

## Application for resource consent or fast-track resource consent

(Or Associated Consent Pursuant to the Resource Management Act 1991 (RMA)) (If applying for a Resource Consent pursuant to Section 87AAC or 88 of the RMA, this form can be used to satisfy the requirements of Schedule 4). Prior to, and during, completion of this application form, please refer to Resource Consent Guidance Notes and Schedule of Fees and Charges — [both available on the Council's web page](#).

### 1. Pre-Lodgement Meeting

Have you met with a council Resource Consent representative to discuss this application prior to lodgement? ☐ Yes ☒ No

### 2. Type of Consent being applied for

(more than one circle can be ticked):

- |   |   |
|---|---|
| <input checked="" type="radio"/> Land Use   | <input type="radio"/> Discharge                           |
| <input type="radio"/> Fast Track Land Use*  | <input type="radio"/> Change of Consent Notice (s.221(3)) |
| <input type="radio"/> Subdivision   | <input type="radio"/> Extension of time (s.125)           |
| <input type="radio"/> Consent under National Environmental Standard<br>(e.g. Assessing and Managing Contaminants in Soil) |   |
| <input type="radio"/> Other (please specify) _____  |   |

\* The fast track is for simple land use consents and is restricted to consents with a controlled activity status.

### 3. Would you like to opt out of the Fast Track Process?

☐ Yes ☒ No

### 4. Consultation

Have you consulted with Iwi/Hapū? ☒ Yes ☐ No

If yes, which groups have you consulted with?

Te Tii Marae

Who else have you consulted with?

Ngati Kawa Taituhā, HNZPT & FNHL

For any questions or information regarding iwi/hapū consultation, please contact Te Hono at Far North District Council [tehonosupport@fndc.govt.nz](mailto:tehonosupport@fndc.govt.nz)

## 5. Applicant Details

Name/s:

Waitangi Limited c/o Lara Thorne

Email:

Phone number:

Postal address:

(or alternative method of service under section 352 of the act)

## 6. Address for Correspondence

Name and address for service and correspondence (if using an Agent write their details here)

Name/s:

Northland Planning and Development c/o Rochelle Jacobs

Email:

Phone number:

Home

Postal address:

(or alternative method of service under section 352 of the act)

Postcode

\* All correspondence will be sent by email in the first instance. Please advise us if you would prefer an alternative means of communication.

## 7. Details of Property Owner/s and Occupier/s

Name and Address of the Owner/Occupiers of the land to which this application relates (where there are multiple owners or occupiers please list on a separate sheet if required)

Name/s:

Waitangi National Trust

Property Address/  
Location:

Postcode

## 8. Application Site Details

Location and/or property street address of the proposed activity:

Name/s:

Waitangi National Trust

Site Address/  
Location:



Postcode

Legal Description:

Number:

Certificate of title:

Please remember to attach a copy of your Certificate of Title to the application, along with relevant consent notices and/or easements and encumbrances (search copy must be less than 6 months old)

### Site visit requirements:

Is there a locked gate or security system restricting access by Council staff? ☐ Yes ☒ No

Is there a dog on the property? ☐ Yes ☒ No

Please provide details of any other entry restrictions that Council staff should be aware of, e.g. health and safety, caretaker's details. This is important to avoid a wasted trip and having to re-arrange a second visit.

If a site visit is required, please contact Lara Thorne.

## 9. Description of the Proposal:

Please enter a brief description of the proposal here. Please refer to Chapter 4 of the District Plan, and Guidance Notes, for further details of information requirements.

To extend the wharf roof over land and install a Waharoa to welcome guests to Waitangi Estate.

If this is an application for a Change or Cancellation of Consent Notice conditions (s.221(3)), please quote relevant existing Resource Consents and Consent Notice identifiers and provide details of the change(s), with reasons for requesting them.

## 10. Would you like to request Public Notification?

☐ Yes ☒ No



### 11. Other Consent required/being applied for under different legislation

(more than one circle can be ticked):

- ☐ Building Consent
- ☐ Regional Council Consent (ref # if known)
- ☐ National Environmental Standard consent
- ☒ Other (please specify)

### 12. National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health:

The site and proposal may be subject to the above NES. In order to determine whether regard needs to be had to the NES please answer the following:

Is the piece of land currently being used or has it historically ever been used for an activity or industry on the Hazardous Industries and Activities List (HAIL) ☐ Yes ☐ No ☒ Don't know

Is the proposed activity an activity covered by the NES? Please tick if any of the following apply to your proposal, as the NESCS may apply as a result. ☒ Yes ☐ No ☐ Don't know

- ☐ Subdividing land
- ☒ Disturbing, removing or sampling soil
- ☐ Changing the use of a piece of land
- ☐ Removing or replacing a fuel storage system

### 13. Assessment of Environmental Effects:

Every application for resource consent must be accompanied by an Assessment of Environmental Effects (AEE). This is a requirement of Schedule 4 of the Resource Management Act 1991 and an application can be rejected if an adequate AEE is not provided. The information in an AEE must be specified in sufficient detail to satisfy the purpose for which it is required. Your AEE may include additional information such as Written Approvals from adjoining property owners, or affected parties.

Your AEE is attached to this application ☒ Yes

### 13. Draft Conditions:

Do you wish to see the draft conditions prior to the release of the resource consent decision? ☒ Yes ☐ No

If yes, do you agree to extend the processing timeframe pursuant to Section 37 of the Resource Management Act by 5 working days? ☒ Yes ☐ No



#### 14. Billing Details:

This identifies the person or entity that will be responsible for paying any invoices or receiving any refunds associated with processing this resource consent. Please also refer to Council's Fees and Charges Schedule.

<b>Name/s:</b> (please write in full)	Nicole Wihongi - Waitangi Limited
<b>Email:</b>	
<b>Phone number:</b>	
<b>Postal address:</b> (or alternative method of service under section 352 of the act)	

#### Fees Information

An instalment fee for processing this application is payable at the time of lodgement and must accompany your application in order for it to be lodged. Please note that if the instalment fee is insufficient to cover the actual and reasonable costs of work undertaken to process the application you will be required to pay any additional costs. Invoiced amounts are payable by the 20th of the month following invoice date. You may also be required to make additional payments if your application requires notification.

#### Declaration concerning Payment of Fees

I/we understand that the Council may charge me/us for all costs actually and reasonably incurred in processing this application. Subject to my/our rights under Sections 357B and 358 of the RMA, to object to any costs, I/we undertake to pay all and future processing costs incurred by the Council. Without limiting the Far North District Council's legal rights if any steps (including the use of debt collection agencies) are necessary to recover unpaid processing costs I/we agree to pay all costs of recovering those processing costs. If this application is made on behalf of a trust (private or family), a society (incorporated or unincorporated) or a company in signing this application I/we are binding the trust, society or company to pay all the above costs and guaranteeing to pay all the above costs in my/our personal capacity.

<b>Name:</b> (please write in full)	Nicole Wihongi
<b>Signature:</b> (signature of bill payer)	

#### 15. Important Information:

##### Note to applicant

You must include all information required by this form. The information must be specified in sufficient detail to satisfy the purpose for which it is required.

You may apply for 2 or more resource consents that are needed for the same activity on the same form. You must pay the charge payable to the consent authority for the resource consent application under the Resource Management Act 1991.

##### Fast-track application

Under the fast-track resource consent process, notice of the decision must be given within 10 working days after the date the application was first lodged with the authority, unless the applicant opts out of that process at the time of lodgement. A fast-track application may cease to be a fast-track application under section 87AAC(2) of the RMA.

##### Privacy Information:

Once this application is lodged with the Council it becomes public information. Please advise Council if there is sensitive information in the proposal. The information you have provided on this form is required so that your application for consent pursuant to the Resource Management Act 1991 can be processed under that Act. The information will be stored on a public register and held by the Far North District Council. The details of your application may also be made available to the public on the Council's website, [www.fndc.govt.nz](http://www.fndc.govt.nz). These details are collected to inform the general public and community groups about all consents which have been issued through the Far North District Council.

### 15. Important information continued...


#### Declaration

The information I have supplied with this application is true and complete to the best of my knowledge.

Name: (please write in full)

Rochelle Jacobs

Signature:



#### Checklist (please tick if information is provided)

- ☒ Payment (cheques payable to Far North District Council)
- ☒ A current Certificate of Title (Search Copy not more than 6 months old)
- ☒ Details of your consultation with Iwi and hapū
- ☐ Copies of any listed encumbrances, easements and/or consent notices relevant to the application
- ☒ Applicant / Agent / Property Owner / Bill Payer details provided
- ☒ Location of property and description of proposal
- ☒ Assessment of Environmental Effects
- ☒ Written Approvals / correspondence from consulted parties
- ☐ Reports from technical experts (if required)
- ☒ Copies of other relevant consents associated with this application
- ☒ Location and Site plans (land use) AND/OR
- ☐ Location and Scheme Plan (subdivision)
- ☒ Elevations / Floor plans
- ☐ Topographical / contour plans

Please refer to Chapter 4 of the District Plan for details of the information that must be provided with an application. Please also refer to the RC Checklist available on the Council's website. This contains more helpful hints as to what information needs to be shown on plans.

**Land Use Consent**  
**Waitangi Limited**  
**Waitangi Estate – Lot 1 DP 326610**

Date: 6/08/2025

Attention: Liz Searle and Whitney Peat

Please find attached:

- A completed application form for a land use consent to upgrade an existing public wharf and entrance structure on the Waitangi Estate; and
- An assessment of environmental effects

The proposed activity is a landward extension to an existing public wharf roof structure and the addition of a timber 'Waharoa' entrance feature that breaches setback from the coastal marine area and the maximum permitted building coverage in the Conservation Zone. The application activity status is **Discretionary** under the Operative District Plan ("ODP") and **Discretionary Activity** under the Proposed District Plan ("PDP").

If you require further information, please do not hesitate to contact me.

Regards,



Rochelle Jacobs  
Director / Senior Planner  
**NORTHLAND PLANNING & DEVELOPMENT 2020 LIMITED**



## Table of Contents

<b>1.0</b>	<b>DESCRIPTION OF THE PROPOSED ACTIVITY .....</b>	<b>4</b>
<b>2.0</b>	<b>DESCRIPTION OF THE SITE AND SURROUNDS .....</b>	<b>5</b>
<b>3.0</b>	<b>REASONS FOR CONSENT.....</b>	<b>7</b>
	<b>OPERATIVE FAR NORTH DISTRICT PLAN.....</b>	<b>7</b>
	<b>PROPOSED FAR NORTH DISTRICT PLAN (PDP).....</b>	<b>12</b>
<b>4.0</b>	<b>STATUTORY CONSIDERATIONS .....</b>	<b>16</b>
	<b>SECTION 104B OF THE RESOURCE MANAGEMENT ACT 1991 (“THE ACT”).....</b>	<b>16</b>
	<b>SECTION 104(1) OF THE ACT .....</b>	<b>16</b>
	<b>ASSESSMENT OF ENVIRONMENTAL EFFECTS .....</b>	<b>16</b>
	<b>NATIONAL ENVIRONMENTAL STANDARDS .....</b>	<b>21</b>
	<b>ASSESSMENT OF RELEVANT POLICY DOCUMENTS .....</b>	<b>21</b>
	<i>NATIONAL POLICY STATEMENTS.....</i>	<i>21</i>
	<i>NEW ZEALAND COASTAL POLICY STATEMENT.....</i>	<i>21</i>
	<i>REGIONAL POLICY STATEMENT FOR NORTHLAND.....</i>	<i>22</i>
	<i>OPERATIVE FAR NORTH DISTRICT PLAN.....</i>	<i>22</i>
	<i>PROPOSED FAR NORTH DISTRICT PLAN .....</i>	<i>26</i>
	<b>OTHER MATTERS .....</b>	<b>27</b>
<b>5.0</b>	<b>NOTIFICATION ASSESSMENT – SECTIONS 95A TO 95G OF THE ACT.....</b>	<b>27</b>
	<b>PUBLIC NOTIFICATION ASSESSMENT .....</b>	<b>27</b>
	<i>STEP 1 MANDATORY PUBLIC NOTIFICATION IN CERTAIN CIRCUMSTANCES.....</i>	<i>27</i>
	<i>STEP 2: PUBLIC NOTIFICATION PRECLUDED IN CERTAIN CIRCUMSTANCES .....</i>	<i>28</i>
	<i>STEP 3: IF NOT PRECLUDED BY STEP 2, PUBLIC NOTIFICATION REQUIRED IN CERTAIN CIRCUMSTANCES..</i>	<i>28</i>
	<i>STEP 4; PUBLIC NOTIFICATION IN SPECIAL CIRCUMSTANCES .....</i>	<i>29</i>
	<i>PUBLIC NOTIFICATION SUMMARY .....</i>	<i>29</i>
	<b>LIMITED NOTIFICATION ASSESSMENT.....</b>	<b>29</b>
	<i>STEP 1: CERTAIN AFFECTED GROUPS AND AFFECTED PERSONS MUST BE NOTIFIED .....</i>	<i>29</i>
	<i>STEP 2: LIMITED NOTIFICATION PRECLUDED IN CERTAIN CIRCUMSTANCES .....</i>	<i>30</i>
	<i>STEP 3: CERTAIN OTHER AFFECTED PERSONS MUST BE NOTIFIED .....</i>	<i>30</i>
	<i>STEP 4: FURTHER NOTIFICATION IN SPECIAL CIRCUMSTANCES.....</i>	<i>32</i>
	<i>LIMITED NOTIFICATION ASSESSMENT SUMMARY .....</i>	<i>32</i>
<b>6.0</b>	<b>PART 2 ASSESSMENT.....</b>	<b>32</b>
<b>7.0</b>	<b>CONCLUSION .....</b>	<b>33</b>
<b>8.0</b>	<b>LIMITATIONS .....</b>	<b>34</b>

## **Attachments**

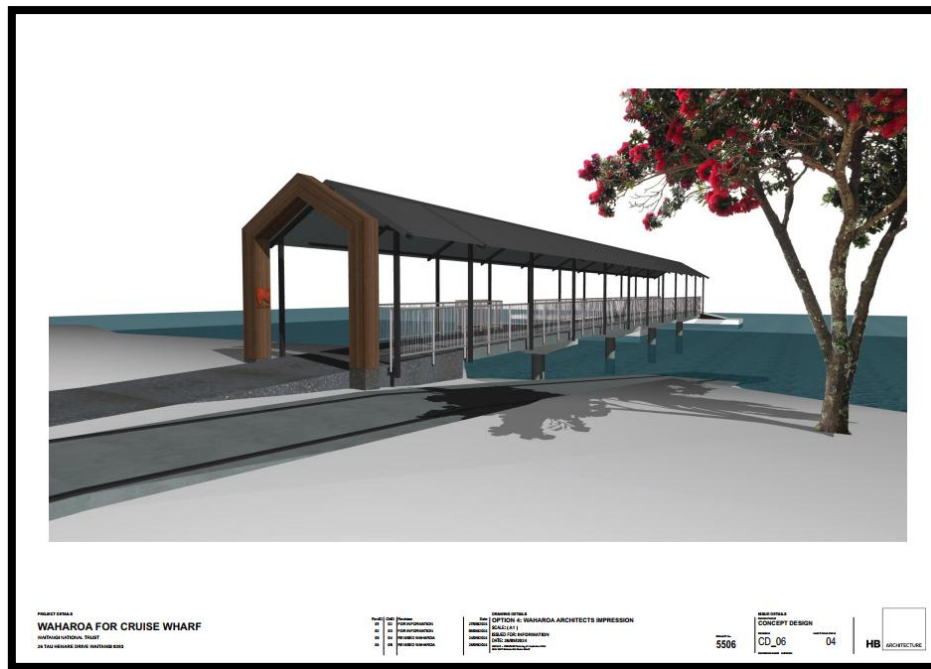
- 1. FNDC Application Form**
- 2. Record of Title – *Lot 1 DP 326610***
- 3. 2019 AUT 005610 – *NRC Resource Consent – Existing Wharf Facility***
- 4. Application Plans - *HB Architecture***
- 5. Correspondence – *Heritage NZ***
- 6. Correspondence - *Ngati Kawa***
- 7. Correspondence – *Far North Holdings Limited***

## Assessment of Environment Effects Report

### 1.0 Description of the Proposed Activity

- 1.1. Waitangi Limited seeks resource consent to construct a 3-metre landward extension to an existing public wharf roof structure and install a new timber 'Waharoa' entrance feature on the Waitangi Estate. A section of the existing asphalt pavement surface at the entrance to the wharf walkway will be replaced with concrete. The proposed works are located above mean high water springs ("MHWS") and are within the land use jurisdiction of the Far North District Council.
- 1.2. The public wharf structure, which is owned and maintained by Far North Holdings Limited, is located at the southern end of the Waitangi Estate and used to convey passengers to and from cruise ships via a temporary customs border control checkpoint.
- 1.3. The proposed structures and impermeable surfaces will form an integral part of the existing wharf structure that occupies both land above MHWS, and the CMA. The wharf facility has an NRC coastal permit AUT.05610.02.05, AUT.005610.04.05 and AUT.005610.05.03 issued to Far North Holdings Ltd. There will be no overall increase in impermeable surface area within the regulated 30 metre set back from MHWS.
- 1.4. As illustrated on the application concept design plans attached at **Appendix 4**, the proposal details are as follows:
  - A 3 metre landward extension to the existing cruise wharf roof structure (defined as a 'building' under the ODP);
  - A separate 'Waharoa' timber frame wharf entrance structure mounted on a concrete plinth foundation;
  - A 5 metre section of replacement exposed aggregate concrete pathway at the wharf entrance;
  - Removal of the existing streetlight at the landward end of the wharf roof structure;
  - New balustrade to match the existing;
  - Inground lights to light up Waharoa entrance.





*Figure 1 – Proposed wharf roof extension and upgraded ‘Waharoa’ entrance*

- 1.5. The proposed works will improve the overall appearance and functionality of the wharf space. In particular, the extended roof and upgraded pavement area will increase the covered space available for customs officers processing international passengers disembarking from cruise ships at Waitangi. The timber Waharoa entrance structure will provide a cultural design aesthetic at the wharf entrance that is more welcoming and in keeping with entrances to buildings throughout the Waitangi Estate.
- 1.6. Email correspondence from Heritage NZ and Ngati Kawa indicating support for the proposal is attached **Appendix 5** and **6**.

## 2.0 Description of the Site and Surrounds

- 2.1 The existing public wharf facility is located on the Waitangi National Trust Board owned site at Waitangi that is legally described as Lot 1 DP 326610 (a copy of the Record of Title is attached at **Appendix 2**).
- 2.2 The wharf facility is owned and operated by Far North Holdings Limited. The wharf structure currently extends 53 metres from above MHS (on the southern side of the private roadway that provides vehicle access to the Copthorne Resort Hotel and the Bay of Islands Yacht Club)

into the coastal marine area. The wharf provides marine access for passengers boarding and disembarking from cruise ships and a berth area for the Waitangi waka.



*Figure 2 – Location of wharf facility at Waitangi Estate – source Google Earth*

2.3 The existing wharf includes a roof covered timber decked gangway, and galvanised steel balustrade (refer Figure 3 below). There is a single streetlight located at the wharf entrance. An asphalt pavement provides pedestrian access from the wharf entrance to the adjacent roadway and bus passenger parking area.



*Figure 3 – Existing covered wharf structure at Waitangi Estate*

- 2.4 The site surrounds include the development areas associated with the Copthorne Resort Hotel, the Bay of Islands Yacht Club and the road and pedestrian footpath that provides access to these facilities. Opposite the site is Te Tii Bay and the marae.

## 3.0 Reasons for Consent

### Operative Far North District Plan

- 3.1 The proposed structures and impermeable surfaces are above MHWS and within the land jurisdiction of Far North District Council. The activities are subject to the operative Far North District Plan zone and District-Wide rules.
- 3.2 The site land area is zoned 'Conservation'. There are no other resource layers that apply to the site.



*Figure 4 – ODP Zoning - Conservation*

- 3.3 The proposed activity is assessed against the following Conservation zone rules set out in [Table 1](#) below and the District-wide rules in [Table 2](#).

**TABLE 1 - ASSESSMENT AGAINST THE CONSERVATION ZONE RULES**

**PERFORMANCE STANDARDS – CONSERVATION ZONE**



9.7.5.1.1	Purpose of Buildings	<p><b>Permitted</b></p> <p>All new buildings are required to be directly for, or ancillary to the principal conservation activities of the site. The site is the Waitangi Estate land that includes the nationally significant Waitangi Treaty Grounds and a variety of tourism and recreation related activities including the adjacent Copthorne Resort Hotel and the Bay of Islands Yacht Club clubrooms and launching facilities. The land area where the wharf structure is located is a pseudo-esplanade public reserve that provides vehicle and pedestrian access to, and around the coastal margin at the southern tip of the Waitangi Estate.</p> <p>The extended roof structure and the timber Waharoa entrance structure are defined as buildings, or parts of buildings under the ODP and are therefore subject to this rule. They are also by definition, <u>extensions</u> to an existing wharf building that operates as a facility designed to receive visitors disembarking from, or boarding cruise ships. The wharf is a tourism facility that enables cruise ship passengers to enter New Zealand (via a temporary border facility) and visit Waitangi Estate, Paihia, Russell, the Bay of Islands or access bus tours to other parts of Northland during their stay. The immediately surrounding Conservation zoned land areas has a marine focus that includes the Bay of Islands Yacht Club, its adjacent boat launching ramp and the Copthorne Resort Hotel.</p>
9.7.5.1.2	Scale of Activities	<p>The wharf structure is an existing activity and established structure that operates to primarily convey passengers to and from cruise ships. The proposed extension to the roof area will not increase or change the intensity of people using the facility.</p>

9.7.5.1.3	Building Height	<b>Permitted</b>  The proposed building structures will not exceed the maximum building height of 8m.
9.7.5.1.4	Sunlight	<b>Permitted</b>  The proposed structures will comply with the sunlight recession plane.
9.7.5.1.5	Stormwater Management	<b>Permitted (Existing)</b>  The permitted threshold for impermeable surfaces on a site is 10% of the gross site area or 1,000m <sup>2</sup> , whichever is the lesser.  The works site area is currently paved in asphalt. The proposed structures and replacement paving will not increase the overall area of impermeable surface on the site.
9.7.5.1.6	Screening for Neighbours	<b>Permitted</b>
9.7.5.1.6	Keeping of Animals	<b>Not applicable</b>
9.7.5.1.8	Noise	<b>Permitted</b>
9.7.5.1.9	Helicopter Movements	<b>Not applicable</b>
9.7.5.1.10	Setback from Boundaries	<b>Not applicable</b>
9.7.5.1.11	Building Coverage	<b>Discretionary Activity</b>  On sites (or parts of sites) within the Conservation Zone, building coverage is limited to 8% of the gross site area or 800m <sup>2</sup> , whichever is the lesser.  The proposed area of additional building coverage is approximately 12m <sup>2</sup> .

		<p>The total area of buildings on that part of the site that is zoned 'Conservation', currently exceeds 800m<sup>2</sup>. The Conservation Zoned land includes the Waitangi Treaty Grounds visitor entrance buildings, the café, waka shelter, the former bowling green building and the recently consented marquee.</p>
<b>TABLE 2 - ASSESSMENT AGAINST THE APPLICABLE DISTRICT-WIDE RULES</b>		
<b>Plan Reference</b>	<b>Rule</b>	<b>Performance of Proposal</b>
<b>12.1</b>	<b>LANDSCAPE AND NATURAL FEATURES</b>	<p><b>Not applicable</b></p> <p>The application site is not within any identified outstanding natural or landscape feature.</p>
<b>12.2</b>	<b>INDIGENOUS FLORA AND FAUNA</b>	<p><b>Not applicable</b></p> <p>Vegetation removal is not required.</p>
<b>12.3</b>	<b>SOILS AND MINERALS</b>  <b>Rule 12.3.6.1.2</b> <b>Excavation and / or filling in the General Coastal Zone</b>	<p><b>Permitted</b></p> <p>Minor earthworks are required to construct the footings for the Waharoa and canopy extension. The earthworks volumes will not exceed the 300m<sup>3</sup> permitted threshold.</p>
<b>12.4</b>	<b>NATURAL HAZARDS</b>	<p><b>Permitted Activity</b></p> <p>Not applicable</p>
<b>12.5</b>	<b>HERITAGE</b>	<p><b>Permitted</b></p> <p>There are no scheduled (Appendix 1D) notable trees that will be affected by the proposal.</p> <p>The Appendix 1E #100 listed heritage items including the Treaty House, Hobson Memorial, Te Whare Runanga and the Flagpole, which are located more than 500 metres from the wharf site will not be affected.</p>



		<p>The proposed activities will not affect any scheduled (Appendix 1F) Site of Cultural Significance to Māori. A written response Ngati Kawa Taituha confirming support for the proposed roof extension and addition of the Waharoa entrance feature is attached at <b>Appendix 6</b>.</p> <p>The proposed activity does not affect a registered (Appendix 1G) archaeological site.</p> <p>An archaeological authority for the proposed works is not required, (refer email correspondence with HNZPT at <b>Appendix 5</b>).</p>
12.7	LAKES, RIVERS, WETLANDS AND THE COASTLINE	<p><b>Discretionary Activity</b></p> <p>Within the Conservation Zone, any building or impermeable surface must be set back 30m from the boundary of any lake, river or the <u>coastal marine area</u>.</p> <p>The proposed extension to the roof structure would occupy an area of approximately 12m<sup>2</sup>, plus the Waharoa entrance located within the 30m setback from MHWS</p>
12.8	HAZARDOUS SUBSTANCES	<b>Not applicable</b>
12.9	RENEWABLE ENERGY AND ENERGY EFFICIENCY	<b>Not applicable</b>
15.1	TRANSPORTATION (TRAFFIC, ACCESS AND PARKING)	<b>Permitted</b>
16.6	SIGNS AND LIGHTING	<b>Not applicable</b>

3.4 The proposal is a **Discretionary Activity** under the ODP as it relates to building coverage in the Conservation Zone and building setback from the coastal marine area (MHWS).

## Proposed Far North District Plan (PDP)

- 3.5 The wharf site is zoned Rural Production under the PDP and is within the Coastal Environment overlay. The site is within the mapped NRC Coastal Flood Zones 1, 2 and 3.



*Figure 5 – PDP Zoning – Rural Production and Coastal Environment Overlay*

- 3.6 The Council notified its' PDP on 27 July 2022. The period for public submissions closed on the 21 October 2022. A summary of submissions was notified on the 4 August 2023. The further submission period closed on the 5 September 2023. District Plan hearings on submissions are currently underway and are scheduled to finish later this year. No decision on the PDP or any sections within the PDP has been made. For this reason, little weight is given to the PDP provisions.
- 3.7 An assessment against PDP rules that have had immediate legal effect is set out in **Table 3** below.

**TABLE 3 - ASSESSMENT AGAINST THE PDP RULES THAT HAVE IMMEDIATE LEGAL EFFECT<sup>1</sup>**

Chapter	Rule Reference	Compliance of Proposal
<b>Hazardous Substances</b>	<p>The following rules have immediate legal effect:</p> <p>Rule HS-R2 has immediate legal effect but only for a new significant hazardous facility located within a scheduled site and area of significance to Māori, significant natural area or a scheduled heritage resource Rules HS-R5, HS-R6, HS-R9</p>	<b>Not applicable.</b>
<b>Heritage Area Overlays</b>	<p>All rules have immediate legal effect (HA-R1 to HA-R14)</p> <p>All standards have immediate legal effect (HA-S1 to HA-S3)</p>	<p><b>Not applicable</b></p> <p>The application site is not within a proposed Heritage Area.</p>
<b>Historic Heritage</b>	<p>All rules have immediate legal effect (HH-R1 to HH-R10)</p> <p>Schedule 2 has immediate legal effect</p>	<p><b>Discretionary Activity</b></p> <p>The Waitangi Estate site Lot 1 DP 326610 includes the proposed Scheduled Historic Heritage item (#100), which includes 'Treaty House', 'Hobson Memorial', 'Whare Runanga' and the 'Flagpole'. These features are located on the upper Waitangi Treaty Grounds.</p> <p>The wharf structure is located more than 500 metres from the scheduled features such that rules HH-R4 and HH-R5 are met.</p> <p>Rule HH-R6 pertains to Infrastructure and captures all buildings and structures</p>

<sup>1</sup> As updated by PDP Plan Variation 1 dated 14 October 2024

		<p>defined as Infrastructure within a site containing a scheduled Heritage Resource. As the definition of infrastructure includes structures for transport on land and facilities for the loading or unloading of cargo or passengers transported on land and by sea the new extension is considered to meet the definition such that consent is triggered under this rule.</p>
<b>Notable Trees</b>	<p>All rules have immediate legal effect (NT-R1 to NT-R9)</p> <p>All standards have legal effect (NT-S1 to NT-S2)</p> <p>Schedule 1 has immediate legal effect</p>	<p><b>Not applicable.</b></p> <p>The site does not contain any scheduled notable trees.</p>
<b>Sites and Areas of Significance to Maori</b>	<p>All rules have immediate legal effect (SASM-R1 to SASM-R7)</p> <p>Schedule 3 has immediate legal effect</p>	<p><b>Permitted</b></p> <p>The application site that is legally described as Lot 1 DP 326610 contains a site of cultural significance to Maori on the Treaty Grounds (MS09-49) notated as a red circle on the PDP maps.</p> <p>The wharf site is more than 500m from the mapped SCSM.</p> <p>Notwithstanding the above, Waitangi Limited has obtained a written response from Te Tii Marae (Ngati Kawa Taituha - Chairman) indicating marae support for the proposed wharf structure and written approval from HNZPT as the</p>



		requesting party to the SCSM (refer <b>Appendix 6</b> )
<b>Ecosystems and Indigenous Biodiversity</b>	All rules have immediate legal effect (IB-R1 to IB-R5)	<b>Not applicable</b>
<b>Subdivision</b>	The following rules have immediate legal effect: SUB-R6, SUB-R13, SUB-R14, SUB-R15, SUB-R17	The proposal does not include a subdivision. <b>Not applicable.</b>
<b>Activities on the Surface of Water</b>	All rules have immediate legal effect (ASW-R1 to ASW-R4)	The proposal does not involve activities on the surface of water. <b>Not applicable.</b>
<b>Earthworks</b>	The following rules have immediate legal effect: EW-R12, EW-R13  The following standards have immediate legal effect: EW-S3, EW-S5	<b>Permitted</b> Minimal earthworks (if any) are required to construct the roof and Waharoa structure foundation.  These works fall within the PDP definition of earthworks. The proposed earthworks will adhere to the accidental discovery protocol (EW-12) and erosion and sediment control (EW-13) rule standards that have immediate legal effect.
<b>Signs</b>	The following rules have immediate legal effect: SIGN-R9, SIGN-R10  All standards have immediate legal effect but only for signs on or attached to a scheduled heritage resource or heritage area	No signs are proposed.  <b>Not applicable.</b>

<b>Orongo Bay Zone</b>	Rule OBZ-R14 has partial immediate legal effect because RD-1(5) relates to water	The site is not located in the Orongo Bay Zone.  <b>Not applicable.</b>
------------------------	--	---

3.8 The proposal is a **Discretionary Activity** under the PDP.

## 4.0 Statutory Considerations

### Section 104B of the Resource Management Act 1991 (“the Act”)

4.1 Section 104B governs the determination of applications for Discretionary Activities. After considering an application for resource consent, a consent authority may grant or refuse to grant consent to an application and impose conditions under Section 108.

4.2 The proposal is a **Discretionary Activity** under the ODP zone and District-wide rules and a Discretionary Activity under the PDP District-wide rules.

### Section 104(1) of the Act

4.3 Section 104(1) of the Act states that when considering an application for resource consent –

*“the consent authority must, subject to Part II, have regard to –*

- (a) any actual and potential effects on the environment of allowing the activity; and*
- (ab) any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment that will or may result from allowing the activity; and*
- (b) any relevant provisions of –*
  - i. a national environmental standard:*
  - ii. other regulations:*
  - iii. a national policy statement:*
  - iv. a New Zealand Coastal Policy Statement:*
  - v. a regional policy statement or proposed regional policy statement:*
  - vi. a plan or proposed plan; and*
- (c) any other matter the consent authority considers relevant and reasonably necessary to determine the application.”*

### Assessment of Environmental Effects

4.4 Actual and potential effects arising from the development as described in 104(1)(a) can be both positive and adverse (as described in Section 3 of the Act). Positive effects arising from this proposal include improvements to the functionality and design quality of the wharf facility

to welcome international visitors and provide for the efficient loading and unloading of passengers from cruise ships and any other marine vessels.

- 4.5 Section 104(1)(ab) requires that the consent authority consider ‘any measure proposed or agreed to by the applicant for the purposes of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity’. In this case, the activity is not of a scale or nature that would require specific offsetting or environmental compensation measures to ensure positive effects on the environment.
- 4.6 Potential adverse effects arise from the building extension location relative to the coastal marine area boundary and the permitted area of building coverage across the Conservation zoned land. The proposed additions to the wharf structure are minor and are an extension to the existing roof structure that falls within the ODP definition of a ‘building’. The modification to the building that includes the new timber Waharoa entrance feature, and the replacement paving will improve the overall appearance of what is an international visitor entrance to Aotearoa / New Zealand. Potential adverse effects on the environment arising from the roof extension and entrance upgrade works will be less than minor and an indiscernible change beyond the immediate area.
- 4.7 The ODP includes assessment criteria for Discretionary Activities where rules relating to permitted building coverage and building setback from the coastal marine area are infringed. These are commented on under the headings below.

#### Building Coverage

- 4.8 Buildings, and building coverage is limited in the Conservation Zone to ensure that the values associated with conservation land is protected. The purpose of any building must be linked to the lands’ conservation purpose. Conservation land varies throughout the district and can include DOC and Council administered reserves, esplanade reserves, and / or other reserve land adjacent to coastal marine areas and rivers. The subject land is owned by the Waitangi National Trust and provides both pedestrian and vehicle access to the coastal margin at the southern tip of the Waitangi Estate.

- 4.9 The permitted building coverage infringement results from the proposed extension to the existing wharf roof structure and the addition of the Waharoa entrance feature. Both are necessary to improve the boarding and disembarking facilities used by cruise ship passengers visiting the Bay of Islands. Many are international visitors that require border security checking by customs officials as they enter the country. The roof extension will improve the covered facilities for customs officials and queuing passengers and the quality and appearance of the wharf structure. The overall size of the roof extension is minor and once constructed will not be visibly discernible beyond the immediate site area. The wharf structure is in an already modified part of the coastal marine area adjacent to an established cluster of buildings associated with the Copthorne Resort Hotel and the Bay of Islands Yacht Club.
- 4.10 Chapter 11 of the ODP includes general assessment criteria that relate to the scale of buildings.

Assessment Criterion Rule 11.2 - Building Height, Scale and Sunlight

- (a) The extent to which adjacent properties will be adversely affected in terms of visual domination, overshadowing, loss of privacy and loss of access to sunlight and daylight.*

No other adjacent land property will be affected by the proposal. The wharf entry area is entirely with land owned by the Waitangi National Trust Board. The wharf structure is existing and adjacent to the coastal marine area.

- (b) The ability to mitigate any adverse effects by way of increased separation distances between buildings or the provision of landscaping and screening.*

The proposed building is a small extension to the existing wharf roof structure. Potential adverse building effects will be less than minor. The roof extension has been designed to match the existing structures in terms of height and materials. There will be no adverse building dominance, shading or location effects that require mitigation.

- (c) The extent of the building area and the scale of the building and the extent to which they are compatible with both the built and natural environments in the vicinity.*

The wharf structure is located amongst other building activities and paved surfaces associated with existing tourism accommodation and marine sports. The proposal is an extension to an existing structure and facility that forms part of an already modified part of the coastal environment at Waitangi.

- (d) *The spatial relationship between the new building and adjacent residential units, and the outdoor space used by those units.*

Not applicable.

- (e) *The nature of the activity to be carried out within the building and its likely generated effects.*

The proposed activity is an extension to the existing wharf facility. The overall capacity of the wharf to convey people will not increase. The purpose of the roof extension is to improve the shelter and facilities for passengers disembarking cruise ships and as a New Zealand border entry processing venue for customs officials.

*Building setback from the coastal marine area*

- 4.11 The proposed roof extension is a part of the wharf structure that is defined as a building.

- (a) *the extent to which the activity may adversely affect cultural and spiritual values;*

The wharf structure is existing and an established facility for receiving cruise ship passengers. The Waharoa timber entrance feature will add a cultural design aesthetic to the wharf entrance in keeping with visitor buildings on the Waitangi Estate and other New Zealand border entry facilities located elsewhere e.g. Auckland International Airport.

- (b) *the extent to which the activity may adversely affect wetlands;*

The proposal will not affect any wetland.

- (c) *the extent to which the activity may exacerbate or be adversely affected by natural hazards;*

The wharf structure is non-habitable and does not include any sensitive activities that could be adversely affected by natural hazards, including coastal inundation.

- (d) *the potential effects of the activity on the natural character and amenity values of lakes, rivers, wetlands and their margins or the coastal environment;*

The wharf structure is existing and located perpendicular to the coastal marine area. The proposed extension to the roof structure would extend landward and fully integrated



with the existing structure. The extended roof line will provide additional cover for cruise ship passengers and customs officials. The overall appearance of the structure will improve including the addition of a cultural design aesthetic at the entrance

*(e) the history of the site and the extent to which it has been modified by human intervention;*

The site is owned by the Waitangi National Trust. It is the location of the Copthorne Resort Hotel, the Bay of Islands Yacht Club and public wharf facilities provided for local boaties and cruise ship passengers. There has been a wharf in this location for more than 20 years. The location is a highly modified part of the coastal environment at Waitangi.

*(f) the potential effects on the biodiversity and life supporting capacity of the water body or coastal marine area or riparian margins;*

There will be no adverse effects on the coastal marine area.

*(g) the potential and cumulative effects on water quality and quantity, and in particular, whether the activity is within a water catchment that serves a public water supply;*

Not applicable.

*(h) the extent to which any proposed measures will mitigate adverse effects on water quality or on vegetation on riparian margins;*

Not applicable.

*(i) whether there are better alternatives for effluent disposal;*

Not applicable.

*(j) the extent to which the activity has a functional need to establish adjacent to a water body;*

The proposal is an extension to the roof area over an existing wharf structure. Wharfs have a functional need to be located adjacent to a water body, in this case the coastal marine area.

*(k) whether there is a need to restrict public access or the type of public access in situations where adverse safety or operational considerations could result if an esplanade reserve or strip were to vest.*

The wharf is a public facility.

- 4.12 Under the proposed District Plan consent is required as the proposal is expanding 'infrastructure' within a site that contains heritage. The proposal is minimal in scale and is some 500m from the mapped historic objects. It will assist in conveying visitors to the site to visit the historic buildings and objects. The effects of this small extension is positive on those historic items as it improves the conveyance of visitors arriving to the site from the coast.

### **National Environmental Standards**

- 4.13 There are no National Environmental Standards relevant to a decision on this application.

### **Assessment of Relevant Policy Documents**

- 4.14 Section 104(1)(b) requires that the consent authority consider the relevant provisions of the listed documents. An assessment of the relevant statutory documents that corresponds with the scale and significance of the effects that the activity may have on the environment is set out in the following paragraphs.

#### ***National Policy Statements***

- 4.15 There are currently 7 National Policy Statements in place. These are as follows:

- National Policy Statement on Urban Development.
- National Policy Statement for Freshwater Management.
- National Policy Statement for Renewable Electricity Generation.
- National Policy Statement on Electricity Transmission.
- New Zealand Coastal Policy Statement.
- National Policy Statement for Highly Productive Land
- National Policy Statement for Indigenous Biodiversity

#### ***New Zealand Coastal Policy Statement***

- 4.16 The New Zealand Coastal Policy Statement 2010 is relevant to the application to the extent that the proposed building extension is adjacent to the coastal marine area and within the Northland Regional Council's (and PDP) mapped coastal environment. The building extension to the roof structure is minor and will have an indiscernible visual effect on the surrounding coastal environment. The wharf structure is located amongst other developed areas on the site and is associated with conveying passengers from cruise ships onto waiting buses and or those who are visiting Waitangi Estate. The proposal is a minor change to an existing built structure in the coastal environment and is appropriately located in a previously developed part of the coastal marine area.

- 4.17 There are no other national policy statements that are relevant to a decision on this application.

***Regional Policy Statement for Northland***

- 4.18 The role of The Regional Policy Statement for Northland (RPSN) is to promote sustainable management of Northland's natural and physical resources by providing an overview of the regions resource management issues and setting out policies and methods to achieve integrated management of Northlands natural and physical resources.
- 4.19 The RPS is concerned with the effects of inappropriate built development on the natural character of the coastal environment (Issue 2.8 and Objective 3.14). The wharf structure is within the mapped Northland coastal environment. As a developed part of the coastal environment that is somewhat urban in character, the application site does not have any identified high or outstanding natural character coastal values that would be adversely affected (Policy 4.5.1 and 4.6.1). In keeping with Policy 4.6.1(1)(b)(iii), the proposed structure will consolidate the use of an existing facility located adjacent to the Paihia settlement and within an already developed part of the Waitangi Estate coastal margin.
- 4.20 Overall, it is considered that the proposed minor addition to the existing wharf structure would not be contrary to the objectives and policies of the RPSN.

***Operative Far North District Plan***

- 4.21 The wharf site is within the 'Conservation' Zone and is adjacent to land zoned 'Recreational Activities' (Bay of Islands Yacht Club) and 'Commercial' zone (Copthorne Hotel site).
- 4.22 Permitted buildings in the Conservation Zone are limited to the principal conservation activities of the site, and their size and scale. The ODP Conservation context statement states that:

*"The Conservation Zone identifies and sets aside "conservation" areas in order to ensure the preservation of natural character, the protection of areas of significant indigenous vegetation and/or habitat, the maintenance of access to lakes, rivers and the coastal marine area and the recognition of the relationship of Maori and their culture with ancestral lands, water, sites and other taonga.*

*The Conservation Zone is applied to esplanade reserves, public land administered by the Department of Conservation and other existing reserves which exist primarily for a conservation function. It is also applied in some circumstances to land adjacent to the coastal marine area and rivers where the Council has given a high priority to the protection of the land from inappropriate use and development...”*

4.23 The application site is publicly accessible land owned by Waitangi National Trust. The wharf is a public facility that is owned and maintained by Far North Holdings Limited. The conservation value of the land is the protection afforded to the coastal margin and the public access it provides.

4.24 The objectives and policies of the Conservation Zone are set out below:

**Objectives**

9.7.3.1 *To protect the conservation values and the natural and physical resources of the district for present and future generations.*

9.7.3.2 *To ensure the use, development and protection of land zoned conservation is consistent with the conservation values of the site, and avoids adverse effects on the surrounding environment.*

9.7.3.3 *To protect the historic values of conservation areas.*

9.7.3.4 *To provide for recreational and educational opportunities that are compatible with the protection of natural and historic resources.*

**Policies**

9.7.4.1 *That the existing conservation values of areas be maintained or enhanced.*

9.7.4.2 *That existing conservation areas are used and developed in a way which will avoid adverse effects on the conservation values of the site and which will avoid adverse effects on the surrounding area.*

9.7.4.3 *That land zoned Conservation is permanently protected through the use of protective mechanisms (including acquisition as an esplanade reserve where appropriate as a financial contribution arising from subdivision or land use activities). See Chapter 14 for the implementation of this policy.*

9.7.4.4 *That areas worthy of conservation are identified and provided permanent protection.*

*9.7.4.5 That the net effect of activities within the Conservation Zone should not degrade or diminish the total biodiversity and ecological functioning of the values contained within it.*

- 4.25 The proposed minor addition to the wharf structure will have no adverse effect on the conservation values of the site. The works will enhance the ability of the existing facility to convey passengers from cruise ships and its general appearance. The additions will be visually indiscernible beyond the immediate site area. The site area will remain in the ownership of Waitangi National Trust to be administered for public access to the coastal marine area.
- 4.26 The ODP District-wide rules seek to manage the location of buildings and impermeable surfaces relative to the coastal marine area. The proposed activity includes an extension to the roof structure which is defined as a building. Built development adjacent to the coastal marine area can have an adverse effect on the natural character of the coastline and public access. Increases to impervious surfaces can alter habitat values and physical form through scour and sediment deposition, affecting water quality. The area of impervious surface will remain the same. The extension to the wharf structure will continue to shed rainwater runoff directly onto the paved surfaces below. It is considered that the proposed minor additions to the wharf structure will not be contrary to the Conservation Zone objectives and policies as they apply to the public land estate at Waitangi.
- 4.27 The 'Chapter 12 Natural and Physical Resources, Section 7 – Lakes, Rivers, Wetlands and the Coastline' that are relevant to the addition of the roof structure within the 30m setback to the coastal marine area are set below and commented on in paragraph 4.26.

### **Objectives**

*12.7.3.2 To protect the natural, cultural, heritage and landscape values and to promote the protection of the amenity and spiritual values associated with the margins of lakes, rivers and indigenous wetlands and the coastal environment, from the adverse effects of land use activities, through proactive restoration/rehabilitation/revegetation.*

*12.7.3.3 To secure public access (including access by Maori to places of special value such as waahi tapu, tauranga waka, mahinga kai, mahinga mataitai, mahinga waimoana and taonga raranga) to and along the coastal marine area, lakes and rivers, consistent with Chapter 14 - Financial Contributions, to the extent that this is compatible with:*



- (a) *the maintenance of the life-supporting capacity of the waterbody, water quality, aquatic habitats, and*
- (b) *the protection of natural character, amenity, cultural heritage, landscape and spiritual values; and*
- (c) *the protection of public health and safety; and*
- (d) *the maintenance and security of authorised activities (but acknowledging that loss of privacy or fear of trespass are not valid reasons for precluding access). In some circumstances public acquisition of riparian margins may be required and managed for purposes other than public access, for example to protect significant habitats, waahi tapu or historic sites, or for public recreation purposes.*

*12.7.3.5 To avoid the adverse effects from inappropriate use and development of the margins of lakes, rivers, indigenous wetlands and the coastline.*

### **Policies**

*12.7.4.1 That the effects of activities which will be generated by new structures on or adjacent to the surface of lakes, rivers and coastal margins be taken into account when assessing applications.*

*12.7.4.2 That land use activities improve or enhance water quality, for example by separating land use activities from lakes, rivers, indigenous wetlands and the coastline, and retaining riparian vegetation as buffer strips.*

*12.7.4.5 That activities which have a functional relationship with waterbodies or the coastal marine area be provided for.*

*12.7.4.6 That public access to and along lakes, rivers and the coastline be provided as a consequence of development or as a result of Council (see Method 10.5.19) or public initiatives except where it is necessary to restrict access or to place limits on the type of access, so as to:*

- (a) protect areas of significant indigenous vegetation and/or significant habitats of indigenous fauna or*
- (b) protect cultural values, including Maori culture and traditions; or*
- (c) protect public health and safety; to the extent that is consistent with policies in Chapter 14.*

*12.7.4.11 That the extent of impervious surfaces be limited so as to restore, enhance and protect the natural character, and water quantity and quality of lakes, rivers, wetlands and the coastline.*

4.28 The ODP seeks to protect natural, cultural, heritage and landscape values associated with land areas adjacent to the coastal marine area. The addition of buildings and impermeable surfaces

adjacent to coastal margins can adversely affect those values by changing natural characteristics the cultural and heritage values associated with those environments. The proposal is for a minor extension to the existing wharf roof structure. The impermeable surface beneath the roofline is existing and will be replaced with an exposed aggregate concrete surface. The proposed change to the wharf structure will be in keeping with the existing design and materials. The addition of the timber 'Waharoa' entrance will introduce a cultural design feature that is in keeping with other buildings throughout the Waitangi Estate and the nearby Te Tii marae. It is considered the minor additions to the wharf structure will not be contrary to the ODP objectives and policies as they relate to the coastal marine area.

### ***Proposed Far North District Plan***

- 4.29 The proposed site zoning is 'Rural Production' (RPZ). This part of the Waitangi Estate is not rural and does not include any rural production activity. The existing environment is a developed part of the coastal margin at the southern end of the Waitangi Estate that includes the Copthorne Resort Hotel complex, the Bay of Islands Yacht Club facilities (including its yacht launching ramp) and the road and pedestrian accessways that run parallel to the grass reserve area adjacent to Te Tii Bay area and Waitangi River inlet.
- 4.30 As stated in in the PDP, the purpose of the RPZ is to provide for primary production activities and other supporting activities that have a functional need to locate in the rural environment. The existing wharf facility is not a rural activity and has no rural support function. The land surrounding the wharf structure is not a rural environment. The RPZ does not reflect the existing land use activities in this part of the Waitangi Estate and is not relevant to the development of the Estate, which was created for the historic and recreational interests of all New Zealanders. The wharf structure has a public coastal marine area access function, which includes land access for cruise ship passengers.
- 4.31 The proposed works do not include any demolition, relocation, repair or maintenance of a scheduled heritage resource, nor will they affect any archaeological site. The proposed extension to the wharf roof is minimal and will not detract from the views of the CMA. No vegetation clearance is sought, and minimal earthworks (if any) are required to give effect to this development. The extension is located more than 100m from those heritage resources on the treaty grounds. It cannot be viewed from the treaty grounds and given the separation

distance it will not have any impact on those resources. In fact, the updated facilities better enable the conveyance of visitors to the grounds.

- 4.32 The Waitangi Estate lands are subject to a submission from Waitangi Limited seeking that a special purpose zone be applied to more appropriately recognise the purpose and values of the Waitangi Estate. This submission is due to be heard in September 2025. A secondary relief submission also included discussion on specific heritage rules. As a result, recommendations to this particular rule have been included. The recommendations in the section 42A report are such that this particular activity would no longer trigger consent under this standard.

## Other Matters

- 4.33 Section 104(1)(c) states that consideration must be given to ‘any other matters that the consent authority considers relevant and reasonable, necessary to determine the application.’ There are no other matters relevant to this application.

## 5.0 Notification Assessment – Sections 95A to 95G of the Act

### Public Notification Assessment

- 5.1 Section 95A requires a council to follow specific steps to determine whether to publicly notify an application. The following is an assessment of the application against these steps:

#### ***Step 1 Mandatory public notification in certain circumstances***

*(2) Determine whether the application meets any of the criteria set out in subsection (3) and,—*

- (a) if the answer is yes, publicly notify the application; and*
- (b) if the answer is no, go to step 2.*

*(3) The criteria for step 1 are as follows:*

- (a) the applicant has requested that the application be publicly notified:*
- (b) public notification is required under section 95C:*
- (c) the application is made jointly with an application to exchange recreation reserve land under section 15AA of the Reserves Act 1977.*

- 5.2 Notification of this application is not requested. Step 1 does not apply. Step 2 must be considered.

**Step 2: Public Notification precluded in certain circumstances**

*(4) Determine whether the application meets either of the criteria set out in subsection (5) and,—*

- (a) if the answer is yes, go to step 4 (step 3 does not apply); and*
- (b) if the answer is no, go to step 3.*

*(5) The criteria for step 2 are as follows:*

*(a) the application is for a resource consent for 1 or more activities, and each activity is subject to a rule or national environmental standard that precludes public notification:*

*(b) the application is for a resource consent for 1 or more of the following, but no other, activities:*

*(i) a controlled activity:*

*(ii) [Repealed]*

*(iii) a restricted discretionary, discretionary, or non-complying activity, but only if the activity is a boundary activity.*

*(iv) [Repealed]*

*(6) [Repealed]*

- 5.3 The application is not subject to a rule or NES that precludes public notification. The application is not for a controlled activity. The proposal includes activities that are not boundary activities. Therefore Step 3 must be considered.

**Step 3: If not precluded by Step 2, public notification required in certain circumstances**

*(7) Determine whether the application meets either of the criteria set out in subsection (8) and,—*

- (a) if the answer is yes, publicly notify the application; and*
- (b) if the answer is no, go to step 4.*

*(8) The criteria for step 3 are as follows:*

*(a) the application is for a resource consent for 1 or more activities, and any of those activities is subject to a rule or national environmental standard that requires public notification:*



*(b) the consent authority decides, in accordance with section 95D, that the activity will have or is likely to have adverse effects on the environment that are more than minor.*

- 5.4 There are no applicable rules that require public notification of the application. The proposal would not have a more than minor effect on the environment as detailed in the sections above.

***Step 4; Public notification in special circumstances***

*(9) Determine whether special circumstances exist in relation to the application that warrant the application being publicly notified and,—*

- (a) if the answer is yes, publicly notify the application; and*
- (b) if the answer is no, do not publicly notify the application, but determine whether to give limited notification of the application under section 95B.*

- 5.5 There are no special circumstances that would warrant public notification of the application.

***Public Notification Summary***

- 5.6 Based on the assessment above, the application does not require public notification, however an assessment of limited notification is still required.

**Limited Notification Assessment**

- 5.7 If the application is not publicly notified, a consent authority must follow the steps of section 95B to determine whether to give limited notification of an application.

***Step 1: Certain affected groups and affected persons must be notified***

*(2) Determine whether there are any—*

- (a) affected protected customary rights groups; or*
- (b) affected customary marine title groups (in the case of an application for a resource consent for an accommodated activity).*

*(3) Determine—*

- (a) whether the proposed activity is on or adjacent to, or may affect, land that is the subject of a statutory acknowledgement made in accordance with an Act specified in Schedule 11; and*

*(b) whether the person to whom the statutory acknowledgement is made is an affected person under section 95E.*

*(4) Notify the application to each affected group identified under subsection (2) and each affected person identified under subsection (3).*

- 5.8 There are no protected customary rights groups or customary marine title groups or statutory acknowledgement areas that are affected by this application.

***Step 2: Limited notification precluded in certain circumstances***

*(5) Determine whether the application meets either of the criteria set out in subsection (6) and,—*

*(a) if the answer is yes, go to step 4 (step 3 does not apply); and*

*(b) if the answer is no, go to step 3.*

*(6) The criteria for step 2 are as follows:*

*(a) the application is for a resource consent for 1 or more activities, and each activity is subject to a rule or national environmental standard that precludes limited notification:*

*(b) the application is for a controlled activity (but no other activities) that requires a resource consent under a district plan (other than a subdivision of land).*

- 5.9 There is no rule in any relevant plan or national environmental standard that precludes notification. The application is not for a controlled activity. Therefore Step 2 does not apply and Step 3 must be considered.

***Step 3: Certain other affected persons must be notified***

*(7) In the case of a boundary activity, determine in accordance with section 95E whether an owner of an allotment with an infringed boundary is an affected person.*

*(8) In the case of any other activity, determine whether a person is an affected person in accordance with section 95E.*

*(9) Notify each affected person identified under subsections (7) and (8) of the application. The proposal is not for a boundary activity nor is it a prescribed activity.*

- 5.10 The proposal does not involve a boundary activity.

5.11 In deciding who is an affected person under section 95E, a council under section 95E(2):

*(2) The consent authority, in assessing an activity's adverse effects on a person for the purpose of this section,—*

*(a) may disregard an adverse effect of the activity on the person if a rule or a national environmental standard permits an activity with that effect; and*

*(b) must, if the activity is a controlled activity or a restricted discretionary activity, disregard an adverse effect of the activity on the person if the effect does not relate to a matter for which a rule or a national environmental standard reserves control or restricts discretion; and*

*(c) must have regard to every relevant statutory acknowledgement made in accordance with an Act specified in Schedule 11.*

5.12 A Council must not consider that a person is affected if they have given their written approval, or it is unreasonable in the circumstances to seek that person's approval.

5.13 The proposed works are minor and will be integrated with an existing roof structure utilising the same design and materials. There are no adjacent landowner parties that are directly affected by this proposal. Under the Heritage New Zealand Pouhere Taonga Act 2014, Heritage NZ in conjunction with local authorities, has national management responsibility for the maintenance and preservation of historic heritage and, where appropriate, wahi tupuna, wahi tapu, or wahi tapu areas. The Waitangi Treaty grounds contain scheduled historic heritage that in which Heritage NZ has an interest. Waitangi Limited has consulted with Heritage NZ, who support the proposal and have provided written confirmation (attached at **Appendix 5**).

5.14 The chairman of Te Tii Marae – Ngati Kawa Taituha has also provided email correspondence indicating support for the proposal and maintaining an interest in commenting on the design of Waharoa entrance feature (refer attached email correspondence at **Appendix 6**).

5.15 There are no other affected persons that will be affected to a minor or more than minor degree.

5.16 Overall, the adverse effects on any persons will be less than minor. Therefore Step 3 does not apply and Step 4 must be considered.

**Step 4: Further notification in special circumstances**

*(10) whether special circumstances exist in relation to the application that warrant notification of the application to any other persons not already determined to be eligible for limited notification under this section (excluding persons assessed under section 95E as not being affected persons),*

- 5.17 There are no special circumstances that warrant notification of the application.

**Limited Notification Assessment Summary**

- 5.18 Overall, from the assessment undertaken Steps 1 to 4 do not apply and there are no directly affected persons.

## **6.0 Part 2 Assessment**

- 6.1 The application must be considered in relation to the purpose and principles of the Resource Management Act 1991 which are contained in Section 5 to 8 of the Act inclusive.
- 6.2 The proposal will meet Section 5 of the RMA by promoting the sustainable management of lands and heritage resources at Waitangi. The existing wharf structure enables public access to the coastal marine area and is an essential facility for passengers disembarking from cruise ships.
- 6.3 Section 6 of the Act sets out matters of national importance. Of direct relevance to this application is the fact that the Waitangi Estate is a site of national historic heritage (s6(f)) and a place of cultural significance to Maori (s6(e)). The small-scale nature of the proposed wharf building activity is such that the protected features of the site will not be adversely affected. Furthermore, improvements to the existing wharf structure will enable continued public access to the site and more efficient customs processing of international visitors.
- 6.4 Section 7 identifies “other matters” to be given particular regard by a Council when assessing an application for resource consent, including the maintenance and enhancement of amenity values. The proposal maintains amenity values in the area as the proposal is in keeping with the existing character of the surrounding environment.

- 6.5 Section 8 requires Council to ‘take into account’ the principles of the Treaty of Waitangi (Te Tiriti o Waitangi). It is considered that the proposal would not be contrary to the principles of Te Tiriti. While the subject site contains an area that is of significance to Māori, the proposed wharf structure is located outside of this area.
- 6.6 Overall, the application is consistent with the relevant provisions of Part 2 of the RMA, as expressed through the District Plan objectives, policies and rules assessed in earlier sections of this application. Given that consistency, it is concluded that the proposal achieves the purpose of sustainable management set out by Sections 5-8 of the Act.

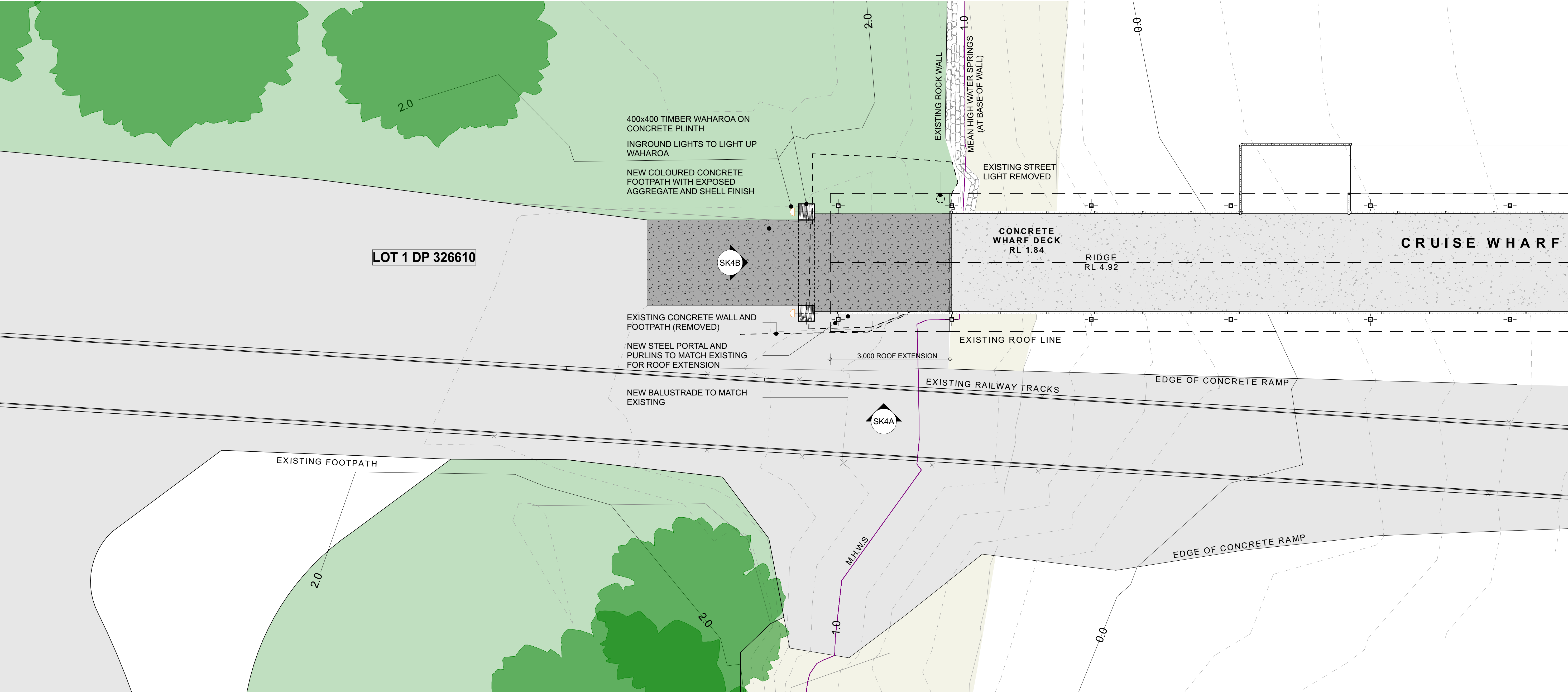
## 7.0 Conclusion

- 7.1 Waitangi Limited are seeking resource consent for a landward extension to an existing public wharf roofline and the addition of a timber ‘Waharoa’ entrance feature in the southern part of its Estate land that is legally described as Lot 1 DP 326610. The proposal will improve both the functionality and visual appearance of the wharf structure as a facility used to convey passengers to and from cruise ships.
- 7.2 The proposal requires a Discretionary resource consent under the ODP for a building coverage breach in the Conservation Zone and a breach of building setback from mean high water springs. The proposal is a Discretionary activity under the PDP as the activity meets the definition of infrastructure and is located on a site that contains historic heritage.
- 7.3 This assessment of effects on the environment has concluded that any potential adverse effects will be less than minor and indiscernible beyond the immediate site area. The wharf structure has a functional need to locate in the coastal marine area and provide marine access to visiting cruise ship passengers. The existing activity is consistent with the Conservation Zone purpose in this location and will not detract from these values. The proposed activity would not be contrary to the ODP Conservation Zone or District-wide objectives and policies.
- 7.4 There are no persons or affected landowners that would be adversely affected by the proposed building activity. Interested parties including the adjacent marae Ngati Kawa and Heritage NZ have indicated support for the proposal. The proposal does not require archaeological authority under the Heritage NZ Pouhere Taonga Act 2014

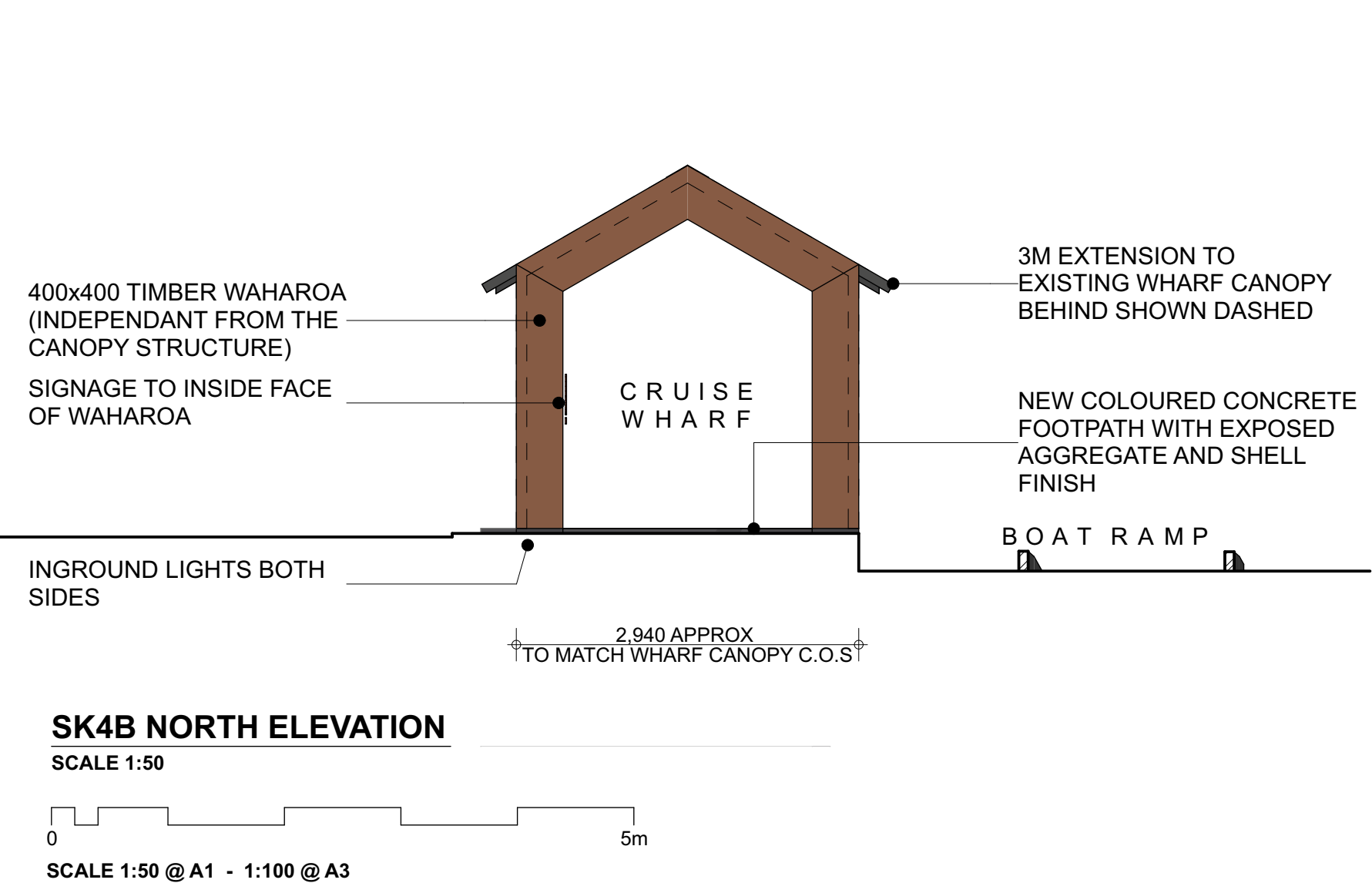


## 8.0 Limitations

- 8.1 This report has been commissioned solely for the benefit of our client, in relation to the project as described above, and to the limits of our engagement, with the exception that the Far North District Council or Northland Regional Council may rely on it to the extent of its appropriateness, conditions and limitations, when issuing their subject consent.
- 8.2 Copyright of Intellectual Property remains with Northland Planning and Development 2020 Limited, and this report may NOT be used by any other entity, or for any other proposals, without our written consent. Therefore, no liability is accepted by this firm or any of its directors, servants or agents, in respect of any information contained within this report.
- 8.3 Where other parties may wish to rely on it, whether for the same or different proposals, this permission may be extended, subject to our satisfactory review of their interpretation of the report.
- 8.4 Although this report may be submitted to a local authority in connection with an application for a consent, permission, approval, or pursuant to any other requirement of law, this disclaimer shall still apply and require all other parties to use due diligence where necessary.

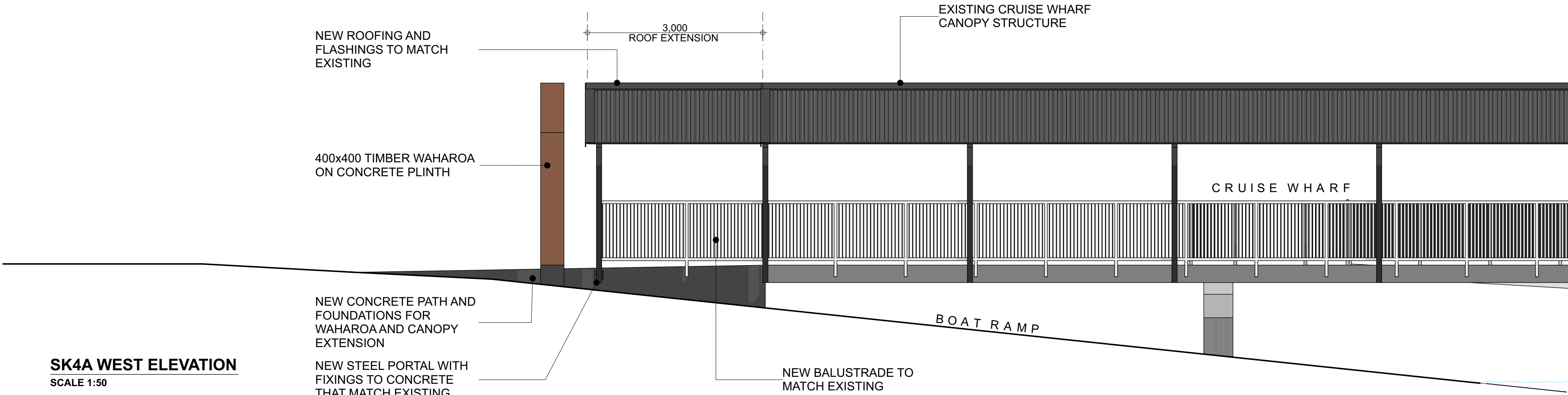


**OPTION 4 PLAN: WAHAROA**  
SCALE 1:50



**SK4B NORTH ELEVATION**  
SCALE 1:50

SCALE 1:50 @ A1 - 1:100 @ A3



**SK4A WEST ELEVATION**  
SCALE 1:50

**PROJECT DETAILS**

**WAHAROA FOR CRUISE WHARF**

WAITANGI NATIONAL TRUST

26 TAU HENARE DRIVE WAITANGI 0293

RevID		ChID	Revision	DRAWING DETAILS	
01	02		FOR INFORMATION	<b>OPTION 4: WAHAROA</b>	
02	03		FOR INFORMATION	SCALE: ( A1 )	
03	04		REVISED WAHAROA	ISSUED FOR: <b>INFORMATION</b>	
04	05		REVISED WAHAROA	DATE: <b>16/07/2025</b>	
05	06		ADDED MHWS	SIZE: A1 - PRINTED: Wednesday, 16 July 2025	
				5506 WNT Waharoa for Cruise Wharf	

ISSUE DETAILS	
DESIGN PHASE:	<b>CONCEPT DESIGN</b>
DRAWING:	<b>CD_05</b>
SHEET ISSUE / REV:	<b>05</b>
REVISION ISSUED: 16/07/2025	

**HB** ARCHITECTURE





PROJECT DETAILS

WAHAROA FOR CRUISE WHARF

WAITANGI NATIONAL TRUST  
26 TAU HENARE DRIVE WAITANGI 0293

RevID	ChID	Revision
01	02	FOR INFORMATION
02	03	FOR INFORMATION
03	04	REVISED WAHAROA
04	05	REVISED WAHAROA
05	06	ADDED MHWS

DRAWING DETAILS

OPTION 4: WAHAROA ARCHITECTS IMPRESSION

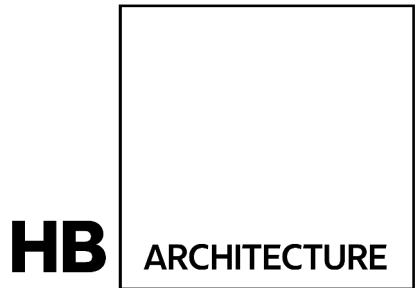
Date  
27/05/2024  
SCALE: ( A1 )  
06/06/2024  
ISSUED FOR: INFORMATION  
24/09/2024  
DATE: 16/07/2025  
26/09/2024  
SIZE: A1 - PRINTED: Wednesday, 16 July 2025  
16/07/2025  
5506 WNT Waharoa for Cruise Wharf

ISSUE DETAILS

DESIGN PHASE:  
CONCEPT DESIGN

DRAWING:  
CD\_06  
SHEET ISSUE / REV:  
05  
REVISION ISSUED: 16/07/2025

PROJECT No.  
5506







**RECORD OF TITLE  
UNDER LAND TRANSFER ACT 2017  
FREEHOLD**

**Guaranteed Search Copy issued under Section 60 of the Land  
Transfer Act 2017**



  
R.W. Muir  
Registrar-General  
of Land

**Identifier** **108096**  
**Land Registration District** **North Auckland**  
**Date Issued** 30 November 2007

**Prior References**

NA26B/893      NA26B/894      NA88C/748

---

**Estate** Fee Simple  
**Area** 411.4460 hectares more or less  
**Legal Description** Lot 1 Deposited Plan 326610  
**Registered Owners**  
Waitangi National Trust Board

---

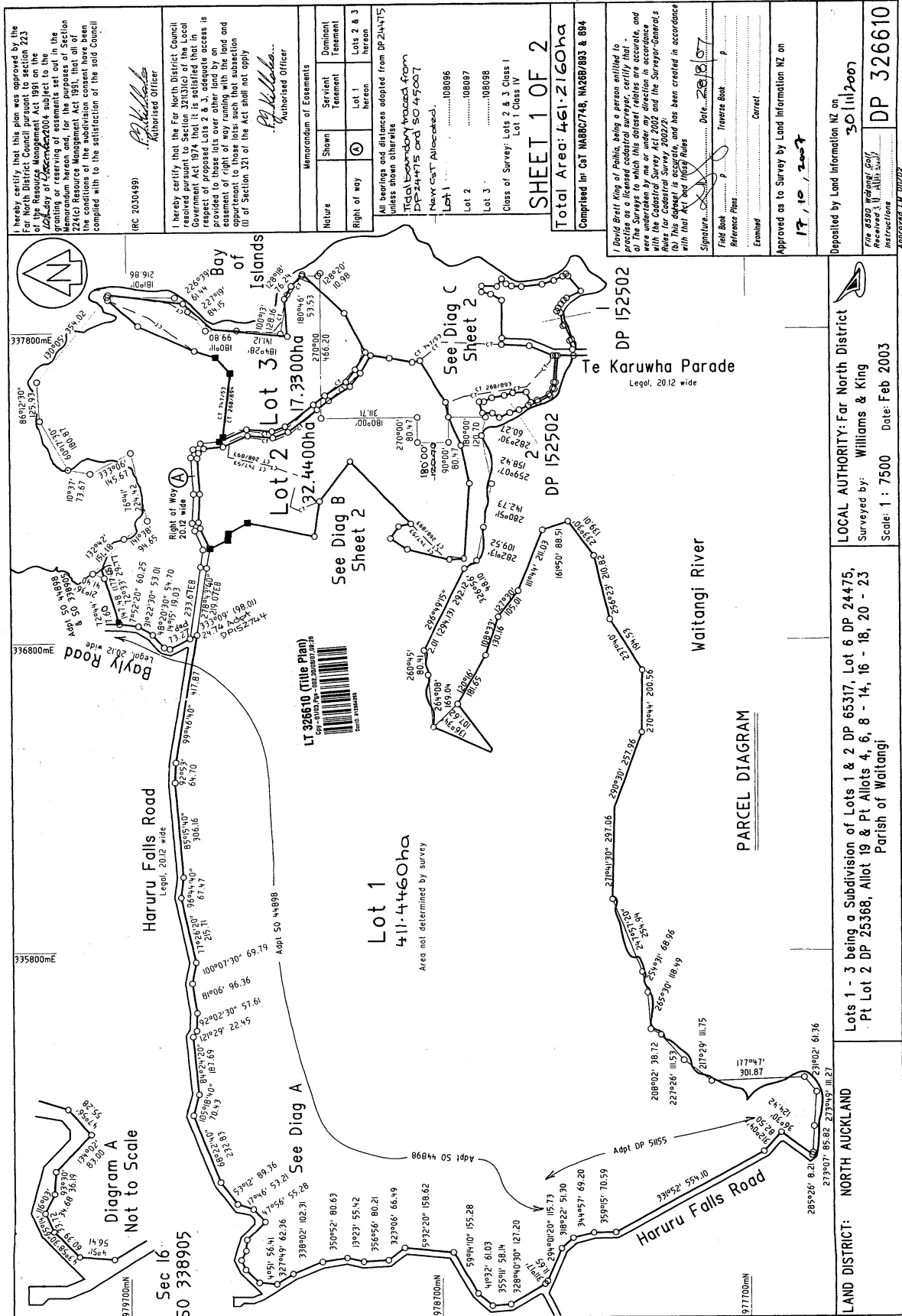
**Interests**

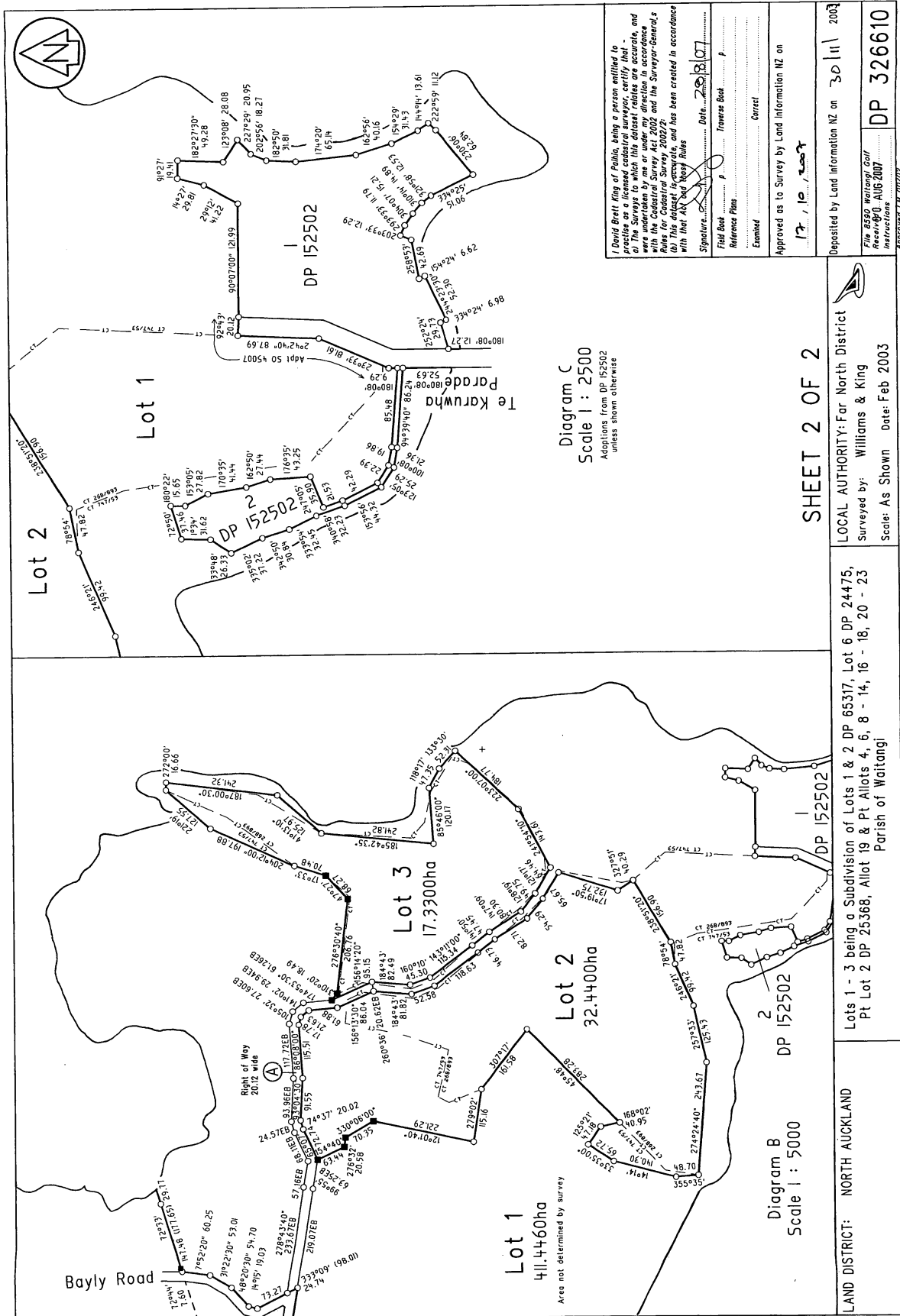
Subject to the provisions of the Waitangi National Trust Board Act 1932

Appurtenant hereto is a right to convey water easement created by Easement Instrument 6457401.4 - 14.6.2005 at 9:00 am(affects part formerly part lot 2 DP 25368)

Subject to a right of way over part marked A DP 326610 created by Easement Instrument 7637990.2 - 30.11.2007 at 9:00 am

The easements created by Easement Instrument 7637990.2 are subject to Section 243 (a) Resource Management Act 1991







## Rochelle

---

**From:** Stuart Bracey <SBracey@heritage.org.nz>  
**Sent:** Wednesday, 16 July 2025 9:39 am  
**To:** Lara Thorne  
**Cc:** Bill Edwards; James Robinson; Atareiria Heihei  
**Subject:** RE: Variation to Northland Regional Consent  
**Attachments:** Waharoa for Cruise Wharf v2.pdf

Kia Ora Lara,

Thanks again for running this proposed development past us – we really appreciate the early heads up so don't worry about how many applications you are sending to HNZPT for comment.

I confirmed HNZPT has reviewed this proposal to install a Waharoa to the entrance of the cruise boat landing structure which will extend the existing structure 2m further over the walkway. HNZPT has no specific concerns with this proposal. We are aware that a lot of archaeology has been found along the Waitangi foreshore. We ask that Don Prince be instructed to have a look at the site of the works, as the works progress, to ensure there is no accidental damage to any archaeological feature that may be found in this location.

Overall HNZPT confirms its support for this development proposal, as shown on the attached plans.

Cheers,  
Stuart

**Stuart Bracey | Kaiwhakamāhere | Heritage Planner | Northern Region |** Heritage New Zealand Pouhere Taonga | L10 SAP  
Tower 151 Queen Street Auckland CBD | Private Box 105 291 Auckland City 1143 | mobile 027 684 0833 | visit  
[www.heritage.org.nz](http://www.heritage.org.nz) and learn more about NZ's heritage places.

***Tairangahia a tua whakarere; Tatakihia nga reanga o amuri ake nei – Honouring the past; Inspiring the future***

This communication may be a privileged communication. If you are not the intended recipient, then you are not authorised to retain, copy or distribute it. Please notify the sender and delete the message in its entirety.

---

**From:** Lara Thorne <LaraThorne@waitangi.org.nz>  
**Sent:** Friday, 11 July 2025 12:13 pm  
**To:** Stuart Bracey <SBracey@heritage.org.nz>  
**Subject:** Variation to Northland Regional Consent

Hi Stuart,

Waitangi and Far North Holdings limited are doing a variation to the NRC consent for the wharf at Waitangi. The variation is to install a Waharoa to the entrance which will extend the existing structure 2m further over the walkway as per plans.

We are not doing any earthworks however our planner has advised to get your approval via email to go with the submission. Would you be able to assist with this?

Sorry for all the project emails lately – we have infrastructure funding for one more year so we are having to do a lot at once & all these works are required to be complete by October (eek).

Appreciate your ongoing support.

Kind regards,  
Lara

---

**Lara Thorne**  
Project Manager  
E [LaraThorne@waitangi.org.nz](mailto:LaraThorne@waitangi.org.nz)  
M 021 030 2500 DD 09 4027437 ext. 230  
Tau Henare Drive, Waitangi, Bay of Islands, New Zealand



Waitangi Ltd, T/A Waitangi Treaty Grounds, is a wholly owned subsidiary of Waitangi National Trust

**PLEASE CONSIDER OUR ENVIRONMENT BEFORE PRINTING**

**Confidentiality and Privilege Notice:** This e-mail is intended only to be read or used by the addressee. It is confidential and may contain legally privileged information. If you are not the addressee indicated in this message (or responsible for delivery of the message to such person), you may not copy or deliver this message to anyone, and you should destroy this message and kindly notify the sender by reply e-mail. Confidentiality and legal privilege are not waived or lost by reason of mistaken delivery to you.

## Rochelle

---

**From:** Lara Thorne <LaraThorne@waitangi.org.nz>  
**Sent:** Thursday, 17 July 2025 10:11 am  
**To:** Rochelle  
**Subject:** FW: FW: Waitangi Cruise Wharf

---

**Lara Thorne**  
Project Manager  
E LaraThorne@waitangi.org.nz  
M 021 030 2500 DD 09 4027437 ext. 230  
Tau Henare Drive, Waitangi, Bay of Islands, New Zealand



---

**From:** Ngati Kawa Taituha <ngatikawat@gmail.com>  
**Sent:** Friday, 6 December 2024 7:40 pm  
**To:** Nicole Wihongi <NicoleWihongi@waitangi.org.nz>  
**Cc:** Lara Thorne <LaraThorne@waitangi.org.nz>  
**Subject:** Re: FW: Waitangi Cruise Wharf

Ka pai,

Yeah, we're really overloaded and Xmas new years holiday coming up which doesn't help cause everyone is zoning out.

Ok to get it over the line, start the RC process on the condition that we'll be part of the consultation on cultural elements and tribal design.

Nga mihi  
Ngati Kawa

On Fri, 6 Dec 2024 at 12:27 PM, Nicole Wihongi <[NicoleWihongi@waitangi.org.nz](mailto:NicoleWihongi@waitangi.org.nz)> wrote:

Kia ora Ngati Kawa,

I know you are busy as, just mindful we have to have this project completed by May next year as per our funding agreement, and still needing to file and receive Resource Consent which is also a process that takes time.

I realise further consultation may be required to establish the cultural elements of the design, the only thing requiring consent is the Waharoa, therefore I'm wondering if you would be supportive of us proceeding to file RC and continue our discussions regarding the cultural elements?

Ngā mihi

Nicole

**Nicole Wihongi**

Head of Operations & Infrastructure

E [NicoleWihongi@waitangi.org.nz](mailto:NicoleWihongi@waitangi.org.nz)

M 027 641 3918 DD 09 4027437 ext 202

Tau Henare Drive, Waitangi, Bay of Islands, New Zealand



WAITANGI  
TREATY GROUNDS

Te Pitowhenua | Our Nation's Birthplace



---

**From:** Nicole Wihongi

**Sent:** Friday, 8 November 2024 4:50 pm

**To:** Ngati Kawa Taituha <[ngatikawat@gmail.com](mailto:ngatikawat@gmail.com)>

**Subject:** FW: Waitangi Cruise Wharf

Kia ora Ngati Kawa,

Hope you've had a good week.

It's a bit [of](#) a challenge to focus on anything other than Waitangi Week now and I'm sure you are feeling the same. So I'm sorry to be a hoha on this, but just needing to follow up with you regarding the Waitangi Wharf.

I've attached the concept, and some commentary regarding key dates from Lara below who is managing this project. Keen to hear you, Isaiah and team's thoughts on how we can make this space visually enhancing to Cruiseship manuhiri where this is the first thing they see when they step foot on land in the [Bay](#) of Islands. So adding some cultural elements would be beautiful if it is something we can achieve in this short timeframe.

The most important thing is to get our RC filed, so if the Waharoa footprint is ok, can file an RC and work on the design in the coming months.

But anyway will leave it with you, and again sorry to put this on you when you have a million other things to do.

Happy to discuss further if need be.

**Nicole Wihongi**

Head of Operations & Infrastructure

E [NicoleWihongi@waitangi.org.nz](mailto:NicoleWihongi@waitangi.org.nz)

M 027 641 3918 DD 09 4027437 ext 202

Tau Henare Drive, Waitangi, Bay of Islands, New Zealand



WAITANGI  
TREATY GROUNDS

Te Pitowhenua | Our Nation's Birthplace



---

**From:** Lara Thorne <[LaraThorne@waitangi.org.nz](mailto:LaraThorne@waitangi.org.nz)>

**Sent:** Monday, 4 November 2024 3:40 pm

**To:** Nicole Wihongi <[NicoleWihongi@waitangi.org.nz](mailto:NicoleWihongi@waitangi.org.nz)>

**Subject:** Waitangi Cruise Wharf

Kia ora Nicole,

Attached are the plans for the Cruise Wharf.

We need to have a decision made by the 2nd of December for our Resource Consent Application.

We would need to know from Ngati Kawa on behalf of Te Tii Marae by the 25<sup>th</sup> November. This allows a week to get relevant information & details confirmed in time to do the application.

My ideas for enhancing the cultural element would be to make one of the following changes to the Waharoa which is a macrocarpa slab.

- Front of the Waharoa carved
- Inside of the Waharoa carved
- Carving added to the top / front of the Waharoa

With Arama's skills and availability now he is working for [Waitangi](#), we would be able to meet our June deadline for the project.

Many thanks,  
Lara

**Lara Thorne**

**Project Manager**

**E** [LaraThorne@waitangi.org.nz](mailto:LaraThorne@waitangi.org.nz)

**M** 021 030 2500 **DD** 09 4027437 ext. 230

Tau Henare Drive, Waitangi, Bay of Islands, New Zealand



**WAITANGI**  
**TREATY GROUNDS**

Te Pitowhenua | Our Nation's Birthplace



Waitangi Ltd, T/A Waitangi Treaty Grounds, is a wholly owned subsidiary of Waitangi National Trust

**PLEASE CONSIDER OUR ENVIRONMENT BEFORE PRINTING**

**Confidentiality and Privilege Notice:** This e-mail is intended only to be read or used by the addressee. It is confidential and may contain legally privileged information. If you are not the addressee indicated in this message (or responsible for delivery of the message to such person), you may not copy or deliver this message to anyone, and you should destroy this message and kindly notify the sender by reply e-mail. Confidentiality and legal privilege are not waived or lost by reason [of](#) mistaken delivery to you.



## Rochelle

---

**From:** Lara Thorne <LaraThorne@waitangi.org.nz>  
**Sent:** Monday, 4 August 2025 12:28 pm  
**To:** Rochelle  
**Subject:** FW: Re BC for work at Waitangi.

---

**Lara Thorne**  
Project Manager  
E [LaraThorne@waitangi.org.nz](mailto:LaraThorne@waitangi.org.nz)  
M 021 030 2500 DD 09 4027437 ext. 230  
Tau Henare Drive, Waitangi, Bay of Islands, New Zealand



---

**From:** Irwin Wilson <Irwin@fnhl.co.nz>  
**Sent:** Monday, 4 August 2025 12:28 pm  
**To:** Lara Thorne <LaraThorne@waitangi.org.nz>  
**Subject:** Re BC for work at Waitangi.

To Whom it May Concern

Re Waitangi Wharf, Footpath Extension

I can confirm that Far North Holdings Limited support the proposed works planned by Waitangi Limited to extend the footpath and add some new structures on the foreshore adjacent the Waitangi Wharf.

The proposed structures and upgrade will enhance the cruise ship visitor experience when coming ashore and upon returning to their ship, and does not cause any issue with passenger movement or control issues in the area.

Regards

**Irwin Wilson**  
Cruise Ship Manager

 09 402 5659 | 027 447 0039  
 [Irwin@fnhl.co.nz](mailto:Irwin@fnhl.co.nz)  
 [www.fnhl.co.nz](http://www.fnhl.co.nz)



# Resource Consent

FILE: 5610  
(02, 04 and 05)  
Change to 02, 04 and 05

Document Date: 25.09.2019

***Pursuant to the Resource Management Act 1991, the Northland Regional Council (hereinafter called "the council") does hereby grant a Resource Consent to:***

**FAR NORTH HOLDINGS LIMITED, PO BOX 7, OPUA 0241**

To carry out the following activities on and adjacent to Lot 1 DP 326610 in the coastal marine area of the Waitangi River, Bay of Islands at or about location co-ordinates 1698365E, 6096245N.

*Note: All location co-ordinates in this document refer to Geodetic Datum 2000, New Zealand Transverse Mercator Projection.*

**AUT.005610.02.05      Use and occupy space in the coastal marine with a wharf facility, comprising a covered walkway together with two pontoons and associated gangways.**

**AUT.005610.04.05      Occupy the coastal marine area.**

**AUT.005610.05.03      Alter and extend a wharf facility.**

Subject to the following conditions:

## **General Conditions - The Following Conditions Apply to all Resource Consents:**

- 1 The Consent Holder shall, on becoming aware of any discharge associated with the Consent Holder's operations that is not authorised by these consents:
  - (a) Immediately take such action, or execute such work as may be necessary, to stop and/or contain such escape; and
  - (b) Immediately notify the council by telephone of an escape of contaminant; and
  - (c) Take all reasonable steps to remedy or mitigate any adverse effects on the environment resulting from the escape; and
  - (d) Report to the council's Compliance Manager in writing within one week on the cause of the escape of the contaminant and the steps taken or being taken to effectively control or prevent such escape.

For telephone notification, during council opening hours the council's assigned monitoring officer for these consents shall be contacted. If that person cannot be spoken to directly, or it is outside of council opening hours, then the Environmental Hotline shall be contacted.

**Advice Note:** *The Environmental Emergency Hotline is a 24 hour, seven day a week, service that is free to call on 0800 504 639.*

- 2 The council may, in accordance with Section 128 of the Resource Management Act 1991, serve notice on the Consent Holder of its intention to review the conditions of this consent annually during the month of May to deal with any adverse effects on the environment that may arise from the exercise of this consent and which it is appropriate to deal with at a later stage. The Consent Holder shall meet all reasonable costs of any such review.
- 3 Prior to the expiry or cancellation of these consents, the Consent Holder shall remove the structures and other materials and refuse associated with these consents from the consent area and shall restore the consent area to the satisfaction of the council, unless an application for replacement consents has been properly made beforehand, or the activity is permitted by the Regional Plan.

#### **AUT.005610.02 – Wharf Facility**

- 4 The consent for the wharf facility applies only to the structures identified on Northland Regional Council Plan Number. **3332E attached.**
- 5 The Consent Holder shall keep the coastal marine area free of debris resulting directly or indirectly from the Consent Holder's activities, including, but not limited to its occupation of the area. Notwithstanding the generality of the foregoing, the Consent Holder shall provide a rubbish bin on the wharf and shall arrange for the disposal of collected rubbish to an authorised disposal facility.
- 6 Noise emitted from any activity associated with the operation of the wharf facility, when measured at the boundary of the zone (as defined below), shall not exceed the following noise levels.

<i><b>Time Period</b></i>	<i><b>Noise Limit</b></i>
<i><b>0700 hrs to 2200 hrs</b></i>	<i><b>50 dBA L<sub>10</sub></b></i>
<i><b>2200 hrs to 0700 hrs the following day</b></i>	<i><b>45 dBA L<sub>10</sub></b></i>
	<i><b>65 dBA L<sub>max</sub></b></i>

*Note:* The boundary of the zone shall be the line of mean high water springs and the radius of 100 metres of the source of the noise.

Sound levels shall be measured in accordance with New Zealand Standard NZS 6801:2008 Measurement of Environmental Sound, and assessed in accordance with NZS 6802:2008 Acoustics – Environmental Noise.

- 7 The Consent Holder shall mark the wharf facility with the number **5610** in black lettering on a white background clearly displayed and in such a manner as to be clearly visible from land and sea.
- 8 The Consent Holder shall maintain all facilities covered by this consent in good order and repair.
- 9 Vessels berthed at the wharf, other than waka berthed at the designated Waitangi waka berth, shall remain at the berth for no longer than is necessary to embark or disembark people or load and unload supplies.
- 10 Vessels berthed at the wharf, other than commercial vessels that have been authorised by the Consent Holder to use the facility, or cruise ship tenders, shall immediately move off any berth when the berth is needed by such an authorised commercial vessel to embark or disembark passengers or load and unload supplies.

- 11 The Waitangi waka berth shall be available as a berth for vessels other than waka when not needed for use by a waka, subject to the use being for no longer than is necessary to embark or disembark people or load supplies.
- 12 The Consent Holder shall erect a sign(s) on the wharf advising wharf users of the conditions of use, pursuant to Conditions 9, 10 and 11.

#### **AUT.005610.04 – Occupation of Coastal Marine Area**

- 13 The occupation of the coastal marine area shall only apply within the area shown as Occupation Area on the **attached** Northland Regional Council Plan Number. **4090C**.
- 14 The Consent Holder shall not unreasonably exclude the public from the Occupation Area for the purpose of public access to and along the coastal marine area. Notwithstanding the generality of this, the Occupation Area shall be available for public access, free of charge, at all times, other than times when it is necessary to limit public access for reasons of safety or where facility or vessel operations are such that it is necessary to limit public access.
- 15 Nothing in this consent shall act to exclude, diminish or supersede any other consented activity, existing at the date of commencement of this consent, within the area of occupation.

#### **AUT.005610.05 – Wharf Facility Alterations and Extensions**

- 16 The alterations and extensions to the wharf shall be undertaken in general accordance with the attached RS ENG Ltd drawings referenced as Northland Regional Council Plan Numbers 4898/1, 4898/2, 4898/3 and 4898/4.
- 17 The Consent Holder shall notify the council's assigned monitoring officer in writing of the date construction works are intended to commence, at least two weeks beforehand.
- 18 No discharge of wastes (e.g. sewage, oil, contaminated bilge water) shall occur from any vessel or activity associated with the construction or use of the altered and extended wharf facility.
- 19 The Consent Holder shall exercise this consent during construction in a manner which ensures that during construction activities, the quality of the receiving waters, at any point 20 metres from wharf facility structures meets the following standards:

	<b>Recreation Standard</b>
Natural visual clarity	Not reduced more than 20%.
Oil/grease film, scum, foam, odour	No conspicuous oil or grease film, scums or foams, floatable or suspended materials, or emissions of objectionable odour.
Concentration of dissolved oxygen	Not reduced below 80% saturation.
Natural temperature	Not changed by more than 3°C.

- 20 All vehicles or equipment entering the coastal marine area associated with the exercise of this consent shall be in a good state of repair and free of any leaks e.g. oil, diesel etc.
- 21 Construction works within the coastal marine area shall only be carried out during the hours between sunrise and sunset or 6.00 a.m. and 8.00 p.m., whichever occurs earlier and on days other than Sundays and Public Holidays.
- 22 Construction noise levels associated with the exercise of this consent shall not exceed those set out in **attached** Schedule 1.

- 23 The Consent Holder shall notify the council's assigned monitoring officer in writing as soon as the works are completed.
- 24 The Consent Holder shall, immediately upon completion of the installation of the altered and extended wharf facility notify the following parties in writing:

Hydrographic Surveyor  
Land Information New Zealand  
PO Box 5501  
Wellington 6145  
Far North District Council  
Private Bag 752  
Kaikohe 0440

The Maritime Safety Inspector  
Maritime New Zealand  
PO Box 195  
Ruakaka 0151

The Consent Holder shall include a scale plan of the completed works with the notification. Evidence of this notification shall be provided to the council's assigned monitoring officer.

## BIOSECURITY

- 25 As part of the written notification required by Condition 17, the Northland Regional council's assigned monitoring officer shall be provided with written certification from a suitably qualified and experienced person that all plant and equipment entering the coastal marine area associated with the exercise of these consents are free from unwanted or risk marine species.

## NAVIGATION LIGHTING

- 26 At least one month before completing the extension and alteration, the Consent Holder shall obtain approval for the proposed navigation lighting at the Wharf facility from the Director of Maritime Safety, Maritime New Zealand (MNZ), by making application through the Regional Harbourmaster for Northland. The Consent Holder shall provide a copy of the MNZ authority to the council's assigned monitoring officer and shall install the navigation lighting specified in that authority within in the time frame required by that authority.

**Advice Note:** *Application to establish Aids to Navigation may be made using Maritime Safety Authority form MSA16006.*

**EXPIRY DATE:** **31 MAY 2044**

**Advice Note:** *It is recommended that the Consent Holder considers providing toilet facilities on land near the wharf for wharf users, including but not limited to, cruise vessel passengers.*

These changes to consent conditions are granted this Twenty Fifth day of September 2019 under delegated authority from the council by:



Paul Maxwell  
Coastal & Works Consents Manager



# SCHEDULE 1

## ENVIRONMENTAL STANDARDS - NOISE

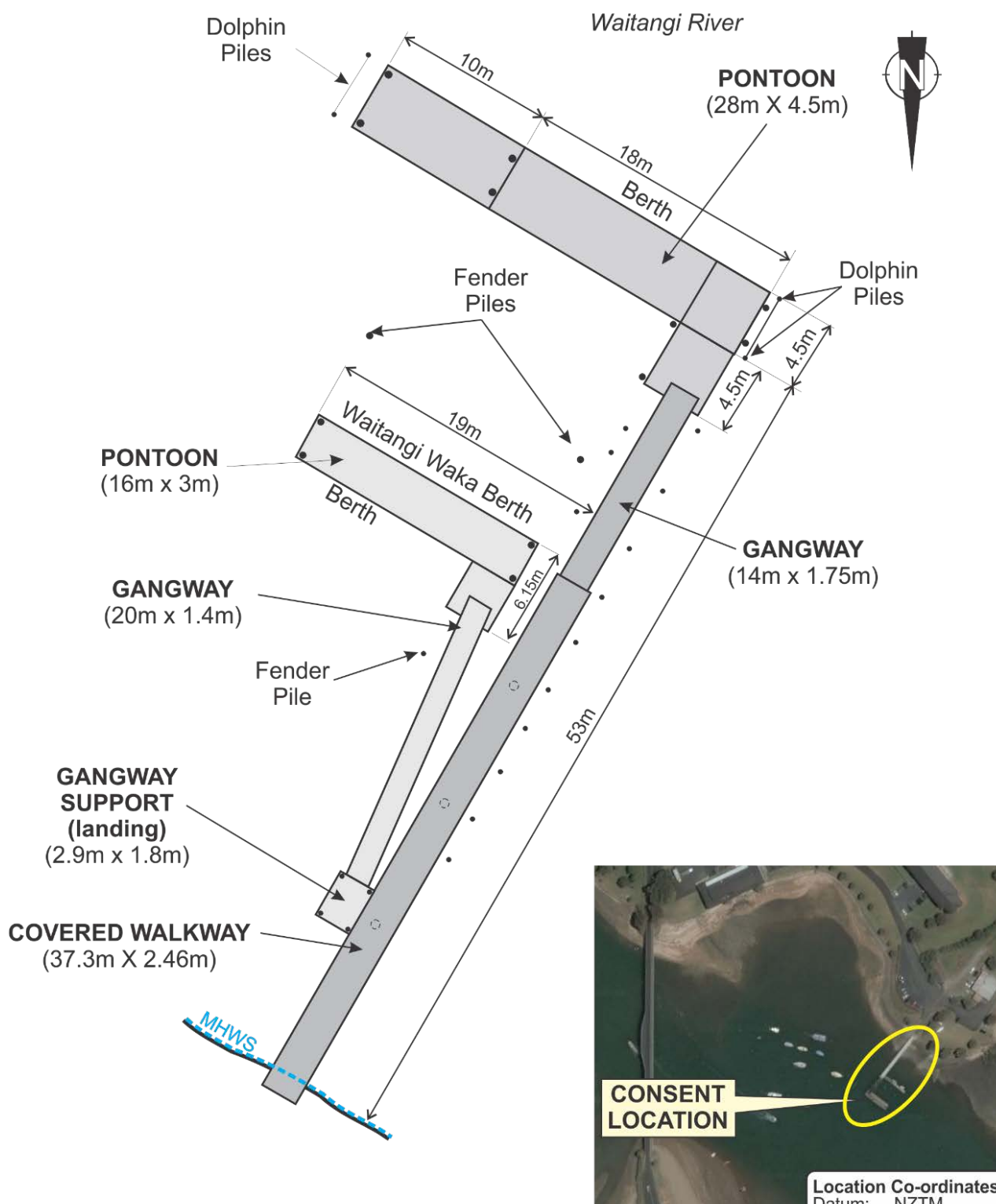
### CONSTRUCTION NOISE

Based on Table 2, NZS 6803: 1999 “Acoustics – Construction Noise”, Standards New Zealand:

Time of Week	Typical Duration	Typical Duration (dBA)		Short Term Duration		Long Term Duration	
		L <sub>leg</sub>	L <sub>max</sub>	L <sub>leg</sub>	L <sub>max</sub>	L <sub>leg</sub>	L <sub>max</sub>
Weekdays	0630 – 0730	60	75	65	75	55	75
	0730 – 1800	75	90	80	95	70	85
	1800 – 2000	70	85	75	90	65	80
	2000 – 0630	45	75	45	75	45	75
Saturdays	0630 – 0730	45	75	45	75	45	75
	0730 – 1800	75	90	80	95	70	85
	1800 – 2000	45	75	45	75	45	75
	2000 – 0630	45	75	45	75	45	75

Construction Sound levels will be measured in accordance with New Zealand Standard NZS 6803:1999 “Acoustics – Construction Noise”. Measurement will be at any point on the line of Mean High Water Springs (MHWS) within the marina and at any point along MHWS on the adjacent foreshore.

- Notes: 1 “Short-term” means construction work any one location for up to 14 calendar days.  
 “Typical duration” means construction work at any one location for more than 14 calendar days, but less than 20 weeks.  
 “Long-term” means construction work at any one location with a duration exceeding 20 weeks.
- 2 Noise levels L<sub>10</sub>, L<sub>95</sub> and L<sub>max</sub> are measured in dBA. Definitions are as follows:
- (a) dBA means the sound level obtained when using a sound level meter having its frequency response A-weighted. (See IEC 651);
  - (b) L<sub>max</sub> means the maximum noise level (dBA) measured;
  - (c) L<sub>95</sub> means the noise level (dBA) equalled or exceeded for 95% of the measurement time;
  - (d) L<sub>10</sub> as for L<sub>95</sub> except that the percentage figure is 10%.



**Location Co-ordinates:**  
Datum: NZTM  
Easting: 1698365  
Northing: 6096245



**Far North Holdings Ltd**

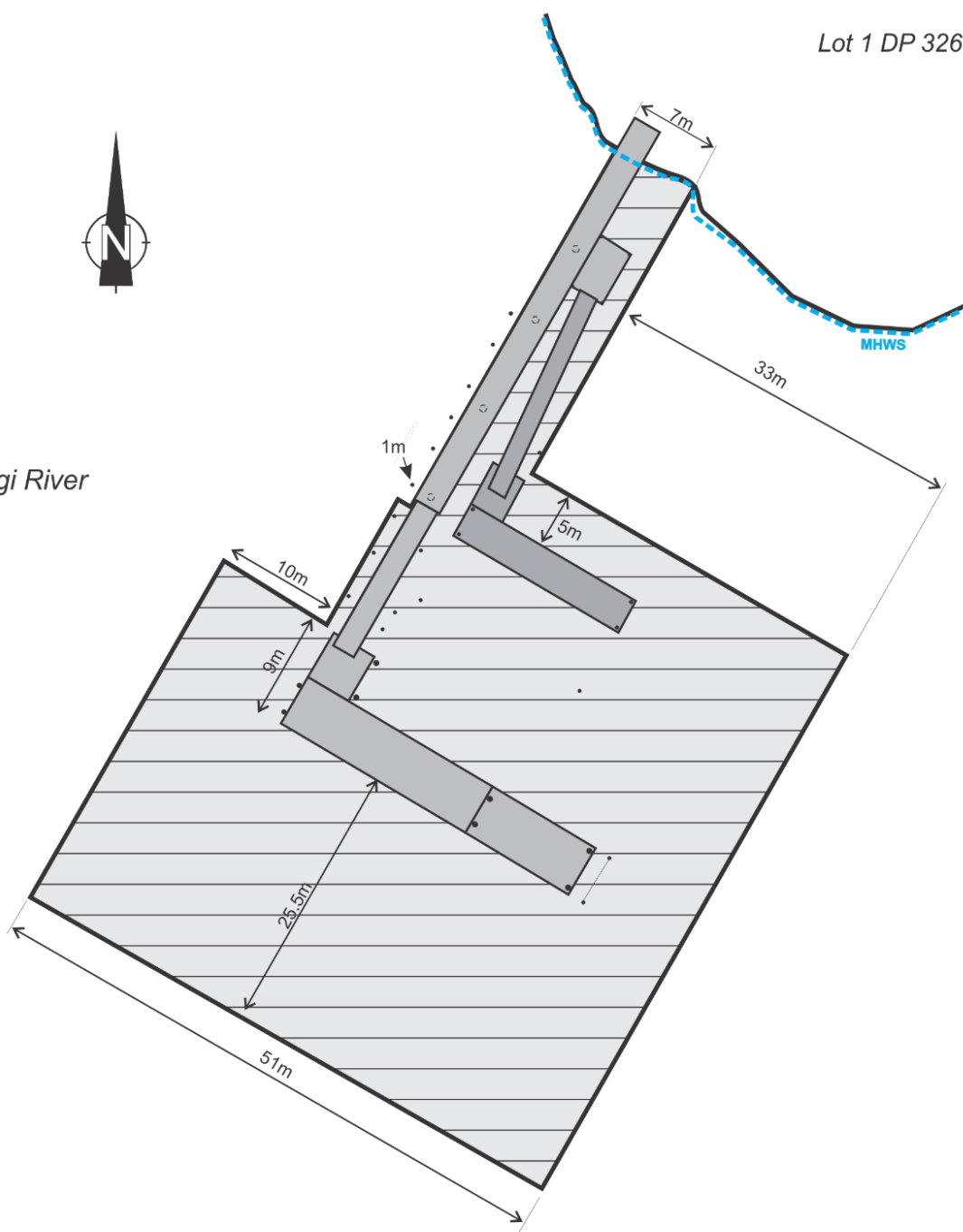
**Wharf Facility  
in  
Waitangi River**

Scale:	N.T.S.
Drawn:	PMAX 09/19
REF:	5610
Plan Number	<b>3332E</b>

Lot 1 DP 326610



Waitangi River



**LEGEND**



**Occupation Area**  
(includes structures)

**Location Co-ordinates:**

Datum: NZTM  
Easting: 1698365  
Northing: 6096245



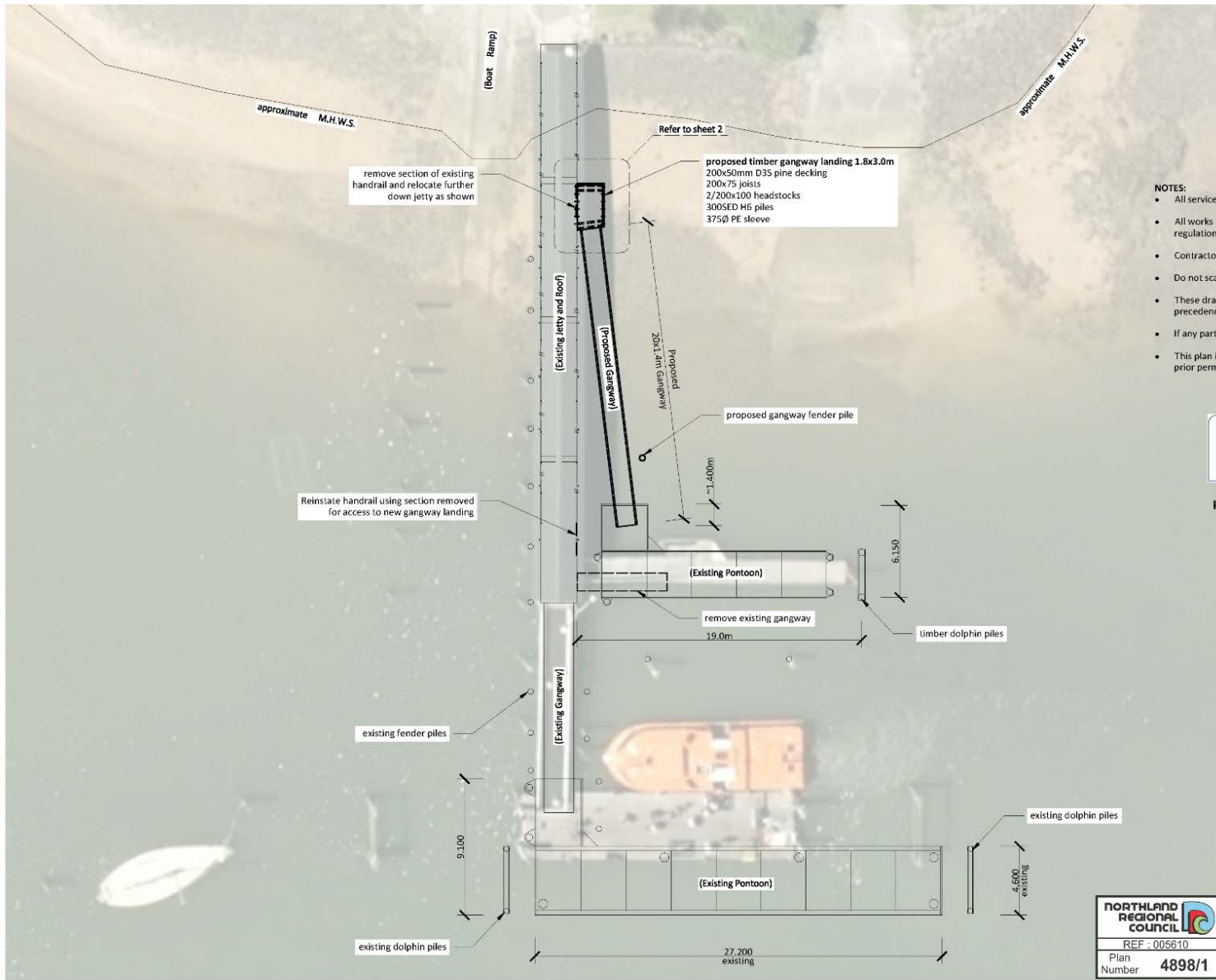
**Occupation Area  
for  
Waitangi Wharf  
Waitangi River**

Scale: N.T.S.

Drawn: PMAX 09/19

REF: 5610

Plan Number  
**4090C**



- NOTES:**
- All services should be located on-site prior to commencement of works.
  - All works to comply with all relevant local authority by-laws and council regulations where applicable.
  - Contractors to confirm all dimensions on site prior to commencing any work.
  - Do not scale off drawings.
  - These drawings are to be read in conjunction with specifications - plans take precedence.
  - If any part of these documents are unclear, please contact RSEng Ltd.
  - This plan is copyright to RSEng Ltd and should not be reproduced without prior permission.



**RS Eng Ltd**  
Consulting Engineers

This drawing is in accordance with  
our calculations where applicable.

per .....  
Chartered Professional Engineer



**RS Eng Ltd**

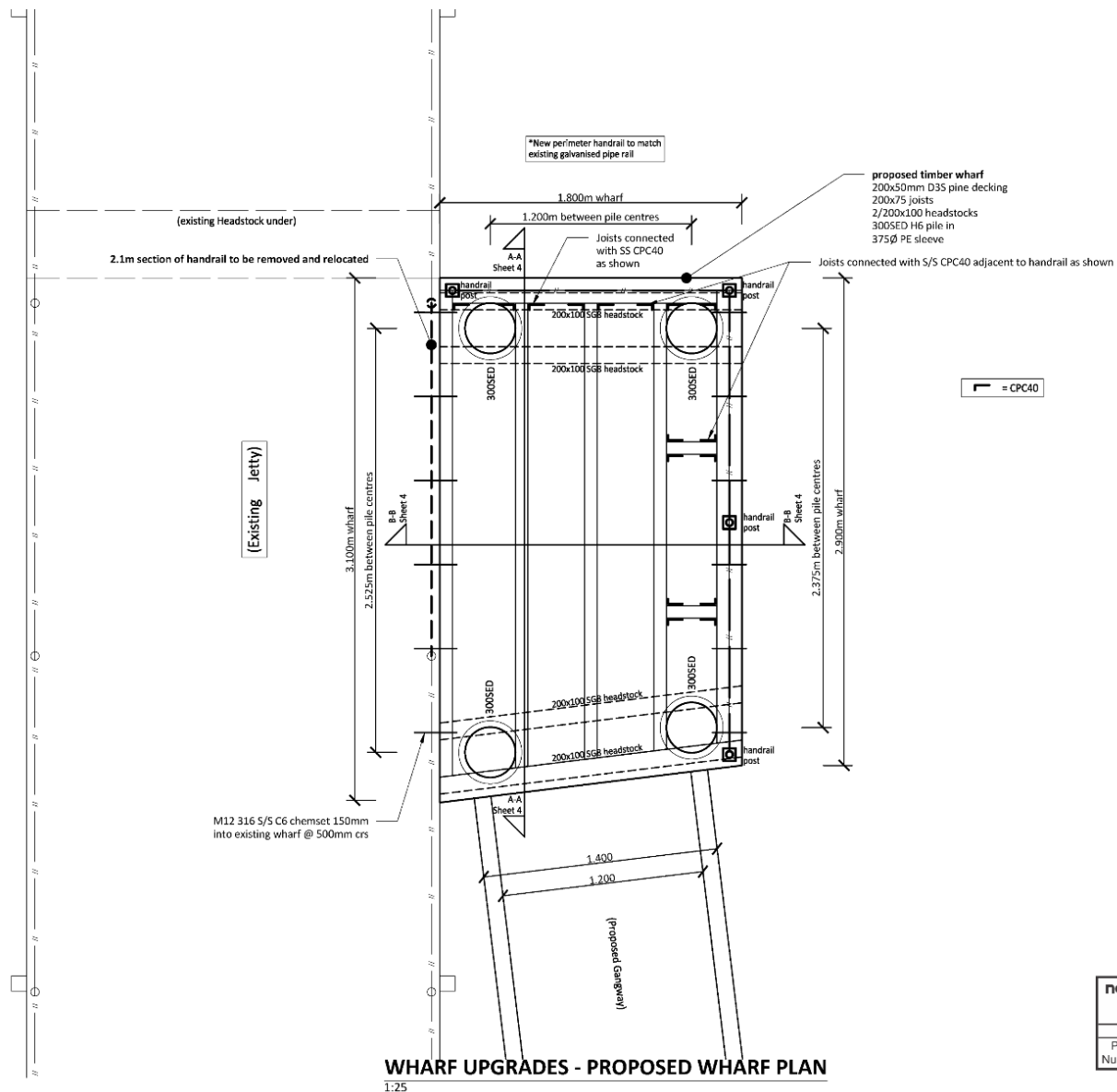
09 438 3273  
office@RSEng.co.nz  
2 Seaview Road,  
Whangarei 0110

Title			
PROPOSED WHARF UPGRADES ENGINEERING DRAWINGS			
Client			
FAR NORTH HOLDINGS LTD.			
Location			
TE KARUWHA PARADE WAITANGI			
09/08/19			
A	Original Issue		
Date	Rev	Notes	
Scale	1:250	Original	A3
Drawn by	NW	Approved by	RB
File	16478	Rev	A
Sheet	1		



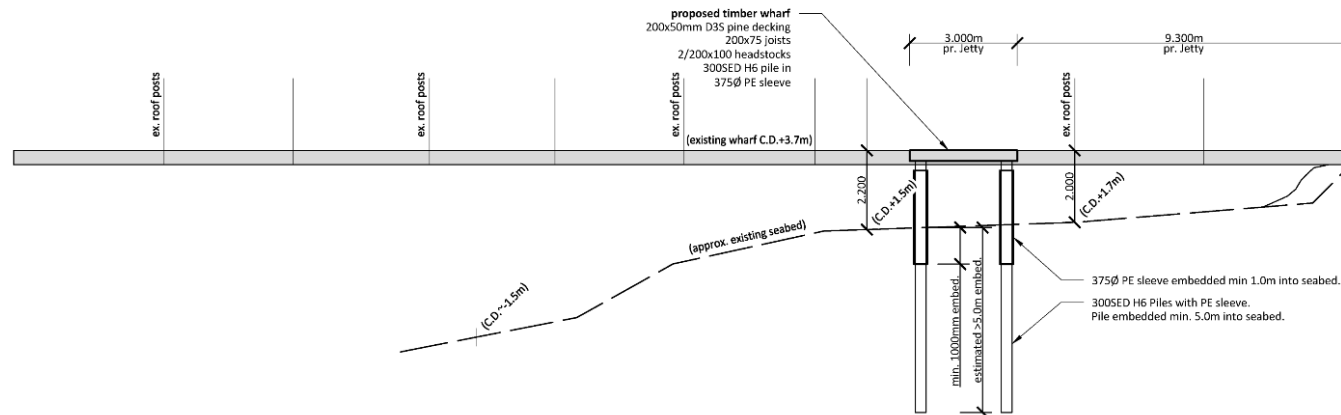
REF : 005610  
Plan Number  
**4898/1**

**WHARF UPGRADES - GENERAL ARRANGEMENT**  
1:250



# NOTES:

- All services should be located on-site prior to commencement of works.
- All works to comply with all relevant local authority by-laws and council regulations where applicable.
- Contractors to confirm all dimensions on site prior to commencing any work.
- Do not scale off drawings.
- These drawings are to be read in conjunction with specifications - plans take precedence.
- If any part of these documents are unclear, please contact RS Eng Ltd.
- This plan is copyright to RS Eng Ltd and should not be reproduced without prior permission.



**RS Eng Ltd**  
Consulting Engineers

This drawing is in accordance with  
our calculations where applicable.

per .....  
Chartered Professional Engineer



**RS Eng Ltd**

09 438 3273  
office@RSEng.co.nz  
2 Seaview Road,  
Whangarei 0110

Title  
**PROPOSED WHARF UPGRADES**  
ENGINEERING DRAWINGS

Client  
**FAR NORTH HOLDINGS LTD.**

Location  
**TE KARUWHA PARADE**  
**WAITANGI**

09/08/19 A Original Issue

Date Rev Notes

Scale 1:125 Original A3 Rev A

Sheet

Drawn by NW Approved by RB File 16478

3

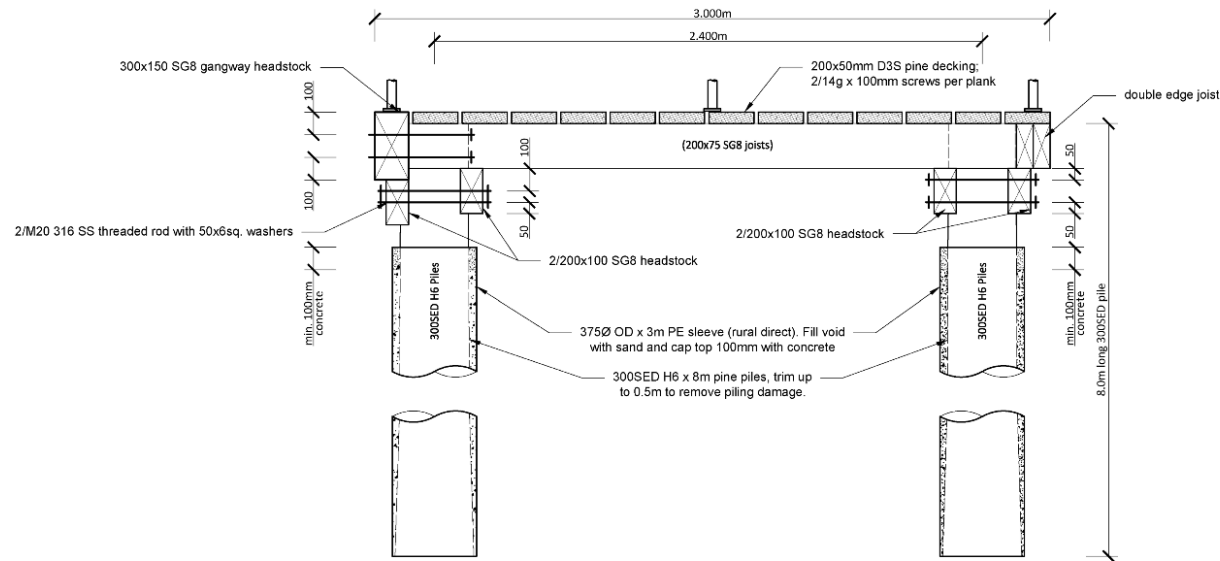


REF: 005610

Plan Number

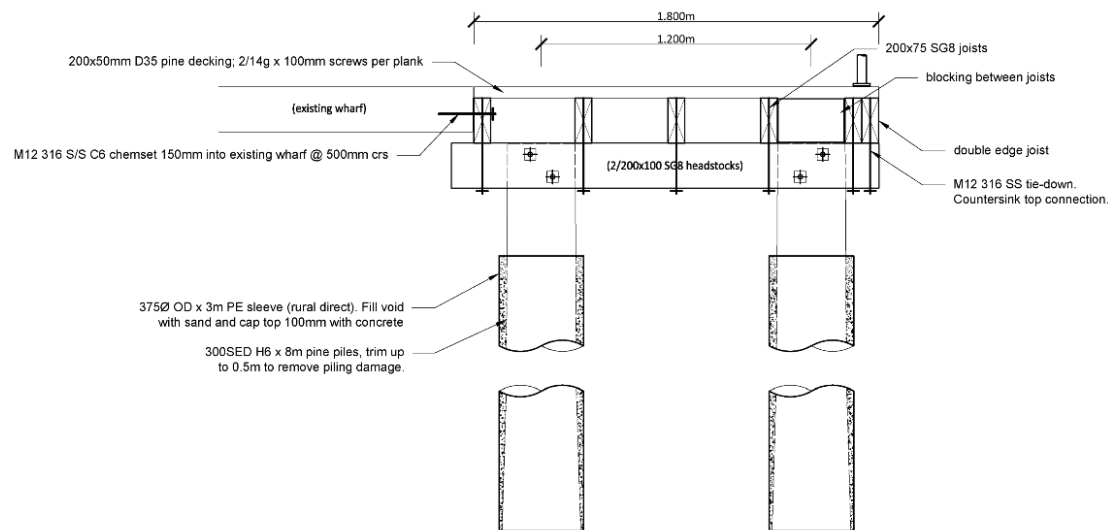
4898/3





### WHARF UPGRADES - SECTION A-A

1:20



### WHARF UPGRADES - SECTION B-B

1:20

#### NOTES:

- All services should be located on-site prior to commencement of works.
- All works to comply with all relevant local authority by-laws and council regulations where applicable.
- Contractors to confirm all dimensions on site prior to commencing any work.
- Do not scale off drawings.
- These drawings are to be read in conjunction with specifications - plans take precedence.
- If any part of these documents are unclear, please contact RSEng Ltd.
- This plan is copyright to RSEng Ltd and should not be reproduced without prior permission.



**RS Eng Ltd**  
Consulting Engineers

This drawing is in accordance with our calculations where applicable.

per .....  
Chartered Professional Engineer



**RS Eng Ltd**  
09 438 3273  
office@RSEng.co.nz  
2 Seaview Road,  
Whangarei 0110

Title  
**PROPOSED WHARF UPGRADES  
ENGINEERING DRAWINGS**

Client  
**FAR NORTH HOLDINGS LTD.**

Location  
**TE KARUWHA PARADE  
WAITANGI**

09/08/19 A Original Issue

Date Rev Notes

Scale 1:20 Original A3 Rev A

Drawn by NW Approved by RB File 16478 Sheet 4



REF : 005610  
Plan Number **4898/4**