

**Before the Far North District Council
Independent Hearing Panel**

UNDER The Resource Management Act 1991

IN THE MATTER of the submissions and further submission made by Mataka Residents Association Incorporated on the Proposed Far North District Plan

AND

IN THE MATTER of Hearing 15B: New Special Purpose Zone topic

**Planning Rebuttal Evidence of Peter Raymond Hall on
behalf of Mataka Residents Association Incorporated
(Planning)**

Dated: 18 August 2025

REBUTTAL EVIDENCE OF PETER RAYMOND HALL

INTRODUCTION

1. My Name is Peter Raymond Hall. I present this planning rebuttal evidence on behalf the Mataka Residents Association Incorporated (**Matakā**) in relation to the Matakā Station Precinct that has been sought in submissions.
2. I have filed my statement of planning evidence for Hearing 15B on behalf of Matakā dated 12 May 2025. I prepared the proposed Matakā Station Precinct provisions attached to that evidence and I support their inclusion in the Proposed District Plan (**PDP**). My qualifications and experience are as set out in my primary statement of evidence.
3. I have read the Section 42A Report section for Hearing 15B on Matakā prepared by Jerome Wyeth, the minor amendments to the Matakā Station Precinct provisions recommended by Mr Wyeth at Appendix 3.2 to the Section 42A Report and the appended technical memo prepared by Melean Absolum.
4. Mr Wyeth supports the inclusion of the Matakā Station Precinct into the PDP, subject to six relatively minor questions, issues and potential amendments as he sets out in paragraph 91 a.-f of the Section 42A Report. My rebuttal evidence responds to those matters.
5. Mr Wyeth in his paragraph 92 addresses some further minor amendments made to the Matakā Station Precinct provisions with the intent of improving wording. I respond to those matters below.
6. Lastly, Mr Wyeth also raises at paragraph 90 the question whether consequential amendments are required in other chapters of the PDP to reference the Matakā Station Precinct. I had suggested in my primary statement of evidence that might be the case, primarily by way of cross reference and for the avoidance of doubt. I respond to this matter also below.
7. My rebuttal evidence is structured under the same headings as those in Mr Wyeth's paragraph 91, followed by a response to the other amendments he recommends at his paragraph 92, and finally, a response on the consequential amendments question from his paragraph 90.
8. I include at **Attachment One** to this rebuttal evidence a markup version of Matakā Station Precinct as has been attached at Appendix 3.2 to the Section 42A Report.

In this markup version, I show the amendments explained in this rebuttal evidence as tracked changes highlighted in **turquoise**. The areas of difference here between Mr Wyeth and I are very few.

RESPONSE TO MATTERS SET OUT IN PARAGRAPH 91 OF S42A REPORT

a. Location of house sites on Precinct Plan 1

9. This topic is not about the location of the house sites per-se, but about the notation of the house sites on Precinct Plan 1 and the desire to clarify that that these notations are indicative only at the scale presented, and also do not present the full suite of location, design and mitigation obligations under the consent notices on the titles which apply at Matakā Station.
10. As noted at paragraph 91a. of his Section 42A Report, Mr Wyeth and I agreed post filing of my primary evidence that the relationship between Precinct Plan 1 and the consent notices should be further clarified in the provisions.
11. I describe these consent notices in paragraphs 48-55 of my primary evidence and attach copies of them at Attachment Five to my primary evidence. In summary, the consent notices apply to the titles at Matakā Station, and have a range of ongoing obligations, including conditions relating to building location, design and associated mitigation. These obligations apply in greater specificity and detail to the rules under the Precinct Plan provisions.
12. I presented some wording which Mr Wyeth broadly agrees with, that reference should also be made in the provisions to the consent notices which apply to the relevant titles, including any conditions of those consent notices. The obligation to comply with these consent notices applies as a matter of law, and the purpose of the additional note was to alert the user of the Precinct provisions to that fact.
13. As noted by Mr Wyeth in his s42A report, Ms Absolum has suggested some additional words to be added to this note, which Mr Wyeth has drafted into the provisions at Appendix 3.2. Specifically that "*due to the indicative nature of Precinct Plan 1, reference should be made to the consent notices....*".
14. I understand and support the intent here; however propose some further drafting changes to make the situation absolutely clear. Firstly, I do not agree that the Precinct Plan should be described as 'indicative'. Certain information on the Precinct Plan is very precise, such as the cadastral boundaries shown, the boundary of the precinct following these boundaries, and the mapped extent of Areas 1, 2 and 3.

By the nature of the notation used and the scale at which they are presented, the asterisks for the house sites while being centred on the house sites, are indicative as they do not represent the spatial extent of the house site where that is more particularly defined in a consent notice.

15. I therefore propose in tracked changes version of the provisions in **Attachment One** to this rebuttal evidence with new wording to the Notes under the heading "Rules". This applies a separate Note "2", deletes the reference of the Precinct Plan being "indicative", but points to the need to reference the consent notices which apply to the relevant titles, including any conditions of those consent notices relating to building location, design and any associated mitigation (including planting). This same structure has been used to amend the similar note under PRECX-R1 rule CON-1.

b. Overview

16. As noted by Mr Wyeth at paragraph 91b. of his report, after filing my primary evidence I suggested in discussions with him an amendment to the Overview to clarify that the Precinct comprises "30-lot residential house sites, plus farm and workers residences....". Mr Wyeth confirms at paragraph 91b. that he supports that amendment and sets out that wording in his paragraph. The wording in full however has not been carried through by Mr Wyeth into the provisions in his Appendix 3.2, where the word 'plus' has been omitted. I have added that word back into the provisions in **Attachment One** to this rebuttal evidence, plus a grammatical correction to delete the preceding article 'a'. In a subsequent discussion with Mr Wyeth, he has confirmed that the addition of the word 'plus' here accords with the intent and his understanding of the provisions.

c. Matters of control and discretion

17. I generally agree with the additional wording added to the matter of control in PRECX-R1 and matter of discretion in PRECX-S1 as has been recommended by Ms Absolum and set out in Mr Wyeth's report at paragraph 91c.
18. Because it relates to a matter of landscape and natural character assessment, I have discussed this additional wording with John Goodwin, who has filed landscape primary evidence for Hearing 15B on behalf of Matakā.
19. Mr Goodwin has made the point, which I agree with, that the wording as proposed should be more specific and apply to "outstanding natural landscapes" rather than "natural landscapes" in general as drafted. In this regard, as set out in my primary

evidence and shown on the maps attached to Mr Goodwin's evidence, not all of Matakā Station is within the coastal environment or outstanding natural landscape (ONL). While most house sites are within, some are outside of these overlays. ONLs are mapped over Matakā Station and the Precinct does not change this mapping, therefore the application of this matter of control or discretion is readily apparent.

20. Also, for completeness and drafting consistency with the rest of the PDP, I have deleted the word "whether" that precedes this recommended matter of control and discretion as has been recommended in the Section 42A report. Having "whether" is more aligned with assessment criteria and does not add anything here, where the Council reserves its control or discretion over "any mitigation measures proposed...", with an assessment as to whether those are appropriate being an inherent part of the assessment that would follow.
21. The new matter of control and discretion is therefore recommended to be as follows at CON-2 and PREX-S1 in my **Attachment One** (my addition to the s42A Report tracked changes is highlighted):

"~~Whether~~ any mitigation measures proposed appropriately manage potential adverse effects on the characteristics, qualities and values of the coastal environment and ONL natural landscapes".

d. Earthworks and vegetation clearance rule PRECX-R4

22. Mr Wyeth addresses this topic at paragraph 91d. of his evidence. Here he accepts the need for a more specific rule for earthworks and indigenous vegetation clearance associated with the construction of a building or structure and its associated curtilage within a House Site and associated access, or where within Area 1, 2 or 3 at Matakā as is provided for under precinct rule PRECX-R9. He has adopted my drafting in this respect. He questions however the need for another specific precinct rule for earthworks and vegetation clearance within the CE or ONL outside of these areas as I had at rule PRECX-R4 in the drafting attached to my primary evidence.
23. In my original drafting, rule PRECX-R4 set out specific allowances and an activity status for earthworks and indigenous vegetation clearance across the Matakā Station Precinct as a whole which applied separately to the specific provision made for those activities where associated with the construction of a building or structure and its associated curtilage and access.

24. Rule PRECX-R4 in my original drafting follows the same general approach as the equivalent rules under the Coastal Environment and Natural Features and Landscape chapters of the PDP. Certain classes of earthworks and vegetation clearance are provided for as a permitted activity (the operation, repair and maintenance of specified existing lawfully established facilities, to maintain firebreaks to manage fire risk etc). Additional permitted activities were also recommended by officers in the Section 42A Right of Reply Report to Hearing 4 on the Coastal Environment and Natural Features and Landscape chapters of the PDP. These recommended further allowances for domestic gardens, walking tracks, and the maintenance or reinstatement of pasture.
25. These specific exclusions should also apply in the Matakā Station Precinct. I cannot yet rely however on the recommended changes from the Section 42A Right of Reply Report being carried through the decisions version of the PDP, and so have included the equivalent rule with these exclusions into the Precinct as a bespoke rule PRECX-R4 earthworks and indigenous vegetation clearance in my **Attachment One** provisions.
26. My rule PRECX-R4 differs in two respects from the equivalent in the Section 42A Right of Reply Report to Hearing 4 on the Coastal Environment and Natural Features and Landscape chapters.
27. Firstly, in respect to activity status, I have included in rule PRECX-R4 a discretionary activity default across the Precinct where compliance is not met with the earthworks or indigenous vegetation clearance standards set out. The equivalent rules from the Coastal Environment and Natural Features and Landscape chapters have a default to non-complying in the ONL where land is also in the coastal environment¹.
28. I support a discretionary activity default because a non-complying activity status risks applying to very many either reasonably anticipated or innocuous earthworks and vegetation clearance which trigger the standards, such as earthworks for cut earthwork faces over the very restrictive 1m height limit, an exposed earthwork face not being screened from a public view (no matter the distance of the view), or clearance of indigenous vegetation exceeding the 50m² limit. On a very large property such as Matakā such an excess could be readily absorbed. I consider that a discretionary activity status is appropriate rather than non-complying in this

¹ Rule NFL-R3, per the s42A Officers Right of Reply Report to Hearing 4

instance, allowing a full assessment of the suitability of such applications, rather than a presumption against.

29. Secondly, as in my evidence to Hearing 4 on behalf of the submitter group I was representing there (including Matakā), I sought and support the exclusion at Matakā Station for vegetation clearance for maintenance or reinstatement of pasture through the removal of regenerating manuka or kanuka, tree ferns or scattered rushes applying to vegetation less than 10-years old. This is as opposed to the 5-years old cut-off recommended for the equivalent rule in the Section 42A Right of Reply Report to Hearing 4 on the Coastal Environment and Natural Features and Landscape chapters. My reasons are as follows:

- a. The exclusion generally follows that provided for in Rule IB-R1 in the Ecosystems and Indigenous Biodiversity Chapter of the PDP which provides for:

"10. The removal or clearance from land which was previously cleared and the indigenous vegetation to be cleared is less than 10 years old";

- b. The same logic in my view as has been applied in determining that indigenous vegetation less than 10 years old on land previously cleared from IB-R1 should be applied to the equivalent rules from the overlays and the Matakā Station Precinct. The intent here, as I understand it, is to provide the ability to clear recently colonised land pasture for the purpose of maintaining that as pasture. It would be inefficient to apply one definition of recently colonised (being vegetation less than 10-years old) to some parts of the district and another (being vegetation less than 5-years old) to others – namely the Coastal Environment and Natural Features and Landscape overlays, and including Matakā.
- c. For completeness, I note that the Officers recommended amendments to Ecosystems and Indigenous Biodiversity Chapter (Right of Reply Version) retain the less than 10-year old exclusion I have referred to above.
- d. As I noted in paragraph 10.4 of my evidence to Hearing 4, Method 4.6.3(4) of the Regional Policy Statement for Northland (**RPS**) directs that that in implementing Policy 4.6.1 (managing effects on the characteristics and qualities natural character, natural features and landscapes), district plans shall permit the maintenance of existing authorised structures, buildings, accessways, infrastructure and production land. This reference in this RPS method to

permitting the maintenance of production land supports the pasture management exclusion I have proposed.

e. PRECX-S4 – Setback from MHWS

30. On reading Mr Wyeth's evidence at paragraph 91e. I agree that PRECX-S4 – Setback from MHWS can be deleted from the Precinct provisions. As he notes, Rule CE-S4 (Applying a setback of 30m from MHWS) applies by virtue of the Coastal Environment overlay. The specific matters of assessment associated with this rule which I had sought to exclude in my original drafting of the provisions can still apply and their applicability determined at application stage.
31. As noted by Mr Wyeth, house sites at Matakā are set well back from 30m from MHWS and proposed Areas 1 and 3 are also set back beyond 30m from MHWS. Area 2 (the boat sheds in Whale Bay) does intersect with 30m from MHWS, however any development within Area 2 requires a restricted discretionary activity consent in any event under the Precinct provisions, with any infringement of the MHWS also assessed as a restricted discretionary activity under Rule CE-S4².

f. Lots referred to in PRECX-R1

32. I understand this topic to be simply a matter of clarification rather than a need to amend the provisions.
33. On reading Ms Absolum's memo dated 27 June 2025 attached at Appendix 5 to Mr Wyeth's evidence, she remains uncertain about inland lots 33 and 34 and whether houses can be anticipated there in the future?
34. The answer is not as a permitted, controlled activity or restricted discretionary activity under the Precinct provisions. This is because both lots 33 and 34 are tied to lots 25 and 26 respectively, and held in the same title as those lots. House sites are identified on lots 25 and 26 and not on these balance lots 33 or 34. Confirming this, Attachment Three to my primary evidence has a table with a summary of titles and current instruments, with lots 33 and 34 identified thus (as highlighted):

² I would add here that the restricted discretionary activity status for an infringement under Rule CE-S4 is my interpretation of the Coastal Environment Right of Reply version of the Coastal Environment Chapter, where "matters of discretion" are provided in the column next to CE-S4 Setbacks from MHWS, albeit with no specified explicitly specified activity status for this non-conformity.

Precinct Plan 1	Legal description	Title ref	Title issued	Area	Instruments	Instrument Type
House Site 25	Lot 25, 32-33 DP 346421	190756	7/06/2005	50.033	5667663.5 6447651.5 6447651.10 6447651.4 5667663.9 5667663.10 6447651.8 6447651.9 9387192.1 6532427.4 12652611.1	Consent notice Consent notice Covenant Covenant Easement Easement Easement Easement Easement Encumbrance Forestry right
House Site 26	Lot 26, 34 DP 346421	190757	7/06/2005	50.356	5667663.5 6447651.5 6447651.10 6447651.4 5667663.9 5667663.10 6447651.8 6447651.9 6716157.3	Consent notice Consent notice Covenant Covenant Easement Easement Easement Easement Encumbrance

RESPONSE TO OTHER MINOR AMENDMENTS SET OUT IN PARAGRAPH 92 OF S42A REPORT

35. Mr Wyeth has set out in paragraph 92 of his s42A Report some other minor amendments with the intent of improving wording (e.g. referring to “protect” in PRECX-O4) and address drafting issues (e.g. that a restricted discretionary activity status applies to CON-1 or CON-2 in PRECX-R1 when not complied with). I address these below in my evidence.

Addition of “Protect” in Objective PRECX-O4

36. I do not agree with the recommended addition of the word “protect” into precinct objective PRECX-O4, as recommended by Mr Wyeth such that the objective reads as follows:

“PRECX-O4 New residential units, minor residential units and buildings or structures for recreation activities are designed to be integrated with and protect the characteristics, qualities and values of ONL and natural character of the coastal environment”.

37. The obligations to “preserve and protect the natural character of the coastal environment from inappropriate land use and subdivision”, and “protect the ONL from inappropriate land use and development” are already specified in objectives in the Coastal Environment and Natural Features and Landscapes Chapters³.

³ Coastal Environment Objective CE-01 and Natural Features and Landscapes Objective NFL-01 (with the amendments recommended in the s42A Report Right of Reply to Hearing 4).

38. These other objectives apply in addition to the objectives of the Matakā Station Precinct. They are an accurate reflection of the RMA, NZCPS and RPS directives in respect to the protection of the natural character of the coastal environment and ONLs. They require preservation and protection of natural character and ONLs from “inappropriate” development, rather than a simple directive to “protect”.
39. The more specific direction provided in PRECX-O4 as I originally had included it, is that new residential units, minor residential units and buildings or structures for recreation activities are designed “to be integrated with” the characteristics, qualities and values of ONL and natural character of the coastal environment. This reflects the fact that the Matakā scheme is already an appropriate development that preserves and protects the natural character of the coastal environment and protects the ONL. The directive for development “to be integrated with” provides for more particularity in the context of the environment at Matakā Station and is given effect to by the specific controls requiring adherence to the Precinct Plan, policies and rules limiting development, and standards on height, colours and material etc.

Amendment to PRECX-R1: activity status in relation to non-conformity with rules CON-1 or CON-2

40. Mr Wyeth has recommended amending PRECX-R1 such that when there is non-compliance with rule CON-1 (a single residential unit or a minor residential unit on a House Site identified on Precinct Plan 1) or CON-2 (maximum height), then a restricted discretionary consent is required.
41. In my original drafting, PRECX-R1 specified that a full discretionary consent was required for non-compliance with CON-1 where a residential unit or a minor residential unit was not on the locations shown on Precinct Plan 1, and a restricted discretionary consent required for where non-compliance was with the CON-2 height limits. This drafting remains in the rule as recommended by Mr Wyeth and so does not align with his recommendations.
42. In subsequent discussions with Mr Wyeth, I understand he agrees with me as to activity status and he will reconsider his drafting change he recommends here.

Overview: Reference to the Coastal Environment and Natural Features and Landscapes chapters

43. Mr Wyeth has not included the section in the Overview where in my original drafting I had an explanation of the specific provisions from the Coastal Environment and Natural Features and Landscapes chapters that do not apply in the Precinct. As I understand it, he has deleted this explanation in favour of an equivalent section under the heading the "Notes" which appears with the Precinct Rules.
44. In my opinion, the inclusion of these exclusions in both the Overview and Rules section is useful and I prefer my original drafting. I have reinstated this in the mark up provisions at **Attachment One**. This is because the Overview section as recommended to be retained by Mr Wyeth has a description as to the relationship between the Precinct and the underlying zone. Logically, it would also have a description as to the relationship between the Precinct and the overlays.

RESPONSE TO QUESTION OF CONSEQUENTIAL AMENDMENTS IN PARAGRAPH 90 OF S42A REPORT.

45. As noted by Mr Wyeth in his paragraph 90, my primary evidence suggested that consequential amendments would be desirable in other Chapters of the PDP to cross reference the Mātaka Station Precinct⁴ (and by extension, all other Precincts proposed to be adopted). My thinking here was specifically in relation to the overlays, where the Precinct applies a different rule set in some instances to the equivalent rule in the overlay, and the desirability of signalling that is the case within the overlays themselves (namely the Coastal Environment and Natural Features and Landscapes chapters). Of course, the Mātaka Station Precinct provisions themselves set out the approach to managing the relationship between the rules in the Precinct and those in other chapters, and as described above I consider this is clear and appropriate, subject to the re-introduction of the additional explanation in the Overview as I have recommended above.
46. Mr Wyeth in his paragraph sets out his preference that the relationship between the provision within the Precinct and provisions in other chapters be dealt with within the Precinct itself, rather than by way of consequential cross references in each Chapter back to the Precinct. I have sympathy with that view after further discussions with Mr Wyeth, for the sake of plan readability and to ensure accuracy. I do not see any strong need for cross referencing in other chapters in the case of

⁴ Paragraph 104, Evidence Peter Hall to Hearing 15B, dated 12 May 2025

the Matakā Station precinct, given that the Precinct provisions themselves have a very clear expression of how the Precinct works in relation to other chapters.

47. I do however see the need for a general statement as to the relationship between Precincts and other chapters to be included in the PDP. Because there were no Precincts in the PDP as notified, this remains a gap. Logically, this would go in one of two places in Part 1 Introduction and General Provisions: under the existing headings "Applications Subject to Multiple Provisions" and "Relationship Between Spatial Layers".
48. I understand from Mr Wyeth that officers have identified this gap and will address it in Hearing 17 as a final sweep up matter.
49. I would recommend the following additional words to describe the relationship between Precincts and other Chapters under either "General Approach/Applications Subject to Multiple Provisions" or "Relationship Between Spatial Layers" in Part 1 of the PDP:

"Where a Precinct applies, the objectives, policies, rules and standards of the underlying zone and any overlay apply in addition to the provisions of the Precinct, except where it is specifically stated in the Precinct that the provisions of the Precinct prevail".

CONCLUSION

50. I maintain the conclusion of my primary evidence to Hearing 15B that the Matakā Station Precinct provides a sound and necessary planning framework for the management of land use and development at Matakā Station. It meets the various RMA statutory requirements, including those applicable to the adoption of alternative spatial layers as set out in the National Planning Standard.
51. Mr Wyeth agrees with me that the Precinct should be incorporated into the PDP. The minor changes I have set out in **Attachment One** to this rebuttal evidence, respond only to the very few minor questions, issues and potential amendments he set out in his Section 42A Report, and provide further clarity and specificity in provisions for Matakā in accordance with my original drafting.

Peter Raymond Hall
18 August 2025

**ATTACHMENT ONE: MATAKĀ STATION PRECINCT
(REBUTTAL VERSION DATED 18 AUGUST 2025)**

PRECX - Matakā Station precinct

Drafting notes:

1. The provisions as recommended in the Reporting Officer's Section 42A Report are shown with text to be added as underlined and not highlighted (as this is a new precinct being recommended for inclusion in the Proposed District Plan).
2. Amendments proposed on behalf of Mataka Residents Association Incorporated within the 18 August 2025 rebuttal evidence of Peter Hall are shown with text to be deleted as underlined, ~~struck through and highlighted turquoise~~ and text to be added as underlined and highlighted turquoise.
3. All cross-references are to provisions in the PDP as notified.
4. All references to ONL in the PDP do not use articles "an" or "the". Note also that ONL is plural i.e. outstanding natural landscapes.
5. Amendments and consequential changes are required to other chapters.

Overview

Matakā Station is a conservation and farm estate on the Purerua Peninsula at the northern end of the Bay of Islands. It comprises a 30-lot residential house sites, plus farm and workers residences with an operational sheep and cattle farm and a large private conservation estate totalling approximately 1075 hectares. The farm, conservation areas and common areas are managed by a residents' association. The conservation areas are approximately 350 hectares and are home to one of the most significant kiwi populations in New Zealand.

Matakā Station has considerable cultural and historic significance, being associated with Māori occupation from at least the 14th century AD, early European contact and settlement. The station is adjacent to Rangihoua Pā and a significant number of archaeological sites, including pā sites, have been identified within the station. Maunga Matakā is the highest point within the station and is one of five pou (boundary markers) for Ngāpuhi.

The scale of Matakā Station presents a significant opportunity to restore ecological values and natural character of this coastal environment at the northern entrance to the Bay of Islands. The purpose of the Matakā Station precinct is to enable the continued joint management of the land for farming and conservation purposes, while providing for limited residential development and common facilities within identified areas. This joint management approach is necessary to support ongoing predator control and existing extensive indigenous vegetation, which in turn will continue to contribute to the protection of kiwi and other fauna, allowing these populations to flourish.

The station has nearly 13 kilometres of coastline. It contains areas of very steep topography, with coastal cliffs, spurs and ridgelines with inland areas of undulating and more gently sloping land. The precinct provides for 30 house sites and the construction of access to these house sites. The house sites have been sensitively sited to be set back from the immediate coastal edge or are sited further inland. Existing vegetation provides mitigation and together with the topography and revegetation, serves to visually integrate development with the environment.

The zoning of the land within the precinct is Rural Production. The objectives, policies, rules and standards of the underlying Rural Production zone apply in addition to the provisions of the precinct, except that:

- All precinct rules with the same activity description prevail over the equivalent Rural Production zone rules.
- Rural Production zone standards RPROZ-S2 and RPROZ-S5 apply to the precinct. RPROZ-

S1 Maximum height applies to parts of the precinct not within ONL or the coastal environment; it does not apply to buildings or structures on a House Site or within Areas 1, 2 or 3 shown on Precinct Plan 1. For the avoidance of doubt, PRECX-S1 prevails over RPROZ-S1 in relation to new buildings or structures and extensions or alterations to existing buildings or structures for a residential unit or minor residential unit.

The underlying Rural Production zone rules apply when the precinct does not include a rule for the same activity.

The coastal fringe of the precinct is within the coastal environment and areas of high natural character and outstanding natural landscape are identified within much of the coastal environment. The objectives and policies in the Natural Features and Landscapes and Coastal Environment chapters apply in addition to the provisions of the precinct. In specified instances listed under the Advice Notes below, the precinct provisions prevail over certain provisions in the Coastal Environment and Natural Features and Landscapes chapters. The following provisions do not apply within the precinct:

- NFL-R1 New buildings or structures, and extensions or alterations to existing buildings or structures; NFL-R3 Earthworks or indigenous vegetation clearance; NFL-R6 Farming; RNFL-S1 Maximum height; NFL-S2 Colours and materials and NFL-S3 Earthworks or indigenous vegetation clearance.
- CE-R1 New buildings or structures, and extensions or alterations to existing buildings or structures; CE-R3 Earthworks or indigenous vegetation clearance; CE-R4 Farming; CE-S1 Maximum height; CE-S2 Colours and materials; and CE-S3 Earthworks or indigenous vegetation clearance.

All other District-Wide objectives, policies, rules and standards in Part 2 of the District Plan apply.

Objectives	
PRECX-O1	<u>The rugged beauty and quality of the environment at Matakā Station is protected and enhanced.</u>
PRECX-O2	<u>Land use and development within the Matakā Station precinct is undertaken in a way that enhances and protects:</u> <ol style="list-style-type: none"> a. <u>landscape values;</u> b. <u>the natural character of the coastal environment;</u> c. <u>historic heritage and cultural values; and</u> d. <u>habitat for kiwi and other indigenous fauna.</u>
PRECX-O3	<u>Land within Matakā Station precinct is used for farming, conservation activities, residential activities, recreation activities and leisure activities.</u>
PRECX-O4	<u>New residential units, minor residential units and buildings or structures for recreation activities are designed to be integrated with <u>and protect</u> the characteristics, qualities and values of ONL and natural character of the coastal environment.</u>

Policies	
PRECX-P1	<u>Enable the development of residential units, minor residential units and buildings or structures for recreation activities in general accordance with Precinct Plan 1.</u>
PRECX-P2	<u>Enable the ongoing operation of farming activities.</u>
PRECX-P3	<u>Limit development within the precinct to protect natural character and the characteristics, qualities and values that make ONL outstanding.</u>
PRECX-P4	<u>Encourage and support active management of pest plants and pest animals, including possums, goats and mustelids.</u>

<u>PRECX-P5</u>	<u>Require landowners to manage pets to avoid risks to threatened indigenous species and kiwi, including by avoiding the introduction of pets into high-density kiwi areas.</u>
<u>PRECX-P6</u>	<u>Manage effects on historic heritage and cultural values when undertaking earthworks by:</u> a. <u>adhering to accidental discovery protocols for sensitive material;</u> b. <u>undertaking appropriate actions in accordance with mātauranga and tikanga Māori when managing effects on cultural values.</u>

Rules**Notes:**

1. The rules in Part 2 – District-Wide Matters apply in addition to these rules, except that the following do not apply:

- a. NFL-R1 New buildings or structures, and extensions or alterations to existing buildings or structures; NFL-R3 Earthworks or indigenous vegetation clearance (but only in relation to earthworks and indigenous vegetation clearance managed under PREC-X R9); NFL-R6 Farming; NFL-S1 Maximum height; NFL-S2 Colours and materials and NFL-S3 Earthworks or indigenous vegetation clearance (but only in relation to earthworks and indigenous vegetation clearance managed under PREC-X R9).
- b. CE-R1 New buildings or structures, and extensions or alterations to existing buildings or structures; CE-R3 Earthworks or indigenous vegetation clearance (but only in relation to earthworks and indigenous vegetation clearance managed under PREC-X R9); CE-R4 Farming; CE-S1 Maximum height; CE-S2 Colours and materials; CE-S3 Earthworks or indigenous vegetation clearance (but only in relation to earthworks and indigenous vegetation clearance managed under PREC-X R9); and CE-S4 Setback from MHWS.
- c. As Precinct Plan 1 referred to in the rules below is indicative.

2. Precinct Plan 1 applies as referenced in the rules. In addition, reference should also be made to the consent notices which apply to the relevant titles, including any conditions of those consent notices relating to building location, design and any associated mitigation (including planting).

PRECX-R1	New buildings or structures, and extensions or alterations to existing buildings or structures	
<u>Matakā Station Precinct</u>	<p><u>Activity status: Permitted</u></p> <p><u>Where:</u></p> <p><u>PER-1</u> Any new building or structure if it:</p> <ol style="list-style-type: none"> <u>is not used for a residential activity;</u> <u>is not provided for under PRECX-R8;</u> <u>complies with RPROZ-S1 Maximum height if it is not within ONL or the coastal environment;</u> <u>complies with standards:</u> <ol style="list-style-type: none"> <u>RPROZ-S2 Height in relation to boundary;</u> <u>RPROZ-S5 Building or structure coverage;</u> <u>complies with PRECX-S1 Maximum Height and PRECX-S2 Colours and Materials if it is within ONL or the coastal environment;</u> <u>complies with PRECX-S4 Setbacks from MHWS;</u> <u>is no greater than 50m² if it is within ONL; and</u> <u>is no greater than 100m² if it is within the coastal environment.</u> <p><u>PER-2</u> Any extension or alteration to a lawfully established building or structure:</p> <ol style="list-style-type: none"> <u>complies with PRECX-S1 Maximum Height;</u> <u>complies with RPROZ-S2 Height in relation to boundary; and</u> <u>complies with RPROZ-S5 Building or structure coverage.</u> <u>is no greater than 30% of the GFA of the existing lawfully established building or structure if it is within ONL or the coastal environment; and</u> <u>complies with PRECX-S2 Colours and Materials if it is within ONL or the coastal environment.</u> <p><u>PER-3</u> Any new building or structure, or</p>	<p><u>Activity status when compliance not achieved with PER-1:</u></p> <p><u>Controlled</u></p> <p><u>Where:</u></p> <p>Any new building or structure if it is:</p> <p><u>CON-1</u> A single residential unit or a minor residential unit on a House Site identified on Precinct Plan 1.</p> <p><u>Note:</u> <u>As the The House Sites identified in on Precinct Plan 1 are indicative and reference should also be made to the subject to consent notices, which apply to the relevant titles, including any conditions of these These consent notices impose ongoing obligations relating to building location, design and any associated mitigation (including planting) and must be complied with.</u></p> <p><u>CON-2</u> Complies with PRECX-S1 Maximum height.</p> <p><u>Matters of control are reserved over:</u></p> <ol style="list-style-type: none"> <u>the location, scale (including height) and design of buildings, and associated accessways and infrastructure, having regard to their visual prominence;</u> <u>the means of integrating the building, structure or activity into the landscape, including through planting;</u> <u>the height of retaining walls, their colour and whether planting is necessary to mitigate their visual effects; and</u> <u>whether any mitigation measures proposed appropriately manage potential adverse effects on the characteristics, qualities and values of the coastal environment and ONL, natural landscapes.</u> <p><u>New buildings or structures, and extensions or alterations to existing buildings or structures that are a controlled activity under rule CON-1 and CON-2 shall be precluded from public or limited notification unless</u></p>

<p><u>extension or alteration to an existing building or structure on Lot 31 DP 367766 or Lot 35 DP 363154 if it:</u></p> <ol style="list-style-type: none"> 1. <u>is a single residential unit or a minor residential unit; and</u> 2. <u>complies with standards:</u> <ol style="list-style-type: none"> a. <u>RPROZ-S1 Maximum height;</u> b. <u>RPROZ-S2 Height in relation to boundary; and</u> c. <u>RPROZ-S5 Building or structure coverage.</u> <p><u>PER-4</u></p> <p><u>Any new building or structure, or extension of alteration to an existing building or structure on Lot 43 DP 363154 if it:</u></p> <ol style="list-style-type: none"> 1. <u>is used for worker accommodation; and</u> 2. <u>complies with standards:</u> <ol style="list-style-type: none"> a. <u>RPROZ-S1 Maximum height;</u> b. <u>RPROZ-S2 Height in relation to boundary; and</u> c. <u>RPROZ-S5 Building or structure coverage.</u> 	<p><u>special circumstances apply.</u></p>
	<p><u>Activity status when compliance not achieved with CON-1, CON-2 PER-1 or PER-2; and PREC-R8 does not apply:</u></p> <p><u>Restricted discretionary</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> a. <u>the effects on the characteristics, qualities and values that make ONL outstanding;</u> b. <u>the effects on the characteristics, qualities and values of the coastal environment, including natural character and natural landscape values and the quality and extent of indigenous biodiversity;</u> c. <u>the positive effects of the activity; and</u> d. <u>any mitigation measures proposed.</u> <p><u>Activity status where compliance not achieved with PER3 or PER-4:</u></p> <p><u>Restricted discretionary</u></p>

		<p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> <u>the location, scale (including height) and design of buildings, having regard to their visual prominence;</u> <u>the means of integrating the building, structure or activity into the landscape, including through planting;</u> <u>the height of retaining walls, their colour and whether planting is necessary to mitigate their visual effects; and</u> <u>any mitigation measures proposed.</u> <p>_____</p> <p><u>Activity status when compliance not achieved with CON-2, except where PRECX-R8 applies:</u></p> <p><u>Restricted discretionary (matters of discretion at PRECX-S1)</u></p> <p><u>Activity status when compliance not achieved with CON-1, except where PRECX-R8 applies:</u></p> <p><u>Discretionary</u></p>
<u>PRECX-R2</u>	<u>Residential activity</u>	
<u>Matakā Station precinct</u>	<p><u>Activity status: Permitted</u></p> <p><u>Where:</u></p> <p><u>PER-1</u> <u>The site area per residential unit is at least 20ha.</u></p> <p><u>PER-1 does not apply to:</u></p> <ol style="list-style-type: none"> <u>a single residential unit located on a site less than 20ha.</u> <u>A minor residential unit in accordance with PRECX-R3.</u> 	<p><u>Activity status where compliance not achieved with PER-1:</u></p> <p><u>Discretionary</u></p> <p><u>Where:</u></p> <p><u>DIS-1</u> <u>The site area per residential unit is at least 8ha.</u></p> <p><u>DIS-2</u> <u>The number of residential units on a site does not exceed two.</u></p> <p><u>Activity status where compliance not achieved with DIS-1 or DIS-2:</u></p> <p><u>Non-complying</u></p>
<u>PRECX-R3</u>	<u>Minor residential unit</u>	
<u>Matakā Station precinct</u>	<p><u>Activity status: Permitted</u></p> <p><u>Where:</u></p> <p><u>PER-1</u> <u>The number of minor residential units on a</u></p>	<p><u>Activity status where compliance not achieved with PER-2:</u></p> <p><u>Discretionary</u></p> <p><u>Activity status where compliance not achieved with PER-1 or PER-3:</u></p>

	<p>site does not exceed one.</p> <p>PER-2 The minor residential unit shares vehicle access with the principal residential unit.</p> <p>PER-3 The minor residential unit:</p> <ol style="list-style-type: none"> Does not exceed a GFA of 65m²; and With an optional attached garage or carport that does not exceed GFA of 18m², where the garage or carport is used for vehicle storage, general storage and laundry facilities. 	Non-complying
PRECX-R4	Earthworks or indigenous vegetation clearance	
Matakā Station precinct	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 Earthworks or indigenous vegetation clearance within ONL or the Coastal Environment are compliant with PRECX-S3 and are not provided for under PRECX-R9; or are:</p> <ol style="list-style-type: none"> for the operation, repair and maintenance of existing lawfully established: <ul style="list-style-type: none"> fences network utilities tracks, driveways, roads and access ways formed carparks board walks boat ramps required to provide for safe and reasonable clearance for existing overhead power lines; or to address an immediate risk to the health and safety of the public; or clearance for the control of pests for biosecurity reasons; or for the sustainable non-commercial harvest of plant material for rongoā Māori, or to maintain firebreaks to manage fire risk; or to remove vegetation as directed by Fire and Emergency New Zealand 	<p>Activity status when compliance not achieved with PER-1:</p> <p>Discretionary</p>

	<p>due to fire risk, or</p> <p>8. to maintain a 20m setback from a building used for a vulnerable activity (excluding accessory buildings) to the edge of the indigenous vegetation area; or</p> <p>9. for the construction of a new fence where the purpose of the new fence is to exclude stock and/or pests from the area of indigenous vegetation provided that the clearance does not exceed 3.5m; or</p> <p>10. for any upgrade of existing electricity network utilities permitted by rule NFL-R1; or</p> <p>11. for maintenance of planted indigenous vegetation within domestic gardens, including the removal and replacement of plants; or</p> <p>12. the formation of walking tracks less than 1.2m wide using manual methods which do not require the removal of any tree over 300mm in girth; or</p> <p>13. for maintenance or reinstatement of pasture through the removal of regenerating manuka (<i>Leptospermum scoparium</i> var. <i>scoparium</i>) or kanuka (<i>Kunzea robusta</i>) tree ferns or scattered rushes in pasture where the vegetation to be cleared is less than 10 years old and less than 3m in height.</p>	
PRECX-R4 R5	Farming	
Matakā Station precinct	<p>Activity status: Permitted</p> <p>-</p>	<p>Activity status where compliance is not achieved: Not applicable</p>
PRECX-R5 R6	Worker accommodation	
Matakā Station precinct	<p>Activity Status: Permitted</p> <p>Where:</p> <p>PER-1 It is located on Lot 43 DP 363154.</p> <p>PER-2</p>	<p>Activity status where compliance not achieved with PER-1, PER-2 or PER-3:</p> <p>Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. <u>Effects on the rural character and amenity of the surrounding area;</u> b. <u>Visual mitigation measures such as landscaping or other screening;</u>

	<p>It is associated with activities within the precinct.</p> <p>PER-3</p> <p>The occupancy does not exceed 10 workers.</p>	<p>c. <u>Servicing requirements;</u></p> <p>d. <u>The layout and siting of buildings and parking areas.</u></p>
PRECX-R6 R7	Visitor accommodation	
Matakā Station precinct	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1</p> <p>The visitor accommodation is within a residential unit, accessory building or minor residential unit.</p> <p>PER-2</p> <p>The occupancy does not exceed 10 guests per night.</p>	<p>Activity status where compliance not achieved with PER-1 or PER-2:</p> <p>Discretionary</p>
PRECX-R7 R8	New buildings or structures, and extensions or alterations to existing buildings or structures within Areas 1, 2 or 3 shown on Precinct Plan 1	
Matakā Station precinct	<p>Activity status: Restricted Discretionary</p> <p>Where:</p> <p>RDIS-1</p> <p>The building or structures, including extensions or alterations to existing buildings or structures are for recreation activity.</p> <p>RDIS-2</p> <p>The buildings or structures, including extensions or alterations to existing buildings or structures comply with the following standards:</p> <p>a. <u>PRECX-S2 Colours and Materials;</u> and</p> <p>b. <u>PRECX-S4 Setbacks from MHWS;</u></p> <p>The matters of discretion are:</p> <p>a. <u>The location, scale (including height) and design of buildings, and associated accessways and infrastructure, having regard to their visual prominence;</u></p>	<p>Activity status where compliance not achieved with RDIS-1 and/or RDIS-2:</p> <p>Discretionary</p>

	<ul style="list-style-type: none"> b. <u>the means of integrating the building or structure into the landscape, through planting;</u> c. <u>the height of any retaining walls, their colour and whether planting is necessary to mitigate their visual effects;</u> d. <u>any mitigation measures proposed;</u> e. <u>effects on the characteristics, qualities and values that make ONL outstanding; and</u> f. <u>the effects on the characteristics, qualities and values of the coastal environment, including natural character and natural landscape values and the quality and extent of indigenous biodiversity.</u> 	
PRECX-R8 R9	<u>Earthworks or indigenous vegetation clearance</u>	
<u>Matakā Station precinct</u>	<p><u>Activity status: Restricted Discretionary</u></p> <p><u>Where:</u></p> <p><u>RDIS-1</u> <u>The earthworks are within ONL or the coastal environment and are for the construction of a building or structure and its associated curtilage within a House Site or Area 1, 2 or 3 shown on Precinct Plan 1.</u></p> <p><u>RDIS-2</u> <u>The earthworks are within ONL or the coastal environment and are for the construction of accessways to a House Site shown on Precinct Plan 1.</u></p> <p><u>RDIS-3</u> <u>The earthworks are within ONL or the coastal environment and are for the construction of accessways to Area 1, 2 or 3 shown on Precinct Plan 1.</u></p> <p><u>RDIS-4</u> <u>Any indigenous vegetation clearance within ONL or the coastal environment for a House Site, accessway or within Areas 1, 2 or 3 shown on Precinct Plan 1 and comply with standard PRECX-S3.</u></p> <p><u>The matters of discretion are:</u></p>	<p><u>Activity status where compliance not achieved with RDIS-1, RDIS-2, RDIS-3 or RDIS-4:</u></p> <p><u>Discretionary</u></p>

	<ul style="list-style-type: none"> a. <u>the effects on the characteristics, qualities and values that make ONL outstanding;</u> b. <u>the effects on the characteristics, qualities and values of the coastal environment, including natural character and natural landscape values and the quality and extent of indigenous biodiversity;</u> c. <u>the scale and extent of earthworks for the construction of a building and/or access to a House Site and its associated curtilage shown on Precinct Plan 1;</u> d. <u>the scale and extent of earthworks for the construction of a building and/or accessway to Areas 1, 2 or 3 shown on Precinct Plan 1;</u> e. <u>any adverse effects on any archaeological site;</u> f. <u>any mitigation measures; and</u> g. <u>the positive effects of the activity.</u> <p>Note: the District-Wide Earthworks rules apply outside ONL and the coastal environment.</p>	
PRECX-R9 R10	Catteries and dog boarding kennels	
Matakā Station precinct	Activity status: Prohibited	Activity status where compliance not achieved: Not applicable

Standards					
PRECX-S1	Maximum height				
<u>Matakā Station precinct</u>	<div>1. <u>The maximum height of any new building or structure for a residential activity or any ancillary activity at a House Site shown on Precinct Plan 1 must:</u><div><div>a. <u>be no more than one storey, provided that a building may step down a slope and buildings on lots 21 and 22 may be more than one storey; and</u></div><div>b. <u>comply with the maximum height for the relevant house site specified in the table below:</u></div></div></div>	<div>Where the standard is not met, matters of discretion are restricted to:<div>a. <u>the location, scale (including height) and design of buildings, having regard to their visual prominence;</u></div><div>b. <u>the means of integrating the building, structure or activity into the landscape, including through planting;</u></div><div>c. <u>the height of retaining walls, their colour and</u></div></div>			
	<table><tr><th><u>House site</u></th><th><u>Maximum height</u></th></tr><tr><td> </td><td> </td></tr></table>	<u>House site</u>	<u>Maximum height</u>		
<u>House site</u>	<u>Maximum height</u>				

	<u>1 -13</u>	<u>6m above ground level</u>	<u>whether planting is necessary to mitigate their visual effects; and</u> <u>d. whether any mitigation measures proposed appropriately manage potential adverse effects on the characteristics, qualities and values of the coastal environment and ONL, natural landscapes, any.</u>
	<u>14</u>	<u>5m above a finished floor level of 210.0m</u>	
	<u>15 - 18</u>	<u>6m above ground level</u>	
	<u>19</u>	<u>5m above natural ground level or finished ground height, whichever results in the height of the building being lower when measured above sea level.</u>	
	<u>20</u>	<u>6m above ground level</u>	
	<u>21</u>	<u>9m above ground level</u>	
	<u>22</u>	<u>9m above ground level</u>	
	<u>23</u>	<u>5m above natural ground level or finished ground height, whichever results in the height of the building being lower when measured above sea level.</u>	
	<u>24</u>	<u>5m above a finished floor level of 210.0m</u>	
	<u>25</u>	<u>5m above a finished floor level of 99.0m</u>	
	<u>26</u>	<u>6m above a finished floor level of 112.0m</u>	
	<u>27</u>	<u>5m above a finished floor level of 96.0m</u>	
	<u>29</u>	<u>6m above a finished floor level of 139.0m</u>	
	<u>Note: there is no house site 28.</u>		
2. <u>The maximum height of any new building or structure within ONL or the coastal environment that is not at a House site or within Areas 1, 2 or 3 shown on Precinct Plan 1 is 5m above ground level.</u>			
3. <u>Where a building or structure is lawfully established, any extension must not exceed the height of the existing building or structure above ground level.</u>			
<u>This standard does not apply to:</u>			
i. <u>solar and water heating components provided these do not exceed the height by more than 0.5m on any elevation; or</u>			
ii. <u>chimney structures not exceeding 1.2m in width and 1m in height on any elevation; or</u>			
iii. <u>satellite dishes and aerials that do not exceed 1m in height and/or diameter on any elevation; or</u>			
iv. <u>architectural features (e.g. finials, spires) that do not exceed 1m in height on any elevation.</u>			
<u>PRECX-S2</u>	<u>Colours and materials</u>		

<u>Matakā Station precinct</u>	<p>The exterior surfaces of new buildings within ONL or the coastal environment shall:</p> <ol style="list-style-type: none"> 1. <u>be constructed of natural materials and/or finished to achieve a reflectance value no greater than 30%; and</u> 2. <u>if the exterior is painted, have an exterior finish within Groups A, B or C as defined within the BS5252 standard colour palette in Appendix X.</u> 	
<u>PRECX-S3</u>	<u>Earthworks or indigenous vegetation clearance</u>	
<u>Matakā Station precinct</u>	<ol style="list-style-type: none"> 1. <u>Any earthworks within ONL or the coastal environment must (where relevant):</u> <ol style="list-style-type: none"> a. <u>not exceed a total area per site of:</u> <ol style="list-style-type: none"> i. <u>50m² within a calendar year within ONL or an area of high natural character; or</u> ii. <u>100m² within a calendar year within the coastal environment in an area outside ONL or area of high natural character.</u> b. <u>not exceed a cut height or fill depth of 1m; and</u> c. <u>screen any exposed faces visible from a public place.</u> 2. <u>Any indigenous vegetation clearance within ONL or the coastal environment must not exceed a total area per site of:</u> <ol style="list-style-type: none"> a. <u>50m² in ONL or an area of high natural character within any 10 year period; or</u> b. <u>400m² within any 10-year period within the coastal environment outside an area of high natural character.</u> 	<u>Where the standard is not met, matters of discretion are restricted to: Not applicable</u>

Precinct Plan 1

