

**BEFORE THE PROPOSED FAR NORTH DISTRICT PLAN HEARINGS PANEL**

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**UNDER THE**

Resource Management Act 1991

**IN THE MATTER OF**

of a hearing into submissions on the  
Proposed Far North District Plan – Hearing  
15B (Special Purpose Zones)

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**STATEMENT OF EVIDENCE OF JAMES RONALD HOOK (PLANNER)**

**FOR PARADISE FOUND DEVELOPMENTS LIMITED (SUBMITTER 346)**

Dated 3 October 2025

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## **Introduction**

1. My full name is James Ronald Hook. I am an Urban Planner and Director of the multidisciplinary company Envivo Limited based in Auckland.
2. I have been engaged by Paradise Found Developments Limited (Submitter 346) to provide an independent planning assessment of the request made via its submissions on the Proposed Far North District Plan (the “Proposed Plan”) that relate the 96.3ha of land at 40 McKenzie Road, Te Tii (known as Wiroa Station) that is held in 21 records of title. The property is located on the northern side of Te Puna Inlet (approx. 11km northeast of Kerikeri).
3. The submissions oppose the proposed Rural Production zoning as it does not promote the sustainable management of Wiroa Station and does not represent the most appropriate way to achieve the purpose of the Act. The submission seeks a new special purpose zone and/or structure plan together with appropriate provisions (objectives, policies and rules) recognising the comprehensive development authorised by existing resource consents over Wiroa Station as a permitted activity.

## **Qualifications and Experience**

4. My qualifications comprise a Bachelor of Surveying (with Credit) and a Master of Regional and Resource Planning (with Distinction) both from the University of Otago.
5. I have 30 years’ experience as a planning consultant. My experience (as detailed in **Attachment 1 – Curriculum Vitae**) is wide-ranging and includes subdivision and development projects across urban, rural and coastal environments throughout New Zealand.

## **Compliance with Code of Conduct**

6. While not directly applicable to a hearing on a Proposed Plan, my evidence has been prepared in compliance with the Code of Conduct for expert witnesses contained in the Environment Court Practice Note 2023. In particular, unless I state otherwise, this evidence is within my sphere of expertise and I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.

7. In preparing my evidence, I have reviewed the consent history of the property and the various application made. I visited the property on 20 September 2025.

### **Summary of Evidence**

8. Under the Proposed Plan Wiroa Station zoned Rural Production (RPROZ), and the majority of the property being subject to the Coastal Environment (CE) Overlay (including each of the 21 identified building platforms). A High Natural Character overlay (HNC249) applies to parts of Wiroa Station, but not to any of the consented building platforms. The property is not within an Outstanding Natural Landscape (ONL) area.
9. The submission seeks a new special purpose zone and/or structure plan together with appropriate provisions (objectives, policies and rules) recognising the comprehensive development authorised by existing resource consents over Wiroa Station as a permitted activity.
10. The fundamental issues and submissions of the Submitter are that:
  - The Rural Production Zone does not contain any specific provisions that recognise the subdivision and land use consents applicable to Wiroa Station which have made provision for 22 dwellings (on 21 titles) on the subject land (of which 3 have been developed and a 4<sup>th</sup> is under construction), together with infrastructure, facilities planting and environmental enhancement.
  - Adoption of the proposed plan would severely restrict the Submitter's ability to use Wiroa Station in a way that enable use and development of the established allotments along with continued ecological restoration and conservation activities.
11. I have compared five options for Wiroa Station, the proposed Production zone (RPROZ) and Coastal Environment (CE) overlay, specific exemptions from the zone and overly, a different rural zone i.e. Rural Lifestyle, a Special Purpose zone for Wiroa Station, or a Precinct for Wiroa Station.
12. I have then assessed those options against the rezoning process and criteria established by the Hearings Panel and S.32AA of the Act. That assessment concludes that inclusion of a precinct for Wiroa Sation is preferred as it is the most appropriate solution that is

compatible with the National Planning Standards and the form and content of the Proposed Plan.

13. The precinct provisions recognise the recent consent history for Wiroa Station, the development framework established by those consents, and the specific requirements applied to development under the Consent Notice applied by FNDC to the main subdivision consent (RC-2160044-RMACOM) granted in 2015.
14. There is a suite of resource consents for Wiroa Station that have been implemented and completed, or that remain in effect. Thus, the Wiroa Station Precinct relies on that resource consent framework, the consented development controls, and the requirements under Consent Notice 10526054\_24 for both design and engineering certification of buildings and development on the property. This includes the requirement to apply the Wiroa Station architecture code and design approval process that was developed (and approved) during the consenting process to govern the future built forms on the property i.e. future dwellings.
15. It is noted that there are two further submissions that have been made in respect of Wiroa Station. The Mataka Residents' Association Inc. (FS143) supports a special purpose zone/structure plan for Wiroa Station.
16. The Kapiro Conservation Trust (FS566) oppose the requested special purpose zone on the grounds that the relief sought is inconsistent with its original submission (which is far reaching across many topics, including the management of greenhouse gas emissions, water storage/reuse and energy efficiency).
17. My evidence covers the following::
  - Site Description and Background
  - NZCPS and Regional Plan: Coastal
  - Proposed District Plan
  - Consideration of Alternative Methods
  - Application of Precinct to Wiroa Station
  - Wiroa Station Precinct – Summary
  - IHP Rezoning Criteria

- S.32AA Evaluation
- Conclusion

### Site Description and Background

18. Wiroa Station encompasses comprises 96.3ha of land located at 40 McKenzie Road, Te Ti (shown in Figure 1) legally described as:

- Lot 1 DP 562051
- Lots 3-13 and 15-21 DP 497523; and
- Lots 2 and 14 DP 574277



**Figure 1:** Wiroa Station – Source: Proposed Far North District Plan Maps

19. Wiroa Station has an extensive coastal boundary (comprised of a Marginal Strip) with an undulating landform featuring two coastal headland, inlets, bays and spurs that extend to the main central ridge, rising from Te Puna Inlet. The coastal margins feature mature Pohutukawa dominant coastal vegetation. The property also contains a number of vegetated valley/gully systems, where remnant wetlands and vegetation have been enhanced by restoration planting and weed and pest control.

20. The coastal portion of the site that has been subdivided for rural lifestyle purposes has a land use capability of LUC Class 6, while the inland portion has higher land use capability of LUC Class 4<sup>1</sup>. There are no areas of the site identified as Highly Productive Land.
21. Prior to subdivision in 2008 the property was part of a larger farm unit of 508ha. Over the last 17 years, a series of land use and subdivision consents have resulted in the creation of 20 vacant lifestyle lots ranging in size from 3565m<sup>2</sup> to 2995m<sup>2</sup> (Lots 1-13 and 15-21) with balance lots of 88.5ha (Lot 14), 337.27ha (Lot 22) and 76.51ha (Lot 23). The submission does not apply to Lots 22 and 23.
22. At the time of the original consent applications in 2007, Boffa Miskell described the landscape and natural character of the site as follows *“the property presents low natural character and degraded landscape values owing to the property's past intensive grazing regime, with no control over stock access into sensitive wetlands, streams, coastal margins and steep erosion prone slopes”*<sup>2</sup>
23. A significant element of the subdivision proposal was extensive revegetation over 19.6ha of the property, which involved planting of gully systems and steeper slopes to restore a natural character and to enhance the ‘property’s ecological values.
24. The initial resource consent application specified the placement of dwelling sites and associated specimen tree planting and proposed an architectural design code to ensure that future dwellings are visually integrated into the site’s coastal landscape context. Those provisions are recorded as enduring conditions of consent via a Consent Notice that applies to all activities on Wiroa Station today.
25. The subdivision consent record is outlined in the following table and summarised in greater detail in **Attachment 2**. From the summary, I note a consistent effort by the respective landowner to progress the subdivision and development of Wiroa Station as a premier coastal lifestyle subdivision. It is interesting to see how these consents have evolved, responding to changes in the District Plan and the environmental values of the property.

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<sup>1</sup> Manaaki Whenua Landcare Research – Our Environment GIS

<sup>2</sup> Paragraph 6.4.4, AEE for RC-2080672-RMACOM

Consent	Description	Dated Granted
RC-2070833-RMALUC	Construct stables, equestrian centre, swimming pool facilities and boat sheds at 1454 Purerua Road. [N.B. Not given effect to and no longer part of Wiroa Station]	04.03.08
RC-2070965-RMALUC	Construct Wine Cellar and 2 x Beach Pavilions	04.03.08
RC-2071031-RMACOM	Subdivision consent for 24 lot subdivision (21-lots in General Coastal zone and 3 lots in Rural Production zone) from 13 existing allotments.	9.06.08
RC-2080672-RMACOM	Additional subdivision (Lots 22-25) and changes to layout resulting in 25-lot subdivision on 508ha site (1 lot per 20ha) and involving revegetation of 19.6ha of native vegetation and protective covenants.	22.07.08
RC-2160044-RMACOM	23-lot subdivision, providing for 20 vacant lifestyle lots ranging in size from 3565m <sup>2</sup> to 2995m <sup>2</sup> with balance lots of 88.5ha (Lot 14), 337.27ha (Lot 22) and 76.51ha (Lot 23) on land previously subject to 2080672-RMACOM.	07.12.15
RC-2160044-RMACOM-A	Variation to conditions relating to specimen planting and public walkway. Vary conditions to make provision for secondary residential unit on Lot 14 for farm worker/caretaker's accommodation along with an implement shed.	13.06.16
RC-2170090-RMALUC	Re-consent Beach Pavilion previously consented under 2070965-RMALUC	20.09.16
RC-2160044-RMACOM-B	Variation to conditions relating to the secondary dwelling on Lot 14 (caretaker's shed/accommodation)	22.12.16
RC-2170313-RMALUC	Consent to establish access way, car and trailer parking and turning area in conjunction with a proposed jetty (subject to approval from DOC for works in a Marginal Strip). N.B. A separate application was made to NRC for a jetty, gangway, floating pontoon and boat ramp (those facilities have not been established).	7.04.17
RC-2170516-RMADIS	Land use consent for the treatment and disposal of wastewater by way of secondary treatment from the caretaker's shed/accommodation, wine cellar and pavilions on Lot 14 (granted by FNDC under transfer of powers from NRC)	27.09.17
RC-2200268-RMACOM	Boundary Adjustment subdivision between Lot 1 DP 497523 and Lot 14 DP 497523; Land use consent for new dwelling on Lot 1 and associated earthworks	20.05.20
RC-2300154-RMASUB	Boundary Adjustment subdivision between Lots 2 & 14 DP 497523. Amendment to Consent Notice applicable to Lots 2 & 14 DP 497523	19.10.20
RC-2300252-RMALUC	Land use consent to authorise up to 50% impervious coverage within Lots 1-13 and 15-21.	16.11.20
RC-2200268-RMAVAR-A	Change to landscaping condition of subdivision consent Change to consented plans for new dwelling on Lot 1	07.01.21
S221(3) Variation	Variation to enable Consent Notice 10526054.25 to apply to new lot/ allotments with any new appellation approved by Resource Consent	12.12.21
S221(3) Variation	Variation to enable Consent Notice 10526054.25 to apply to Lots 1 and 14 DP 562051	09.03.22

26. A key outcome of the resource consent process is the creation of 20-lifestyle lots, that are subject to a rigid development framework established under the conditions of the 2008 subdivision consents, then more recently updated under consent RC-2160044-RMACOM. That framework is recorded in Consent Notice 10526054\_24 (refer to **Attachment 3**), which specifies a wide range of on-going consent requirements (applicable to all future development of the subject lots).
27. The Consent Notice specifies the following requirements to lots (1-13 and 15-21):
- that all development to be designed in accordance with the Wiroa Station architecture code and design approval process (refer to **Attachment 4**);
  - specimen tree planting as required by RC-2160044 (conditions 3(h) and 3(i);
  - that buildings are at least 50% within the nominal building locations shown on DP497523;
  - a limit of 600m<sup>2</sup> on the ground floor area of each house;
  - maximum rolling height limits for each allotment (ranging from 4.5m to 7.5m for dwellings);
  - that development proceed in accordance with the site suitability report by Haigh Workman (2007);
  - provision is made for on-site potable water supply and for firefighting water supply in accordance with the Fire Fighting Water Supplies Code of Practice;
  - provision is made for wastewater disposal at least equal to a “textile based packed bed filter type plant”;
  - provision is made for stormwater disposal to soakage areas;
  - no noxious plant or pest species are to be introduced;
  - a prohibition on cats and mustelids;
  - a limit of one dog per site, which must be confined in an escape proof enclosure on site and kept on a leash at all times when outside the owners’ property.
28. The overall development outcome of the resource consent process to date is that Wiroa Station has been extensively and comprehensively developed as a rural lifestyle property, with all shared roading and services installed, beach pavilions, tennis court and wine cellar established, along with the caretaker’s shed and accommodation. Dwellings have been constructed on Lots 1 and 12, with a new dwelling currently under construction on Lot 2.

29. In conjunction with the subdivision and land use activities outlined above, the native revegetation of the gully systems has been effective in restoring a natural character and has substantially enhanced by ecological and landscape values of the property.
30. Currently, 17 of the 20 lots, and lot 14 remain in the ownership of the submitter (and/or a related entity) with 3 of the lifestyle lots in private ownership. Vacant allotments are not currently being marketed, although my understanding is that they are for sale on a “by enquiry” basis.

#### **NZCPS and Regional Plan: Coastal**

31. The most relevant provisions of the New Zealand Coastal Policy Statement 2010 (NZCPS) are the following two objectives in relation to the coastal environment:

**Objective 2** – which promotes preservation of the natural character of the coastal environment, including protection of natural features and landscape values; and

**Objective 6** – which seeks to enable people to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use, and development of land in the coastal environment.

32. **Policy 13(2)** of the NZCPS sets criteria for the classification and recognition of Outstanding and/or High Natural Character areas within the coastal environment via Regional Plans.
33. The Proposed Northland Regional Plan (2024, operative in part) includes mapping of regionally significant landscapes, natural character areas and natural features. Relative to the property, the majority of the land is identified in the Coastal Environment along with a small area of the property being identified as High Natural Character (helpfully the area of high natural character is included in the Proposed Far North District Plan as HNC249). The Regional Plan describes areas of High Natural Character as follows:

*“High Natural Character generally means a high proportion of indigenous vegetation, visually unobtrusive structures (for example, swing moorings) few and visually subservient human features and a strong experience of naturalness.”<sup>3</sup>*

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<sup>3</sup> Page 345, Proposed Northland Regional Plan (February 2024)

34. The relevant provisions of the Regional Plan (clause D.2.17) seek to manage adverse effects on areas of Outstanding and High Natural Character by seeking to avoid *“Significant adverse effects on the characteristics, qualities and values that contribute to Natural Character or other natural features and landscapes.”* That outcome is supported by Objective F.1.12 which seeks to protect ONL and ONF features along with areas of historic heritage and places of significance to tangata whenua.
35. The Northland Regional Coastal Plan (RCP) applies only to the area below mean high water springs. The RCP is therefore not applicable to the property.
36. The Proposed Far North District Plan is required to give effect to the NZCPS and the Regional Plan and does so by the inclusion of the Coastal Environment overlay and the specific identification of Outstanding Natural Landscapes (ONL), Outstanding Natural Features (ONF) and areas of either Outstanding or High Natural Character (ONC/HNC) and applying additional management controls to those areas/features of which only the HNC annotation applies to a small area of the property (as shown in Figure 3).

### **Proposed District Plan**

37. Under the Proposed Plan, Wiroa Station is zoned RPROZ, with the majority of the property being within the Coastal Environment Overlay (including each of the 21 identified building platforms). The High Natural Character overlay (HNC249) applies to parts of the property, but not to any of the consented building platforms.



**Fig 2: Extent of Coastal Environment Overlay**



**Fig 3: Extent of HNC249 Overlay**

38. The RPROZ is a general rural zone applied broadly across the Far North District. It makes provision for productive rural activities (farming and horticulture) along with quarrying,

intensive indoor primary production and plantation forestry activities. The zone also provides for other activities that have a functional need to be located in a rural environment, such as processing of timber, horticulture, apiculture and dairy products. Limited provision is made for residential activity (with provisions to ensure it remains an ancillary land use to rural production), along with recreational and tourism activities that rely on features of the rural environment.

39. The Coastal Environment (CE) overlay provisions are intended to protect the natural character of the coastal environment and is applied to areas that were originally identified through the regional mapping project undertaken in 1995 by LA4 for the Regional Council at the time the original RPS was prepared (and that were taken into account as part of Boffa Miskell's assessment<sup>4</sup> of landscape and natural character). The objectives of the overlay seek to manage the natural character of the coastal environment and to ensure that land use and subdivision preserves the characteristics and natural character qualities of the coastal environment and promote restoration and enhancement of natural character.
40. Relevant to Wiroa Station; policy CE-P3 seeks to avoid significant adverse effects on the characteristics and qualities of the coastal environment that are not identified as ONC, ONL or ONF. Policy CE-P8 encourages restoration and enhancement of the natural character of the coastal environment and Policy CE-P10 seeks to manage land use and subdivision to preserve and protect the natural character of the coastal environment, setting out thirteen matters that are relevant to consideration of any resource consent application for land use or subdivision in the coastal environment.
41. The rules of the CE (relevant to Wiroa Station) establish a rigid consenting framework for new buildings or structures that would result in any new building on one of the 17 undeveloped lots at Wiroa Station requiring consent as a Discretionary Activity under CE-R1. Land use consent would also likely be required as a Discretionary Activity for the earthworks associated with the construction of new dwelling on the majority of those allotments.

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<sup>4</sup> Paragraph 6.4.3-6.4.7, AEE for RC-2080672-RMACOM

### Consideration of Alternative Methods

42. I have given consideration to the following five alternative methods for Wiroa Station:
  - a) Application of the Proposed Plan (without amendment);
  - b) Specific exclusions from/modifications to RPROZ and Coastal Environment provisions to accommodate consented activities at Wiroa Station;
  - c) Application of the Rural Lifestyle zone;
  - d) Incorporation of a Special Zone for Wiroa Station into the Proposed Plan;
  - e) Incorporation of a Precinct for Wiroa Station into the Proposed Plan.
43. In my opinion, a Precinct for Wairoa Station is the most appropriate method, for the reasons given below.
44. The first option would not resolve any of the legitimate concerns of the submitter, would fail to recognise the consented framework for development at Wiroa Station and would require the owners of all lifestyle lots to pursue a Discretionary Activity resource consent application to build a dwelling. That would leave a great deal of uncertainty.
45. The matters assessed under a Discretionary consent process would replicate those that have already been assessed under the respective consent applications and would likely result in conditions of consent that repeat the requirements of the existing Consent Notice (which are clear, definitive and prescriptive). Accordingly, I consider that option a) would fail the “efficiency and effectiveness” criteria under S.32(1)(b) and that it does not represent the most appropriate way to achieve the purpose of the Act.
46. I am aware that Council officers have suggested the introduction of Controlled activity status under rule CE-R1 for a residential building on an approved building platform via their S42A reporting on the Coastal Environment. While the introduction of that activity status would be preferable to a Discretionary consent application, if applied to Wiroa Station it would result in the requirement for seventeen resource consent applications (one to build on each vacant site).
47. When considering the matters of control proposed, in my view any application made to build on the existing lots at Wiroa Station would unnecessarily replicate the planning assessment that has already been completed and determined via the existing consented

framework at Wiroa Station which include the specific requirements under Consent Notice 10526054\_24. For that reason, it does not achieve “efficiency and effectiveness” and is not most appropriate way to achieve the purpose of the Act.

48. The second option was given careful consideration. I attempted to draft exceptions/exclusions or modifications to RPROZ and CE rules and standards to provide for consented activities at Wiroa Station. However, that effort (while potentially effective at the level of rules and standards) resulted in a messy and piecemeal approach to Wiroa Station that lacked any planning framework or clear structure. Consequently, I abandoned that approach as it failed evaluative tests under sections 32(1) to (4).
49. The third option of utilising the Rural Lifestyle zone incorporated in the Proposed Plan, would generally provide for activities on the property. However, the zone is intended to be applied to areas that are proximate to urban areas and settlement as a kind of “buffer” or transitional zone. The zone provisions recognise that peri-urban context, and therefore, they are not the most applicable to Wiroa Station which is located in a rural and predominantly coastal context (despite their initial appeal).

#### **Application of a Precinct to Wiroa Station**

50. Minute 14 of the Independent Hearing Panel sets a clear process framework and criteria for the consideration of rezoning proposals, which included a set of “additional criteria for special purpose zone (SPZ) requests” which referenced the National Planning Standards (2019) criteria that the activities or outcomes sought from a SPZ should be significant to the district, region or country, impractical to manage through another zone or via a combination of spatial layer.
51. Furthermore, during the Topic 15B pre-hearing engagement process feedback has been received from Council’s reporting officers that the proposal to incorporate additional Special Purpose Zones into the Proposed Plan is not preferred as it is inconsistent with the spatial planning framework prescribed in the National Planning Standards (NPS) and that consideration should be given to managing activities via a separate spatial layer i.e. a precinct that applies to a specified geographic area.

52. Consequently, the option of pursuing a SPZ for Wiroa Station is not being pursued. The preferred method that aligns with the NPS and that would enable the issues raised by the submitter to be addressed is to include a Precinct for Wiroa Station. Adopting that method would enable the District Plan to recognise the development rights established by the progression of existing consents and that balances use, development and protection of its natural resource alongside conservation activities.
53. The RPROZ, which is the proposed zoning of the property, is considered to provide a suitable base zone for Wiroa Station. The NPS framework provides for the inclusion of property specific provisions via a precinct plan, which then modify and add furthermore specific provisions to the subject property as an additional spatial layer.
54. While the land use activities at Wiroa Station do not fully align with the RPROZ, I consider that it provides a suitable underlying zone for Wiroa Station, provided the District Plan also includes a set of precinct provisions specific to the property. That approach accords with the Council's drive for a consistent approach to zoning under the Proposed Plan, follows the hierarchy and structure of the NPS and provides a best fit between homogeneity (at the zoning level) and more adaptive and responsive provisions (in the form of a precinct).
55. The inclusion of a precinct would create a multi-layered and complimentary series of planning controls that recognise the values and features of the Wiroa Station and can work effectively with the Coastal Environment overlay and recognise that while part of the site is located HNC249 no development is authorised in that area, and that there are no applicable ONL or ONF overlays.

#### **Wiroa Precinct Provisions – Summary**

56. A set of specific planning provisions has been prepared in the form of PRECX – Wiroa Station that would (if accepted) be included within the RPROZ in Part 3 of the Plan. The draft Wiroa Station Precinct is provided as **Attachment 5**.
57. The precinct provisions follow a standard structure that commences with an Overview statement describing the background to, characteristics and purpose of the precinct. That is followed by the objectives and policies for the precinct and a statement of what

provisions of the RPROZ and CE continue to apply to activities within the precinct.

58. In summary, there are three objectives and five policies specific to the precinct, which provide a basis for the rules and standards that follow and that are complementary to the objectives and policies of the RPROZ and Coastal Environment chapters respectively.

<b><u>Objectives</u></b>	
<b><u>PRECX-01</u></b>	<u>Use of the natural and physical resources of Wiroa Station is of a character, intensity and scale that preserves the natural character of the coastal environment and associated landscape values of the land.</u>
<b><u>PRECX-02</u></b>	<u>The amenity values and environmental quality of Wiroa Station are maintained for current and future generations by use of the land for low density <a href="#">residential activities</a> and small scale activities that are compatible with its character and amenity.</u>
<b><u>PRECX-03</u></b>	<u>The ecological values of the native vegetation areas within Lot 14 DP 574277 at Wiroa Station are maintained and protected.</u>

59. The Objectives set three clear priorities for the Wiroa Station precinct, which recognise is rural coastal context and the land use framework established by the existing consents:

- Preservation of natural character of the coastal environment
- Enabling use of the land for low density residential activities that are compatible with the character and amenity values of Wiroa Station
- Maintain and protecting the ecological values of the established native vegetation at Wiroa Station.

<b><u>Policies</u></b>	
<b><u>PRECX-P1</u></b>	<u>Recognise that the rights established by the existing land use and subdivision consents at Wiroa Station provide for development at an appropriate character, intensity and scale that preserves the natural character of the coastal environment and associated landscape values.</u>
<b><u>PRECX-P2</u></b>	<u>Enable activities that are consistent with the amenity values and environmental quality of Wiroa Station by making provision for:</u> <ul style="list-style-type: none"> <li>a. <u>low density <a href="#">residential activities</a>;</u></li> <li>b. <u><a href="#">home business</a> activities; and</u></li> <li>c. <u><a href="#">visitor accommodation</a>; and</u></li> <li>d. <u>helicopter movements.</u></li> </ul>

<b><u>PRECX-P3</u></b>	<u>Ensure that building design, scale and intensity is appropriate to manage adverse effects in the precinct by applying precinct standards and the Wiroa Architectural Design Code and design approval process.</u>
<b><u>PRECX-P4</u></b>	<u>Enable the development of a <a href="#">residential unit</a>, a <a href="#">minor residential unit</a> and accessory building(s) on each site within established allotments shown on the Wiroa Station Precinct Plan.</u>
<b><u>PRECX-P5</u></b>	<u>Encourage the enhancement of ecological and natural values by enabling on-going conservation activities on Wiroa Station.</u>

60. The Policies provide explicit recognition of the rights established by the existing consents and acknowledge that they provide a development framework that is appropriate to the property and that sustains its natural coastal character and landscape values.
61. The Rules of the precinct modify both the RPROZ and CE provisions by giving priority to rules or standards in the precinct and by establishing a permitted activity rule (with explicit standards) that exempts new buildings and development (including extensions or alterations) from the consent requirement under CE Rules CE-R1 and CE-R3.
62. The Precinct includes definitions for four terms specific to Wiroa Station, being terms that are already applies across the relevant consents (i.e. RC-2160044-RMACOM) and in the Consent Notice (Consent Notice 10526054.25). Those definitions are necessary to ensure consistent application and administration of the existing consents and consent conditions via the precinct rules and standards. In particular, they clarify in the context of Wiroa Station what is meant by the terms “identified building platform”, “each house”, “specimen tree planting requirements” and “archaeological sites”.
63. There are four activity rules specific to the precinct, providing for four permitted activities:
  - a) A new building or structure or extensions or alterations to an existing buildings or structure, subject to compliance with the extensive Permitted Activity Standards (discussed further below).
  - b) Residential activity (1 residential unit per site, except for 2 residential units on Lot 14)
  - c) Minor residential units of up to 65m<sup>2</sup>, subject to locational and access requirements.
  - d) Helicopter movements, from a single helicopter landing area on Lot 14 separated from other allotments, complying with noise rule NOISE-R7 and the specified hours.

64. There are three precinct standards that specify:
  - a) maximum impervious surface coverage on Lots 1-13 and 15-21 of 50% (as per RC-2300252-RMALUC)
  - b) maximum floor area of 600m<sup>2</sup> on Lots 1-13 and 15-21 (as per the Consent Notice)
  - c) maximum heights of buildings and structure of each Lot (as per the Consent Notice)
65. The Precinct Plan shows the spatial extent of the Precinct and the location and extent of the existing lifestyle allotments (Lots 1-13 and 15-21). It is a screen capture of the existing Planning Maps and would require application of a simple “blanket” overlay to signify the application of a precinct. No other mapped details would need to change.
66. Returning to the Permitted Activity Rule for buildings, the intent of the rule is to make provision for the nature and form of development enabled by and under the terms and conditions specified by the respective land use and subdivision consents most notably RC-2160044-RMACOM and the Consent Notice applied to all lots created by that and subsequent subdivisions. The rule also incorporates and applies in a manner appropriate to Wiroa Station the requirements of CE standards CE-S2 Colours and Materials and CE-S3-Earthworks (to works outside of an identified building platform and the site access).
67. The reference to standard CE-S2 Colours and Materials reinforces the requirement (already part of the Wiroa Station architecture code) for the exterior surfaces of a building to be constructed of materials and/or finished to achieve a reflectance value no greater than 30%; and to have an exterior finish within Groups A, B or C as defined within BS5252 (which are considered to be recessive colours).
68. In my view there is no basis to require a property owner to apply for consent (say as a Controlled Activity) to undertake a use of land that has been consented and for which there are clear and specific design and reporting requirements under the Consent Notice. I have faithfully incorporated those requirements into PRECX-R1 to ensure that the integrity of the consent process leading to those provisions is maintained and applied.
69. I note that compliance with the permitted activity standard under PRECX-R1 would be demonstrated via the provision of two certification reports, required in conjunction with an application for building consent:

- a) one from an architect or landscape architect certifying compliance with the various design, planting and archaeological requirements; and
  - b) one from a Chartered Professional Engineer certifying compliance with the engineering design standards applicable under the Consent Notice and the Council's Engineering Standards.
70. The permitted activity rule and standard is considered to be a comprehensive and rigorous approach to ensure that appropriate design considerations and development standards are considered and applied at the time of any future building works on Wiroa Station.

### **IHP Rezoning Criteria**

71. Minute 14 of the Independent Hearings Panel set out the “Rezoning Criteria and Process”, which I note includes consideration of strategic matters, site suitability, national planning standards, relationship with District Wide matters and S.32AA evaluation. I have undertaken an assessment of the proposed Wiroa Station Precinct against the specified matters and provide a S.32AA evaluation of this alternative proposal.
72. The Hearings Panel has specified general criteria for rezoning requests. I comment on each of those criteria in the following table:

<b>Criteria</b>	<b>Matters to be addressed</b>
<i>Strategic direction</i>	<ul style="list-style-type: none"> <li>• <i>How the rezoning request is consistent with the PDP strategic direction (refer Hearing 1)</i></li> </ul> <p>The objectives under the Strategic Direction Chapter (reviewed with the proposed amendments as per Officers' S42 Report) most applicable to Wiroa Station are those relating to the “Rural Environment”. In respect of Objectives SD-RE01 and SD-RE02 the following comments are made:</p> <ul style="list-style-type: none"> <li>- SD-RE-01: while there is no primary production on the 96.3ha comprising Wiroa Station, recent subdivision of the property has resulted in &gt;400ha of land being retained as a productive farm holding (in two titles).</li> <li>- SD-RE-02: Wiroa Station comprises land classified<sup>5</sup> as Class 4 (towards the ridgeline) and Class 6 (balance of the site) and is therefore not classified as Highly Productive Land.</li> </ul>

<sup>5</sup> by Manaaki Whenua Landcare Research: Our Environment GIS (Oct 2025)

<p><i>Alignment with zone outcomes</i></p>	<ul style="list-style-type: none"> <li>• <i>When rezoning request relates to existing PDP zone, an assessment of how the proposal is aligned with the objectives, policies and intended outcomes for the zone</i></li> </ul> <p>The RPROZ zone is the most appropriate zone available under the PDP to apply to Wiroa Station and to uphold the principles, structure and hierarchy of the National Planning Standards (when applied in conjunction with specific precinct provisions).</p>
<p>Higher order direction</p>	<ul style="list-style-type: none"> <li>• <i>How the request “gives effect to” higher order documents in accordance with section 75(3) of the RMA?</i></li> <li>• <i>Consideration of all relevant national policy statements, the national planning standards, and the Northland Regional Policy Statement.</i></li> </ul> <p>The NZCPS, the Northland Regional Policy Statement and Northland Regional Coastal Plan are relevant to the management, use and development of Wiroa Station. The Proposed Wiroa Station Precinct Plan and related planning provisions have been prepared in a manner that is consistent with the higher order documents, and that “gives effect to” the following provisions that are relevant and applicable to Wiroa Station.</p> <ul style="list-style-type: none"> <li>- NZ Coastal Policy Statement (Objective 2) - <i>To preserve the natural character of the coastal environment and protect natural features and landscape values through:</i> <ul style="list-style-type: none"> <li>• <i>recognising the characteristics and qualities that contribute to natural character, natural features and landscape values and their location and distribution;</i></li> <li>• <i>identifying those areas where various forms of subdivision, use, and development would be inappropriate and protecting them from such activities; and</i></li> <li>• <i>encouraging restoration of the coastal environment</i></li> </ul> </li> <li>- NZ Coastal Policy Statement (Objective 6) - <i>To enable people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use, and development, recognising that:</i> <ul style="list-style-type: none"> <li>• <i>the protection of the values of the coastal environment does not preclude use and development in appropriate places and forms, and within appropriate limits...</i></li> </ul> </li> <li>- Regional Policy Statement (Objective 3.14) – <i>identify and protect the qualities and characteristics that make up the natural character of the coastal environment and the qualities and characteristics that make up outstanding natural features and outstanding natural landscapes from inappropriate subdivision, use and development.</i></li> <li>- Regional Policy Statement (Objective 3.15) – <i>Maintain and/or improve; (a) The natural character of the coastal environment and fresh water bodies and their margins; (b) Outstanding natural features and</i></li> </ul>

	<p><i>outstanding natural landscapes; (c) Historic heritage; (d) Areas of significant indigenous vegetation and significant habitats of indigenous fauna (including those within estuaries and harbours); (e) Public access to the coast; and (f) Fresh and coastal water quality</i></p> <ul style="list-style-type: none"> <li>- Regional Coastal Plan (Objective 7.3) – preserve and protect the natural character of the CMA from inappropriate subdivision, use and development.</li> <li>- Regional Coastal Plan (Objective 8.4) – the identification and protection of outstanding natural features and landscapes within the CMA from inappropriate subdivision, use and development.</li> </ul> <p>In my opinion, the proposed RPROZ and precinct (along with the CE overlay) will give effect to the higher order documents in respect of Wiroa Station.</p>
Reasons for the request	<ul style="list-style-type: none"> <li>• <i>The reasons for the rezoning request, including an assessment of why the notified zoning is not appropriate for the subject land.</i></li> </ul> <p>Refer to preceding discussion.</p>
Assessment of site suitability and potential effects of rezoning	<ul style="list-style-type: none"> <li>• <i>Assessment of the suitability of the land for rezoning, including an assessment of:</i> <ul style="list-style-type: none"> <li>o <i>The risks from natural hazards (refer Part 2 – District Wide Matters and the Northland Regional Policy Statement)</i></li> <li>o <i>Effects on any natural environment values, historic heritage, coastal environment, or other PDP overlay (refer Part 2 – District Wide Matters)</i></li> <li>o <i>Effects on surrounding sites, including compatibility of the rezoning with surrounding land-uses and potential reverse sensitivity effects.</i></li> </ul> </li> </ul> <p>The NRC Natural Hazards mapping of Coastal erosion and flood hazards identifies coastal and low-lying areas of Wiroa Station as subject to coastal flood hazard risk, but does not identify any areas of risk that extend onto or near any of the identified building platforms on Wiroa Station.</p> <p>Effects on natural environment values, historic (and cultural) heritage and the coastal environment have been considered in preparation of the existing land use and subdivision consents.</p> <p>The existing and proposed use of Wiroa Station is consistent with continued conservation efforts to enhance the habitat for native birds. The proposed provisions do not create the potential for reverse sensitivity effects.</p>
Infrastructure (three waters) servicing	<ul style="list-style-type: none"> <li>• <i>How the rezoning request (including subdivision and development potential enabled by the request) will be supported by adequate infrastructure servicing</i></li> </ul>

	N/A – the proposed precinct requires no public three water infrastructure (on-site servicing solutions are relied upon)
Transport infrastructure	<ul style="list-style-type: none"> <li><i>How the rezoning request will be supported by existing or proposed transport infrastructure, including how new or upgraded transport infrastructure is required.</i></li> </ul> <p>N/A – the proposed precinct requires no transport infrastructure (no roading or vehicle access)</p>
Consultation and further submissions	<ul style="list-style-type: none"> <li><i>Any consultation undertaken with key stakeholders or tangata whenua in relation to the rezoning request.</i></li> </ul> <p>No specific consultation has been undertaken with Tangata Whenua for Wiroa Station regarding this submission. The outcome sought is consistent with existing consents and the established protocol with Ngati Rehia as Kaitiaki of the whenua.</p> <ul style="list-style-type: none"> <li><i>A list of any further submissions on the rezoning request and a response to those further submissions</i></li> </ul> <p>The only submission opposing a SPZ for Wiroa Station provided no specific grounds for opposition.</p>
Section 32AA evaluation	<ul style="list-style-type: none"> <li><i>How the rezoning request is a more appropriate, effective and efficient way to achieve the PDP objectives (compared to the notified zoning) in accordance with section 32AA of the RMA</i></li> </ul> <p>Refer to discussion below.</p>

73. The Hearings Panel has specified additional criteria for special purpose zone (SPZ) requests. I have treated these as relevant to a proposed precinct (noting the similarity between special purpose zones, precincts and developments as alternative methods with similar purpose and outcomes) and comment on each of the criteria in the following table:

Criteria/information	Matters to be addressed
National planning standards criteria	<ul style="list-style-type: none"> <li><i>How the SPZ meets all of the following three criteria for additional special purpose zones in the national planning standards (8.3), i.e. the activities or outcomes sought from the SPZ are:</i> <ul style="list-style-type: none"> <li><i>Significant to the district, region or country; and</i></li> <li><i>Impractical to be managed through another zone; and</i></li> <li><i>Impractical to be managed through a combination of spatial layers.</i></li> </ul> </li> </ul> <p>The sustainable management of land use activities on the property is of local significance only.</p> <p>A detailed analysis of the alternative zoning options has identified significant impracticalities and poor</p>

	<p>alignment of objectives and policies would result from application of another zone to Wiroa Station.</p> <p>Introduction of the precinct provisions would maintain the standard approach under the Proposed Plan to manage activities through a combination of spatial layers but with a higher degree of certainty, clarity and alignment.</p>
Relationship with Part 2 – District Wide Matters	<ul style="list-style-type: none"> <li><i>How the SPZ is intended to interact with the provisions in Part 2 – District Wide Matters, including more stringent rules for overlay areas (e.g. coastal environment, natural features and landscape etc.)</i></li> </ul> <p>The precinct provisions continue to maintain the applicability and integrity of the CE overlay. The overlay continues as effective measures to manage the effects of activities within the proposed precinct.</p> <p>The proposed Wiroa Station precinct plan permits buildings, subject to specific and detailed information requirements for any future building consent application that complement and reinforce the CE overlay.</p>
Consultation on the precinct proposal	<ul style="list-style-type: none"> <li><i>An assessment of parties directly affected by the precinct proposal, any consultation undertaken, and any further consultation proposed</i></li> </ul> <p>There are no directly affected parties apart from the Submitter</p>
Precinct provisions	<ul style="list-style-type: none"> <li><i>The requested precinct provisions (objectives, policies, rules, matters of control/discretion and standards), which should be consistent with other PDP zone chapters</i></li> </ul> <p><i>Refer to Attachment 5</i></p>
Section 32AA evaluation	<ul style="list-style-type: none"> <li><i>A section 32AA evaluation that assesses (compared to the PDP provisions):</i> <ul style="list-style-type: none"> <li><i>How the precinct objectives are the most appropriate way to achieve the purpose of the RMA</i></li> <li><i>How the precinct provisions are the most appropriate to achieve the precinct objectives</i></li> </ul> </li> </ul> <p><i>Refer below</i></p>

### S.32AA Evaluation

74. I have applied the S.32AA evaluation criteria to application of the Rural Production zone along with a precinct specific to Wiroa Station. My evaluation concludes that:

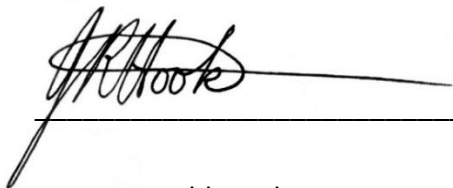
- a) Application of the RPROZ and CE under proposed plan without modification would not achieve the purpose of the Act in respect of the sustainable management of Wiroa Station. Such an approach would fail to recognise the existing development rights obtained under the sequential land use and subdivision consents. The objectives and

policies of the zone are not reflective of the current or intended future use of the property (apart from that they allow for, support and encourage the conservation activities already undertaken on the land).

- b) Application of the Rural Production zone to Wiroa Station is consistent with the zoning approach applied to privately owned land in the Bay of Islands. However, the objectives and policies of the RPROZ do not recognise the current use, characteristics, natural and landscape values of the property. Without the addition of a set of specific precinct provisions the RPROZ would fail the statutory test under S.32AA.
  - c) Incorporation of a specific Wiroa Station precinct within the RPROZ would resolve that inconsistency and would represent “the most appropriate way” to achieve the sustainable management purpose of the Act in accordance with the framework established by the National Planning Standards.
75. The objectives and policies prioritise the reasonable use and development of Wiroa Station in a manner that complements the natural and landscape values of the property, preserves its natural character, ecological and landscape values and maintains the balance between conservation activities alongside use and development of the property.
  76. The provisions of the precinct (activity rules and standards) enable a limited range of activities that are consistent with the existing consents applicable to the property. The precinct rules and standards provide for limited additional buildings and activities that complement the ecological, landscape and natural character values of the property within the identified building areas that have been subject to landscape and ecological assessment. The methods applied via the precinct provisions are considered to be practicable and appropriate to achieving sustainable management of the property.
  77. My assessment is that the proposed precinct will be highly effective in achieving the objectives relating to existing and anticipated future land use activities on Wiroa Station.
  78. There are no environmental, social, economic or cultural costs associated with the proposed precinct. However, there are environmental, social and economic benefits in terms of enabling the submitter and other existing landowners to exercise the established development rights within a coherent framework incorporated into the Proposed Plan.

## Summary and Conclusion

79. In respect of the Panel's criteria for rezoning requests, the analysis above demonstrates both why the proposed precinct would be efficient or effective in achieving the purpose of the Act, the policy intent of the higher order documents, and the Strategic Direction of the Proposed Plan in a manner that enables the submitter to provide for their social, economic, and cultural well-being and for their health and safety on an ongoing basis.
80. The proposal to include the Wiroa Station Precinct within the RPROZ would establish a strong planning framework for limited additional development on the property that recognises existing consented development rights, while respecting the importance of maintaining natural character and landscape values and supporting continued conservation activities on Wiroa Station.
81. For the reasons set out in this statement, I conclude the alternative relief involving the inclusion of a Wiroa Station precinct represents the most appropriate way to achieve the purpose of the Act and the objectives of the Proposed Plan.



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James Ronald Hook

Planning Consultant

Dated: 3rd October 2025

## Attachments:

1. Curriculum Vitae
2. Wiroa Station – Consents and Development Summary
3. Consent Notice 10526054\_25
4. Wiroa Station – Architecture code and design approval process
5. Wiroa Station – Proposed Precinct (including Precinct Plan)

## Attachment 1 – Curriculum Vitae

## James Hook

### Principal Planner (Director)

**BSurv MRRP(Dist) MNZPI**

Phone: (09) 638 2601 or 021 444 313

Email: james.hook@envivo.nz

**Qualifications:** 1991 – Bachelor of Surveying (with Credit)  
 1994 – Master of Regional and Resource Planning (with Distinction)  
 Member of New Zealand Planning Institute

Company Director of Envivo Limited  
 31 years' experience as a Planning Consultant  
 24 years' experience as a Company Director

Continuing Professional Development: on-going participation in NZPI, MFE, RMLA and related courses – RMA Amendments, Expert Witness, Alternative Dispute Resolution, Financial/Development Contributions, Case Law Updates. Presented to Select Committee on RMA Amendments.

**Experience:** James brings extensive professional experience in commercial and residential subdivision and land development projects across New Zealand. His expertise includes detailed feasibility assessments, due diligence, strategic planning advice, and the preparation of resource consent applications.

He has significant experience as an Expert Witness, having presented evidence on numerous occasions before Councils, Independent Hearing Panels, the Environment Court, Valuation Tribunal, and High Court. James also served as a Planning Commissioner for Wellington City Council over a three-year term.

James specialises in subdivision, mixed-use, commercial, intensive residential, industrial, retail, and coastal developments. His recent work includes the preparation of applications and the provision of planning advice for a wide range of complex projects, including medium- and high-density residential developments, large-scale subdivisions, coastal and mixed-use developments, and private plan changes. He has presented projects to Auckland Council's Urban Design Panel and has regularly appeared as an expert witness in front of numerous Hearing Panels.

As an Expert Witness, James has appeared in the Environment Court more than 25 times and has participated in mediation for a broad array of appeals. He has also appeared in the High Court more than 10 times and has prepared affidavits for various civil proceedings.

**Specialist Skills:**

- Pre-development strategic advice
- Resource Consent applications
- Expert Evidence
- Urban Design Panel presentations
- Subdivision and Coastal Consents
- Plan Changes
- Appeals and mediations
- Project leadership
- Due diligence investigations
- Development feasibility assessments
- Project formulation and strategy
- Assessment of environmental effects
- Policy analysis and submissions
- Strategic Planning Advice