

BEFORE THE PROPOSED FAR NORTH DISTRICT PLAN HEARINGS PANEL

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)

STATEMENT OF REBUTTAL EVIDENCE OF JAMES RONALD HOOK (PLANNER)

FOR PARADISE FOUND DEVELOPMENTS LIMITED (SUBMITTER 346)

Dated 31 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 consultancy Envivo Limited based in Auckland. My full qualifications and experience are provided in Attachment 1 to my evidence in chief dated 3 October 2025.
2. This statement of rebuttal evidence has been prepared on behalf of Paradise Found Developments Limited (Submitter 346) to address the matters raised in the S.42A report relating to its land at 40 McKenzie Road, Te Tii (known as Wiroa Station).
3. This evidence has been prepared in compliance with the Code of Conduct for expert witnesses contained in the Environment Court Practice Note 2023.

Summary of Evidence in Chief

4. When assessed against the rezoning process and criteria established by the Hearings Panel and S.32AA of the Act the inclusion of a Wiroa Station Precinct ("WSP") is the most appropriate method to manage the use and development of the property in accordance with the purpose of the Act, is compatible with the National Planning Standards, and is consistent with the form and content of the Proposed Plan.
5. 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.

Scope of Rebuttal Evidence

6. The S.42A report for Hearing 17 has been prepared by Jerome Wyeth of SLR Consulting (on behalf of the FNDC). The S.42A report records support for the WSP as follows:
 - a) *"I support the alternative relief sought by Paradise Found Development Limited for a WSP rather than a new SPZ, subject to ensuring the proposed provisions for the WSP are appropriate, efficient and effective in giving effect to the relevant higher order documents and achieving the relevant PDP objectives."* (paragraph 44)
 - b) *"I am broadly supportive of the overall intent of the requested provisions for the WSP by Paradise Found Development, with some important exceptions".* (paragraph 45).

7. My evidence covers the following matters that arise from the S.42A report, being the matters that Mr Wyeth has identified as “exceptions” to his general support:
- Activity Status under Coastal Environment Rule CE-R1
 - Proposed permitted activity pathway for buildings and structures on identified building platform (PRECX-R1)
 - Proposed Rule relating to helicopter movements (PRECX-R4)
 - Exemptions to the CE rules for earthworks and indigenous vegetation clearance (CE-R3)
 - PRECX-R3 (Permitted Activity) v RPROZ-R19 (Controlled Activity): Minor residential unit
 - PRECX-S1 (Impermeable surface coverage Standard) v RPROZ-R2 (Impermeable surface coverage Rule)
 - Other matters
8. In my response to some of the matters listed above, I propose potential amendments to the WSP provisions, which are provided as Attachment 1. The evidence that follows differentiates between those potential amendments that are “proposed” and those that are provided as an alternative to address specific matters raised in the S.42A report..

Activity Status under Coastal Environment Rule CE-R1

9. Contrary to the statement made in paragraph 40 of the S.42A report – I refer to paragraph 46 of my evidence-in-chief where I acknowledge 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.”*
10. The Council officers’ recommended amendments to rule CE-R1 to provide Controlled Activity status for the establishment of a new dwelling on a defined building platform that has been subject to a professional landscape assessment as part of an existing subdivision consent as preferable to the Discretionary Activity status under the PDP¹. However, I do not agree with the Officer’s recommendation that CE-R1 must prevail over the WSP rules when the lens of S.32AA is applied to determine what are the “most appropriate” provisions for inclusion in the WSP. I explain this in paragraphs 11-21 below.

¹ Paragraphs 246-247 Section 42A Report – Coastal Environment

Proposed permitted activity pathway for buildings and structures

11. Proposed WSP rule PRECX-R1 provides a permitted activity pathway for the establishment of buildings on an identified building platform at Wiroa Station subject to compliance with a comprehensive suite of permitted activity standards under PER-1 to PER-3. One of the key considerations that I applied when preparing PRECX-R1 was the “efficiency and effectiveness” criteria under S.32(1)(b), which I address at paragraph 45 of my evidence-in-chief.
12. In particular, I have given consideration of whether any resource management purpose would be achieved by requiring the owner of each allotment to obtain land use consent to build on their existing rural lifestyle lot at Wiroa Station, including whether any conditions of consent could add anything to the existing consent framework.
13. I note also that there is legal discussion as to the underlying resource consents at Wiroa Station having been given effect to. Whilst the subdivision consents have been completed, there was also a land use component of those consents relating to primarily to earthworks and nominated building areas for each of the lots. It is conceivable that those consents could be relied on, avoiding the need for any further resource consent. The extent to which the underlying consents can be relied upon is a question of law, but for the purposes of my evidence, the underlying consents and expert assessments undertaken have been, at least partially implemented and create specific rights for the use and development of the property; thus providing the basis for the WSP.
14. Therefore, my view is that requiring land use consent for future buildings on the identified building platforms on the existing lots would be an unnecessary duplication of process, and assessment, in circumstances where:
 - a) the proposed building is designed in a manner that complies with the rigid framework established by permitted activity standards PER-1 to PER-3;
 - b) the effects of on the values of the Coastal Environment have previously been assessed by FNDC, resulting an body of subdivision and land use consents having been granted;
 - c) There is already a comprehensive suite of consent conditions imposed on an enduring basis under the existing Consent Notice).

15. Notwithstanding that position, I accept that it is appropriate to require consent for any building that departs from that consent framework and is unable to meet the permitted activity standards.
16. I note that the S.42A report does not identify any omissions or deficiencies in the proposed permitted standards (PER-1 to PER-3). Mr Wyeth expresses (at paragraph 49 of the S.42A report) that *“the permitted activity rule is specific and aligned with the key conditions in the Consent Notice”*. Notwithstanding that acknowledgment, he raises the following concerns:
 - a) PRECZ-R1 would not be consistent with other officer recommendations / proposed precinct rules.
 - b) The rationale for a “more permissive” approach is not clear.
 - c) Rules of the Operative District Plan (ODP) require consent as either a Controlled or Restricted Discretionary Activity in any event.
 - d) It would eliminate what he refers to as “benefits” of a Controlled Activity rule that gives Council “oversight” and avoids the “problematic” assessment of Permitted Activity compliance in conjunction with a Building Consent Application.
 - e) It enables Council to charge for assessing compliance.
 - f) The Controlled Activity framework should not be overly onerous or costly to an Applicant.
17. These reasons seem to relate to FNDC’s own processes, rather than S.32 of the Act. Notably, the S.42A report does not identify any deficiencies of the rule that may result in:
 - a) a failure of the provisions to achieve the purpose of the Act;
 - b) the inability of Council to avoid, remedy or mitigate potential adverse effects on the environment;
 - c) a lack of efficiency or effectiveness of the rule;
 - d) reduced benefits and increased costs arising from a Permitted Activity Status v Controlled Activity status.
18. In respect of the six points summarised above, my view is that:
 - a) Requiring a person who wishes to build on one of the 17 vacant lifestyle allotments at Wiroa Station to obtain Resource Consent is an unnecessary and redundant process

as the framework under which they must execute the development of their land is already prescribed by the conditions of the preceding resource consents imposed by FNDC on an enduring basis via Consent Notice10526054_24;

- b) To the extent there are matters not addressed by Consent Notice10526054_24 they are addressed by the certification requirements under PER-2 and PER-3, which include a requirement to demonstrate compliance with Coastal Environment standards Standard CE-S2 *Colours and materials* and CE-S3 *Earthworks and indigenous vegetation clearance* (outside of the identified building platform and access to that platform) along with the three specific precinct standards relating to impervious surfaces, floor area (limit) and maximum height;
- c) When assessing “the most appropriate way” for Wiroa Station, consistency with other proposed provisions in the PDP, is not a relevant statutory consideration as each precinct must recognise the specific features and background applicable to the spatial area it relates to. In my view that must include the regulatory planning framework established by existing consents. Similarly, the provisions of the ODP do not determine, or limit, the planning framework applied to a specific area via bespoke rules within the precinct,
- d) I do not agree with the suggestion that it would be administratively inefficient for Council to assess planning compliance when a PIM or Building Consent is submitted, or the suggestion that Council cannot recover the costs of that service. While not a relevant S.32AA matter, I note that under the Building Act 2004:
 - i) An applicant for a Project Information Memorandum (PIM) is required to submit to the Council information that is relevant to the design and construction of the proposed building, which inter alia typically includes a statement of compliance with applicable planning provisions; and
 - ii) The Building Act places a statutory requirement on the Council to undertake a planning compliance check when any application is made for Building Consent in order to establish whether resource consent is required for the proposed building work. If so, the Council must issue a s.37 certificate² that prevents a Building Consent from being exercised until the associated resource consent is obtained.

² which prevents building work from commencing until resource consent is granted.

- iii) The Council sets its Building Consent application fees in accordance with s.219 of that Act, which enables the Council to recover its costs for the performance of any function or service under the Act (including assessment of whether resource consent is required for the purpose of s.37).
- 19. In summary, it is my view that Permitted Activity status provides Council with “oversight” and assurance over compliance of what is built on the vacant allotments (via the planning assessment that it must undertake of any PIM/Building Consent Application). The Council also has the ability to charge for assessing compliance via that process. Consequently, those points cannot be considered as proper reasons to apply a Controlled Activity status which would do no more than unnecessarily require a further repetition of planning assessment for development on the vacant sites at Wiroa Station.
- 20. Mr Wyeth acknowledges (at paragraph 37) that Wiroa Station *“has been subject to a detailed assessment through the subdivision consent process, with a suite of controls to ensure that future development is carefully designed to be consistent with the ecological, natural character and landscape outcomes sought for Wiroa Station”*. I note that process was a “landscape lead” approach undertaken by Boffa Miskell that included a detail and holistic review of the landform, vegetation and landscape values prior to identifying suitable buildings, platforms and the associated landscape and development controls applicable to future development on each of the established lots.
- 21. The subdivision consent process included identification of each building platform, the location and boundaries of each allotment, the alignment and location of access, the height of buildings (which vary from site to site). Building coverage, form, materials and colours were all considered as part of the subdivision consent process for Wiroa Station, resulting in a comprehensive suite of controls on future development recorded in:
 - a) Consent Notice 10526054.25;
 - b) The Wiroa Station architecture code; and
 - c) The specimen tree planting requirements for each site.
- 22. The S42A report also queries the capabilities of an Architect or Landscape Architect to establish whether the 10m exclusion distance requirement for archaeological sites applicable to lots 2, 5, 9, 12, 14 and 16 under Consent Notice 10526054_24 is met. The Permitted Activity test is simply one of whether the location of a proposed building and/or site works meets the specified separation distance from the archaeological site, which

Architects and Landscape Architects are readily capable of determining as part of their site analysis and design process.

23. In any situation where works extend into the 10m archaeological exclusion area, the proposal would then require consent as a Restricted Discretionary Activity. To address the applicable matter of discretion two actions would then be triggered:
 - a) An assessment of archaeological effects; and
 - b) An assessment of cultural effects by *Te Runanga O Ngati Rehia*.
24. To address the comments re: “drafting errors” I have amended rule PRECX-R1 to state the standards that are to be complied with first, then the method of demonstrating compliance via a report from a suitably qualified professional second. I consider that addresses the comments made in paragraph 57 of the S.42A report.
25. Finally, I acknowledge that it is open to the Commissioners to adopt Mr Wyeth’s position to support Controlled Activity status under PRECZ-R1 and/or CE-R1 for new buildings at Wiroa Station. That option remains preferable to the PDP, but in my opinion it is not the most appropriate method (behind the Permitted Activity status that sits at the core of the WSP).

Proposed Rule relating to helicopter movements (PRECX-R4)

26. To address the matters raised in the S.42S report, my starting point is to note the operative rules for helicopter movements applicable to Wiroa Station. In particular, operative Rule 10.6.5.1.11 of the General Coastal Zone currently provides for helicopter landing at Wiroa Station as a permitted activity, as follows:

10.6.5.1.11 HELICOPTER LANDING AREA

A helicopter landing area shall be at least 200m from the nearest boundary of any of the Residential, Coastal Residential, Russell Township or Point Veronica Zones.

27. The associated noise standards under zone rule 10.7.5.1.12, applies to all activities in the zone including the landing and take-off of helicopters. Any activity that does not comply with the noise standard requires consent as a Discretionary Activity. Similar provisions apply in the operative Rural Production zone (via permitted activity rule 8.6.5.1.9 for a Helicopter Landing Area and Noise rule 8.6.5.1.7) and currently apply to all of the land adjacent to Wiroa Station on the Purerua Peninsula.
28. Therefore currently, under the ODP, helicopter landings and take-offs can occur at Wiroa

Station as a permitted activity.

29. That existing permitted activity status is now subject to the outcome of decisions on PDP, which introduces a new noise rule and an associated noise standard specifically applicable to helicopter landing areas via NOISE-R7 and NOISE-S4. I consider that the rule and associated noise standards set an appropriate framework for the management of noise from a Helicopter landing area. However, the PDP does not provide a specific activity rule for Helicopter Landing Areas in the RPROZ, the consequences of which are discussed below.
30. I have reviewed the officer's recommended amendments to the proposed noise rule and standard via the S.42A report on Hearing Topic 6/7 S.42A. The officer's recommended version of NOISE-R7 simply states that the noise from a helicopter landing area is required to comply with the NOISE-S4 standard (with no additional controls). In circumstances where the noise standard cannot be met then consent is required as a Discretionary Activity.
31. The issue that has not been addressed, however, is the omission of "helicopter landing area" as an activity within the various zones under the PDP, including the RPROZ that applies to Wiroa Station. I note that:
 - a) Rule NOISE-R7 applies only to the noise generated by helicopter landing and take-off, arguably, it does not establish the activity status of a "helicopter landing area" within a zone, special purpose zone or precinct.
 - b) in the absence of any activity rule that specifies the activity status of a "helicopter landing area" within the RPROZ its status would become Discretionary under catch-all rule RPROZ-R31 *"Activities not otherwise listed in this chapter."*
32. The above summary applies the statutory test under s.9(3) of the Act, which states that no person may undertake a use of land that contravenes a rule in a District Plan unless the use is expressly allowed by a resource consent. RPROZ-R31 is contravened by any activity not "otherwise listed" in RPROZ activity rules 1-30 and 32 to 37.
33. The inclusion of NOISE-R7 (a noise rule applicable across all zones) does not remedy the omission of helicopter landing area as a land use activity from the RPROZ activity rules or the activity rules applicable to any other zone, special area or precinct in the District.

34. That understanding is confirmed by the inclusion of specific rules in the Carrington Estate and Kauri Cliffs Special Purpose Zones (rules CAR-R5³ and KCZ-R9⁴), that make provision for “helicopter landing area” as a permitted activity subject to conditions.
35. Consequently, I have modelled proposed precinct rule PRECX-R4 on those special purpose zone rules to provide permitted activity status for a single “helicopter landing area” in the precinct, which applies and relies on district wide noise standard NOISE-S4. The Commissioners may recall that I proposed a similar rule for helicopter landings on Motukiekie Island in the evidence and precinct provisions presented in Hearing Topic 15B. I note that proposed rule was supported in the S.42A report for that hearing.
36. In summary, and in response to paragraph 60 of the S.42A report:
- a) I have considered the officers recommended amendments to NOISE-R7;
 - b) There is no activity rule for “helicopter landing area” in the RPROZ, consequently that land use would default to Discretionary Activity under RPROZ-R31;
 - c) PRECX-R4 is proposed to maintain the continuity of land use rights provided by operative permitted activity Rule 10.6.5.1.11 of the General Coastal Zone;
 - d) Proposed rule PRECX-R4 addresses that omission from the RPROZ in a manner equivalent to special purpose zone rules CAR-R5 and KCZ-R9.
 - e) PRECX-R4 provides explicitly for one (only) helicopter landing area, applies NOISE-S4, and sets operating hours for the landing area. Two of those provisions are specific (i.e. bespoke to Wiroa Station) and go beyond the scope of NOISE-R7 to specify a limit on the number of helicopter landing areas and to restrict its operating hours.
 - f) I have made a minor amendment to the precinct provisions that reflect the changes proposed by the officers in “Light and Noise Appendix 1” to their S.42A report to Hearing 6/7 (refer to Attachment 1).
37. When the permitted activity standards are applied to Wiroa Station, only one location on the property is able to meet the 200m separation distance requirement – as shown in Figure 1 below. The only location where a helicopter landing area could potentially be

³ CAR-R5: Helicopter landing area (Carrington Estate zone). Activity Status: Permitted, Where: PER-1 *One helicopter landing area is permitted within the Carrington Estate zone*, PER-2 *The helicopter landing area operates between the hours of 7.00am and 10.00pm, except in the case of emergency*, PER-3 *The helicopter landing area must be at least 200m from the nearest boundary of any General Residential Zone*.

⁴ KCZ-R9: Helicopter landing area (Kauri Cliffs zone, Lodge-sub zone, Golf playing sub-zone, Golf living sub-zone). Activity Status: Permitted, Where: PER-1 *Any helicopter landing area complies with standards Noise-R7 Helicopter landing areas*.

established as a permitted activity is adjacent to the central ridgeline of the property. That analysis confirms the that proposed rule RPRECX-R4 provides a real world opportunity (limited in scope) to establish a single helicopter landing area at Wiroa Station that is able to meet separation distance standards (subject to it also meeting the applicable noise standards).



Figure 1: Potential Helicopter Landing Area (permitted location)

38. The proposal is to introduce provisions for Wiroa Station that are equivalent in activity status and scope to the operative rules; while also setting a more rigid operational framework (including hours of operation) for helicopter landings at Wiroa Station. For the reasons set out above I consider that proposed rule PRECX-R4 is justified as a bespoke provision and is the most appropriate method of making limited provision for and managing helicopter landing activities at Wiroa Station.

Exemptions to the CE rules for earthworks and indigenous vegetation clearance (CE-R3)

39. A partial exemption to rule CE-R3 is proposed to avoid triggering a resource consent requirement to undertake the construction of a building (dwelling) on each of the 17 vacant lots at Wiroa Station. Without the exemption it is almost inevitable that each building would require resource consent for earthworks. That would negate the intention

of the precinct to make provision for the use and development of the property in accordance with its consented framework without triggering a resource consent requirement for each building.

40. As the majority of Wiroa Station is within the coastal environment overlay Rule CE-R3 applies to the property. The rule permits earthworks and/or indigenous vegetation clearance in a limited range of circumstances under PER-1 and more generally under PER-2 (subject to compliance with standard CE-S3 Earthworks or indigenous vegetation clearance). That part of the standard applicable to Wiroa Station specifies a limit of 400m² of earthworks or vegetation clearance (within 10 years of notification of the PDP) and a cut height/fill depth of 1m (only).
41. In my view it is almost inconceivable that the establishment of a dwelling on any of the 17 vacant allotments could comply with standard CE-S3. Site works to establish access and a manoeuvring area could readily amount to 200-300m². For example the formation of access and a vehicle parking/manoeuvring area on Lot 10 (at the closest point to the common access) would require >300m² of earthworks (and zero vegetation clearance), prior to any earthworks on the identified building platform.
42. When applied to Wiroa Station, I consider standard CE-S3 to be nonsensically restrictive.

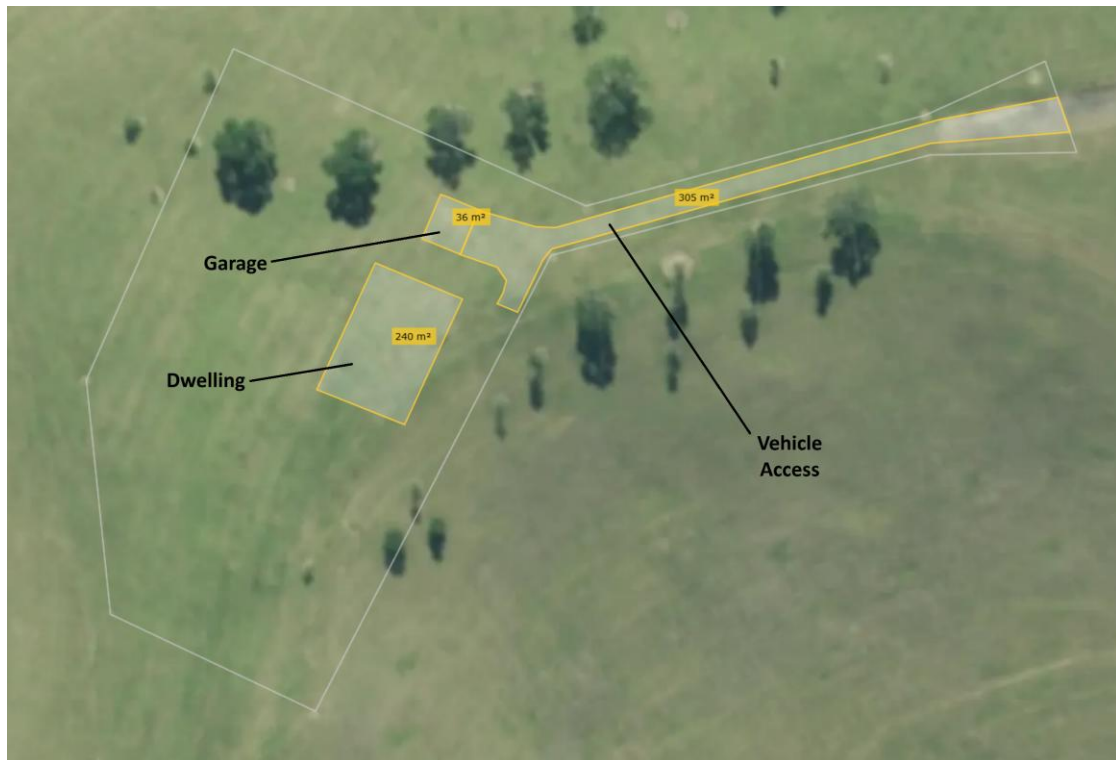


Figure 2: Indicative Site development (Lot 10 DP 497523)

43. As an example Figure 2 shows a hypothetical layout of a modest level of development on Lot 10 that involves construction of a double garage (36m²) and a moderate sized dwelling with a footprint of 240m². With 305m² of earthworks required to form the access, the minimum area of earthworks on the site is already 581m² (prior to any landscaping) which substantially exceeds the permitted activity threshold of 400m². Undertaking even that modest level of development would thereby trigger Discretionary Activity status under rule CE-R3 without the proposed exemption. I therefore view the exemption as essential.
44. While there is a point of difference between Mr Wyeth and myself as to whether the activity status for a new building (i.e. dwelling) should be permitted or controlled under PRECX-R1, I note that he does not suggest that Discretionary Activity status is the “most appropriate”. However, without specific exemption from rule CE-R3 for earthworks on the existing allotments at Wiroa Station that would become the “default” activity status applicable to new dwellings on each of the 17 vacant sites at Wiroa Station.
45. Consequently, the proposed WSP provides an exemption from rule CE-R3 for earthworks (but not vegetation clearance) associated with the construction of a new building and the access to an identified building platform within the Wiroa Precinct Plan. I also note that:
- a) the effects of earthworks to form access and building platforms have already been assessed as part of the existing consent framework for Wiroa Station;
 - b) none of the building platforms are within an area of high or outstanding natural character; and
 - c) no clearance of indigenous vegetation is required for building development on any of the lots.
46. For those reasons I consider that the proposed WSP provisions that exempt “works within the identified building platform and works required for the formation of access to the building platform” from Rule CE-R1 and Standard CE-S3 are the most appropriate provisions for Wiroa Station. I note that the thresholds in CE-S3 will apply to the balance of the site outside of the building platform and access which will restrict landscaping across the site to the 400m² limit specified under the standard (if retained in its current form under the Decisions version of the PDP).

Activity Status for non-compliance with rule PRECX-R2 (Residential Activity)

47. The S.42A report raises a concern regarding the Restricted Discretionary Activity status under PRECZ-R2 for a residential activity that does not meet the permitted activity standards, i.e. if two dwellings are proposed on a single site. The equivalent RPROZ rule (RPROZ-R3) applies Discretionary Activity status in that circumstance.
48. It is widely accepted that Restricted Discretionary Activity status can be applied in circumstances where the scope and nature of the effects arising from an activity are well understood and able to be encapsulated within specific matters for discretion. The Council retains a discretion to grant or refuse consent; however, is limited in its assessment to those matters.
49. As an example the specific situation I am considering is a dwelling comprising two living wings or pavilions (either connected or adjacent) one for the owners and the other for guests/visiting family members. If the floor area of each wing/pavilion is more than 65m² it is not possible to classify to treat one as a “minor residential unit”. In that circumstance a restricted discretionary activity status provides the ability for an application to be made and assessed under specified matters of discretion, which include wide ranging consideration such “character and appearance” and “landscape and visual impact”, is entirely appropriate and brings a focus to the assessment of effects (while maintaining discretion to Council).
50. In my experience Restricted Discretionary is a highly effective and commonly applied activity status, under which both the Applicant and Council benefit from the greater focus on specified matters for assessment. I therefore consider that the provisions of rule PRECX-R2 as proposed are the “most appropriate” for Wiroa Station.

PRECX-R3 (Permitted Activity) v RPROZ-R19 (Controlled Activity): Minor residential unit

51. The concern raised in the S.42A report (at para 64) is as follows:
...the requested residential activity rule (PRECX-R3) is similar to the equivalent RPROZ rule (RPROZ-R19) without the RPROZ condition requiring the site area to be at least 1ha which is appropriate in the context of the WSP in my view. However, non-compliance with RPROZ-R19 is discretionary or non-complying activity whereas non-compliance with PRECX-R2 would be a restricted discretionary activity.
52. In my evidence-in-chief I outline the situation under which the provision of self-contained guest or staff accommodation within or adjacent to a dwelling is a reasonably anticipated

activity at Wiroa Station given the position sites in this location represent the high end of the property market. I have personally been involved in a number of consent applications for minor dwellings/ or a second dwellings for such purposes. In the majority of those instances the minor dwelling/2nd dwelling was fully integrated into the design of the main dwelling, either as a separate “wing”, a lower level or as an adjacent stand-alone building designed in a coherent manner to the main dwelling (with similar or complementary materials, finishes and colours).

53. Without PRECX-R3 none of the existing rural-lifestyles lots at Wiroa Station would meet the 1ha minimum land area requirement under RPROZ-19. Any minor residential unit would be classified as a non-complying activity. That activity status would effectively deny the owners of lots at Wiroa Station (or at least strongly discourage them) from integrating the design of a minor dwelling unit into their site development.
54. I note that the S.42A report does not provide any justification for the 1ha minimum land area requirement (either across the RPROZ or more specifically at Wiroa Station). In my view it's a rather arbitrary “minimum” derived from a broader intention to maintain rural and or rural-coastal character that is not made explicit under the PDP.
55. My position regarding Restricted Discretionary Activity status being both more effective, targeted and appropriate where there is a non-compliance with a standard is set out in the preceding section. I adopt the same position in respect of the logic and rationale to apply that activity status to PRECX-R3.
56. For those reasons I therefore consider that rule PRECX-R3 (minor residential unit) as proposed in my evidence-in-chief are the “most appropriate” for Wiroa Station.

PRECX-S1 (Impermeable surface coverage Standard) v RPROZ-R2 (Impermeable surface coverage Rule)

57. The S.42A report identified two concerns with PRECX-S1 – as follows:
 - i. “Impervious surfaces” should be replaced with “impermeable surface coverage” as this is the term used in the relevant PDP chapters and “impermeable surface” is defined in the PDP.
 - ii. The standard should be redrafted as a rule as that is the approach adopted in the PDP (refer, RPROZ-R2 and GRZ-R2 for example).

58. The first matter is readily addressed, by a minor amendment to the heading of PRECX-S1 that I willingly adopt. The second matter is one that I am essentially neutral on, other than to say that the approach taken by most district plans is to apply an impermeable surface coverage standard within the applicable zones. I have never previously experienced an activity rule applied for that purpose.
59. I view impervious surfaces as an adjunct to the land use activities that occur on a particular property, not a use of land in its own right. For example, each dwelling requires access, parking, manoeuvring areas that are commonly paved and impervious. The impervious area is consequential to the use of land, not the primary use of the land. Consequently, in my view it is most appropriate to apply the impermeable surface coverage rule as a standard applicable to all relevant land use activities (rather than elevating it to a land use activity under its own specific rule).
60. For those reasons I consider that the inclusion of PRECX-S1 as a standard is the “most appropriate” method. However, I am agnostic to its potential inclusion as a rule – should the Commissioners decide to endorse Council’s drafting format and to apply that consistently across the PDP.

Other matters

61. At paragraph 64 of the S.42A report seven other matters are raised in a tabular format. Utilising the same format, I respond to each as follows:

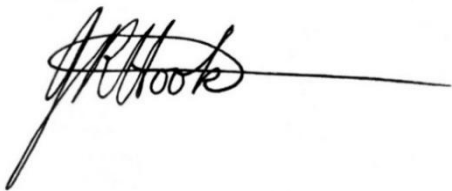
Issue/provision	Response to Issue Raised
Overview: The list of conditions of Consent Notice 10526054.25	The intent of “the list” is to explain the inherent logic in (and origins of) the WSP in the context of the consenting history of the site. It is intended to assist future users of the plan to understand that planning context and the consent framework under which the WSP provisions have been prepared. I therefore consider that the “list” should be retained.
Overview: The text states: “Rural Production Rules RPROZ-R10 to RPROZ-	I accept that the statement referring to RPROZ-R10 to RPROZ-37 is unnecessary and can be deleted without adversely impacting on the application of the WSP.

37 do not apply to the precinct.”	
PRECX-P2	I accept that PRECZ-P2 is a non-essential policy and that it can be deleted without adversely impacting on the application of the WSP.
Advice Note 1	Condition a) is a clear statement to aid interpretation and application of the WSP by making it explicit the specific provisions applicable to Wiroa Station under the WSP prevail over any other equivalent rule or standard in the underlying RPROZ and/or any District-wide standard. It is accepted best practice that the provisions of a precinct replace and or modify the provisions of the underlying zone and any relevant district-wide rules. That approach to is intended to ensure that the planning outcomes are consistent with the objectives and policies applicable to the precinct and are most effective in achieving the purpose and principles of the Act as applied to that land.
Proposed “Definitions Applicable to Wiroa Station Precinct”	I disagree that the definitions specific to Wiroa Station are not necessary. The intention of the definitions is to assist the (future) regulatory planner who is tasked with applying the provisions by making it clear and explicit what the objectives, policies, rules and standards are referring to. In my view it is “most appropriate” to make that information available within the context that it will be applied.
Format of standards	Standards have been amended so they no longer read as if they are “written as rules”

62. The amendments noted above have been incorporated into an amended version of the WSP in Attachment 1 – Proposed Wiroa Station Precinct (Revised). The amendments address various matters raised in the S.42A report, while retaining permitted activity status for new building and structures under PRECX-R1.

Conclusion

63. This rebuttal statement responds to each of the matters raised in the S.42 report and presents a revised set of precinct provisions for Wiroa Station that address those matters that represent the “most appropriate” provisions for inclusion within the WSP.
64. I restate my opening comment that there is broad alignment with Mr Wyeth that a structure plan is the most appropriate planning response for Wiroa Station. The differences between us are relatively minimal and technically focussed. We both concur that the existing consents for subdivision and development at Wiroa Station provide an appropriate framework for the WSP, and to the extent we differ of the application of specific rules/standard those differing views are of no consequence beyond the boundaries of the property.
65. For the reasons set out in this statement I support the application of the WSP in the form included as Attachment 1 as the most appropriate provisions for Wiroa Station that recognise the existing consented development rights, while respecting the importance of maintaining rural-coastal character and landscape values associated with Wiroa Station.

A handwritten signature in black ink, appearing to read 'J. Hook', with a long horizontal line extending to the right.

James Ronald Hook

Planning Consultant

Dated: 31st October 2025

Attachments:

1. Wiroa Station – Proposed Precinct (Revised)