping, revegetation and enhancements within conservation and other areas;
 - (f) banning cats and mustelids and control of dogs and;
 - (g) creation and maintenance of predator programmes.
36. Those proposals were accepted and incorporated in that Stage One subdivision RC2010428 issued by Council.⁹
37. The conservation plan for Stage One was drawn from the contours and catchments within the property and from the plan to link catchments and existing planted areas.¹⁰ The proposal to conserve of inland conservation areas proposed contained specific planting and protection strategies. The additional 157ha of new pohutukawa planting and grazing pasture in the coastline¹¹ was designed as conservation and visual amenities. Matakā Limited also proposed an ongoing predator control program.¹²
38. The commitment to the conservation plan and the need to react quickly to predators and to take active conservation steps were tested more or less immediately. I had seen that the Pohutukawa trees on Matakā had lost large percentages of leaf cover. I was advised that possums were out of control and we should do something soon. I hired a specialist to attempt a mass eradication programme. This involved shutting the gates and sowing the whole of Matakā Station with Brodifacoum a poison achieving secondary and subsequent deaths. There were thousands of dead possums within days and the possum population was reduced within two to three weeks to a very small number and has never recovered. All of the Pohutukawa trees at Matakā, including many large and very old Pohutukawa trees, recovered their foliage fully within months.

⁸ Now known as Outstanding Natural Landscape (ONL) and Outstanding Natural Feature (ONF) respectively.

⁹ Stage One subdivision consent, conditions 9, 15 and 20.

¹⁰ *Ibid.*

¹¹ *Ibid.*

¹² *Ibid.*

39. The Stage Two subdivision consent application contained environmental assessment¹³ and very detailed Assessment of Landscape and Visual Effects.¹⁴ The reports proposed detailed controls for the final lots¹⁵. Which were accepted by Council in the grant of the Stage Two subdivision consent.
40. The results of the conservation plan proposed by us and accepted by Council is significant for kiwis. **Attachment One** to my statement of evidence contains the 2017 report from the leading kiwi experts from Kiwis for Kiwi (now Save the Kiwi)¹⁶ constituted the first formal survey of the kiwi population at Matakā Station. They advised that the survey suggested that at that point Matakā supported remarkable number of kiwi. The report concluded:

Matakā is an extraordinary place with an extraordinary kiwi population. The density of kiwi is unlike anywhere on mainland New Zealand, and the birds are in very good condition. It demonstrates the value of agricultural landscapes for kiwi recovery and shows us that it is truly possible to take kiwi from endangered to everywhere. It also demonstrates that kiwi thrive in a range of habitats as long as predators are suppressed to low levels.

Key learnings that the Matakā Station study provided:

- 1) Kiwi density and population numbers can reach exceptionally high levels.*
- 2) They are habitat generalists, and may actually do best where there is a mix of grassland and forest.*
- 3) A no nonsense dog policy is essential for kiwi survival. Thank you for having this in place and for adhering to it so strictly.*

The landowners are to be congratulated for this extraordinary conservation achievement. The success at Matakā would not have happened without their involvement and support. But now there is an opportunity for this success to spill out into the wider Northland region.

41. A further study visit in 2021 by Kiwi for Kiwis utilising some of the same experts (including the CEO of DOC) but without a formal survey and relying on call counts (the traditional count method) suggested that the kiwi population had increased – perhaps to a significant degree.
42. Those outcomes are a direct result of our implementing the proposals we made and the consents granted for development of Matakā Station.

¹³ Application by Mataka Limited under Resource Management Act of 24 May 2004 - RC2041080.

¹⁴ Mataka Station Stage II – Subdivision Assessment of Landscape & Visual Effects Prepared for Mataka Limited by Boffa Miskell Limited May 2004.

¹⁵ Application by Mataka Limited under Resource Management Act of 24 May 2004 Application 24 May 2004) - RC2041080.

¹⁶ Mataka Station – Kiwi Population Survey Results, Kiwis for kiwi, June 2017.

LANDSCAPE AND VISUAL OUTCOMES

43. The visual component of Matakā Station's impact on the Bay of Islands is driven on its scale, beauty and natural state and character.
44. The Stage One subdivision consent application included an extensive and detailed visual assessment of Matakā Station and the development proposed, prepared by D J Scott Associates, together with individual site assessment.¹⁷ The report and the application proposed measures to protect and enhance visual qualities of Matakā being:
- (a) less than 1% of Matakā Station to be occupied by houses and garden – a less obvious visual tool but one of the key measures to preserve the natural character of Matakā Station in the landscape;¹⁸
 - (b) continuance of farming as the predominant use of the land (another major driver in preserving visual outcomes);¹⁹
 - (c) Outstanding Landscape Unit (OLU) and Outstanding Landscape Feature (OLF) of 354ha reserved and 157 ha of additional planting; and
 - (d) design controls and design guidelines and processes, including design criteria to protect visual protection.
45. Those proposals were accepted by Council and incorporated in the Stage One subdivision consent.²⁰
46. The Stage Two subdivision application contained very detailed visual and landscape plans and draft conditions for each lot.²¹ Those lots were more visible than the Stage One lots and the conditions were tight and detailed. The lots were consented on 16 September 2004 and incorporated the proposals we had proposed.
47. The great majority of historic and current developments in coastal edges north of the Coromandel have significant residential areas and character. Matakā Station and a handful of similar properties in the Bay of Islands and near are rare exceptions.

¹⁷ Application by Mataka Limited under Resource Management Act of 23 November 2000 - RC2010428.

¹⁸ *Ibid.*

¹⁹ *Ibid.*

²⁰ RC2010428 conditions 17, 18, 19, 20.

²¹ Application by Mataka Limited under Resource Management Act of 24 May 2004 (Application 24 May 2004) - RC2041080.

48. Based on my experience with coastal development in New Zealand and overseas such rare exceptions should be preserved, enhanced, and supported by enabling development within the kinds of parameters already in operation at Matakā.

ROLE OF IWI, HISTORY, ARCHAEOLOGY, ACCESS

49. Matakā's relationship with Ngāti Torehina (over the last 25 years through Mr Hugh Rihari and his whanau) is embedded in the DNA of Matakā Station and its residents. It is a taonga – a gift held as precious by us.
50. The Stage One application included a comprehensive archaeology report by Dr Dianne Harlow of Architage (**the Architage Report**)²² on the 22 sites that were consented (including the initial 12 sites reported on by Architage in January 2000). The Architage Report included history background of the property, archaeology background, methodology, iwi consultations and iwi views, site investigations records and recommendations. The report considers each house site, records all relevant features (mainly by reference to plans) and proposed:
- (a) further work and archaeology research to more precisely to locate by GPS and protect all archaeological sites;
 - (b) controls on house sites to create buffer zones from archaeological sites;
 - (c) land covenants/consent notices to protect all archaeological sites, including notification to iwi prior to any earthworks, monitoring by iwi and archaeologist and processes requirements to ensure no earthwork near the site is done without proper research;
 - (d) protection of archaeological sites by consent notices be registered under the RMA;
 - (e) joint consultation to authorities and groups (mainly iwi) to create access through Matakā Station and protect further the Rangihua Māori Reserve and the Marsden Cross Historic Reserve.
51. Those proposals were accepted and incorporated in the Stage One subdivision consent.²³

²² Application by Mataka Limited under Resource Management Act of 23 November 2000 - RC2010428. – Attachment 8.

²³ Stage One subdivision consent RC2010428, conditions 5, 7, 8, 9, 11, 12.

52. Matakā Limited concluded an agreement with iwi for access to Matakā Station on an ongoing basis. We further agreed with iwi and Council an access to the Rangihoua Māori Reserve and the Marsden Cross Historic Reserve through Matakā Station. That access was achieved by:
- (a) establishment by us of a 2 km public road (now Oihi Road) inside Matakā Station to the entrance to an area above walking distance to Marsden Cross and Rangihoua pa;
 - (b) construction of Oihi Road at our expense and vesting Oihi Road to Council;
 - (c) construction of a car park and pedestrian access from Oihi Road to the Marsden Cross and Rangihoua pa.
53. Those proposals were accepted and incorporated into the Stage One subdivision consent.²⁴
54. The creation of Oihi Road and the access to Marsden Cross and Rangihoua pa had the effect of taking away the very private character of approximately 50-60ha of Matakā Station on both sides of Oihi Road and transferring 20ha above Marsden Cross to iwi and the church. This removed those areas from development for house sites. This move created the foundation of the subsequent creation of the Rangihoua Heritage Park now occupying the part of Matakā Station above Marsden Cross – and now an important site for Ngāti Torehina, iwi more generally, the churches, and tourists. The Rangihoua Heritage Park creates an important link in the historic and cultural trail in the Far North developed by the Government, Council and private stakeholders. The cost of this action was only possible due to the returns generated by the development of Matakā Station.
55. I proposed this move because Marsden Cross and Rangihoua pa are central to the history and identity of our nation for reasons that are now well known. Second, in early 2000 I took a very elderly elder of Ngāti Torehina, Mr Charlie Rihari, to the top of the valley (which he had not been able to visit for more than 20 years as access was only available by a walk he could not manage). I asked him what he would do with this land –then our land. After a long pause he said to me “*What is not seen is not remembered.*” I regarded this as a very concrete demonstration of the power of development to achieve long term public benefits by a relatively simple (but expensive step) by opening private land to public use by creating Oihi Road

²⁴ Stage One subdivision consent, RC2010428, conditions 2 and 3.

and the access to Rangihoua Pa and Marsden Cross. This step (and other similar benefits) would not have been possible without the sales and ongoing support achieved through development.

56. The consent conditions protecting iwi sites and our arrangement with iwi have become a central part of the identity of Matakā Station and the Association. The protections of iwi sites and access to Matakā Station and Marsden Cross and Rangihoua pa are embedded in the rules of the Association and in the land covenants of Matakā titles. Owners at Matakā recognise and value that aspect of their community and it is valuable to Matakā and the public.
57. Accompanying the Stage Two subdivision consent application were further reports from Dr Harlow of Architrage including a report on the final eight lots and house sites proposed.²⁵ Ms Harlow proposed detailed requirements and they were incorporated in the Stage Two consent.
58. We also created two further reserves in this Stage Two development. We gave 4.3 ha to the Rangihoua Pa Reserve Trust as an extension of the Rangihoua Pa²⁶ and we gave 2.56ha as an extension of the Marsden Cross Historic Reserve.²⁷
59. The owners of Matakā Station have sought to recognise the special historical and archaeological heritage of Matakā and its significance to Māori and European alike by identifying and preserving exceeding 80 sites within the areas surveyed by the archaeologists of the development areas, including 11 pa sites and preserving Oihi Bay and Rangihoua in a manner that respects the history of that land and the cultures and religions forming the history of the area. The majority of Oihi Bay is now within the ownership of a charitable trust established at the instigation of the developers of Matakā with the right for the public to have daylight access to the historic sites within the valley.

FARM DEVELOPMENT

60. The two main operations within Matakā Station undertaken to maintain the property and achieve the conservation and public benefits are the farm business and the work of the farm and conservation teams. Those activities are funded by the

²⁵ Application by Mataka Limited under Resource Management Act of 24 May 2004 Application 24 May 2004) - RC2041080. – Attachment 7.

²⁶ Application by Mataka Limited under Resource Management Act of 24 May 2004 - RC2041080.

²⁷ *Ibid*

development of houses and the ongoing contributions by owners (currently \$35,000per annum per lot for 30 lots).

61. The farm currently operates over 700 ha and 350 ha of conservation land maintaining the land controlling and eradicating invasive weeds and protecting against and repairing frequent storm damage. The farm team and the conservation staff and contractors maintain both the conservation land (and the adjacent land where most of the weeds arise especially on the coastal edge. There is an estate manager plus three permanent employees, three maintenance contracted personnel contributing and inputs from 12 independent contractors retained for specific tasks retained as required. The total expense to maintain the property and undertaking the conservation work averaged over the last 5 years \$880,000 per annum. That significant expense is funded by the owners of properties at Matakā Station. Put simply, without the limited but high value development that has been enabled by the overall concept plan for Matakā Station there would not be owners who could afford to make these contributions and there would be no ability to fund these conservation projects.
62. In addition funding for conservation works enabled by subdivision at Matakā Station the Matakā Station scheme also provides operational and governance structures to implement these works. In that regard, the farm and conservation operations are developed and ultimately controlled by a management and governance structure comprising owners, contributing an unusual level and breadth of international business and professional experience.
63. The estate manger reports to a part time general owner manager and an Operating Group comprising 4 owners. Annual work plans and itemised budgets are developed and agreed prior to each financial year. The work plans and budgets include (1) regular, known tasks built up over 20 years of experience of the property and weather, (2) planned capital replacements (especially equipment), (3) expenditures from a reserve fund (earmarked for long term replacements) and (4) contingency expense (such as storm damage – now more volatile). All owners meet in an annual general meeting to provide an ultimate governance function.
64. In addition to work of the Association, individual residents undertake continual planting and maintenance on land within Matakā Station. The common expectations of owners that have been created by the certainty in the Matakā Station subdivision scheme means that owners make an effective policing mechanism on property and conservation issues.

PLANNING FRAMEWORK

65. The operational, governance and funding structure discussed above has been built over the last 20 years and has proved to be robust and effective in managing both operations and the investment of owners and the substantial capital they have at stake.
66. A total of nine owner's houses and one additional staff house have been built at Matakā Station; and three owner houses are in development. Matakā has built a Beach Lodge at Matakā Beach and eight boatsheds and maintains various outdoor facilities and approximately 20kms of walking trails.
67. The last two sales of bare land lots were concluded at \$4,000,000 and \$4,500,000. The cost of construction of coastal large houses are now very high – on top of the land cost.
68. The beauty and natural character of Matakā Station, with the limited and exclusive nature of development have produced:
 - (a) Very high rates payments as rates are directly driven by capital values.
 - (b) Funding for expensive and extensive conservation work, which has been driven by two factors:
 - (i) The quality of property and farm maintenance and the level and quality of conservation maintenance are very sensitive to the levels of funding and any change in funding and quality are evident very rapidly. Given the level of capital value at stake, owners have not been let, and will not let, the property slide backwards.
 - (ii) Owners are passionate about property standards and conservation and immediately jump on any issues including weeds, damage to trees and bush, and especially dogs, cats or mustelids. I have been intimately involved in managing that relationship for nearly 25 years and I have watched the commitment of owners to the conservation and visual aspects of Matakā.
69. The fact that the Association exists, and enforces the rules and land covenants and consent conditions, has allowed purchasers and owners to invest with confidence. The Design Guidelines discussed in the statement of evidence of Mr Goodwin and the consents conditions relating to placement and design of dwellings have also

allowed owners to invest and to support the conservation and other benefits being delivered.

70. The Design Guidelines are applied and policed by the Design Review Committee (**DRC**) established by the Association Rules. A house or building cannot be constructed without an approval by the DRC. The DRC has exercised its powers to modify every application presented to them in a detailed way – mainly related to visual impact (including colour, height, form (including sympathy to the land around the home, scale) and also the finer details of archaeological sites, kiwis, water management, effect on planting and planting required.
71. The incentives operating for the Matakā Station owners, the owners' actions and the rules and operations of the Matakā Residents' Association are the private components of the structure regulating Matakā.
72. Those private components of the Matakā arrangements have demonstrated over a long period that they are more than capable of supporting and implementing the overall concept plan and vision for Matakā Station. The relationship between Matakā Limited (and its successors) and Council has created the current planning framework and has built a base for the mutually supporting pillars of development, conservation, archaeology and mātauranga Māori.
73. From my perspective it is heartening to be able to give evidence in a plan review process where I can say that the planning framework and other management mechanisms put in place at Matakā Station have worked as envisaged over 20 years ago such that I can now say that Matakā has a proven track record in delivering high value coastal rural residential (limited) subdivision. What Matakā wishes to achieve from the PDP process is a district planning framework that allows Matakā to continue to deliver in this way and gives Matakā (and the owners) confidence that they will be able to complete the implementation of the overall Matakā Station scheme in accordance with the already granted subdivision consents.

MATAKĀ STATION PRECINCT

74. Fundamental to the environmental and financial success of the Matakā Station is the confidence and certainty that the scheme gives owners that they will be able to develop dwellings, access and caretakers' cottages on identified house sites.
75. In that regard, certainty through planning provisions is critical to the ongoing success of Matakā, and the ongoing conservation and land management efforts I have described above. Certainty is important for Matakā Station owners, including

expectations to build on the properties they purchased, the linkage of that and maintaining land values to ensuring that owners with sufficient capital continue to own, risk of not having certainty to build on house sites to the conservation outcomes.

76. In my experience with Matakā Station, and other high value coastal and rural developments, this confidence (and its consequential environmental benefits) is best maintained where district plan objectives, policies and rules support development in accordance with existing granted subdivision consents (such as those that underpin the Matakā Station scheme) and do not apply an overly restrictive planning regime to the land use consents that will be required to develop individual lots within the scheme.
77. To that end, I engaged Mr Hall to review the PDP and identify provisions that were inconsistent with the Matakā Station scheme and/ or would not support the overall vision for development of Matakā Station. The outcome of that review is summarised in Attachment Six of Mr Hall's statement of evidence.
78. In summary, my concerns are that the PDP as notified puts this required certainty at risk, in particular the very many already approved house sites that are within the ONL and CE overlays, and the need for resource consent applications which would be at risk of decline and notification.
79. Further, it is important that the planning provisions better recognise the particular characteristics and existing controls of the Matakā Station scheme, including:
 - (a) The consent framework as I have set out, including the ongoing restrictions on titles and consent notices on house location and design.
 - (b) The Association Rules, including the DRC process, providing another tier of design control beyond that provided by planning regulations.
 - (c) The extensive network of roading already on the property which means that the focus need only now be on driveways.
 - (d) The requirements to maintain vegetation in accordance with consent conditions.
 - (e) The need to continue to farm (as economically as possible) the balance of the property, including provision for farm buildings and housing farm workers.

80. The proposed Precinct as detailed in Mr Hall's evidence has been structured to complement and strengthen the existing Association Rules and to address those matters identified above that could adversely affect the success of the Matakā Station development.

CONCLUSION

81. As a long term key participant, the thing I worry most about in the PDP process is the risk that the PDP as notified would result in the loss of common purpose between Matakā and Council.
82. My hope is that the PDP process and the Precinct proposed by Matakā will restore the balance which is required to avoid losing the benefits we have all created.

Evan Christopher Williams
12 May 2025