

Appendix 2 – Officer's Recommended Decisions on Submissions (Hearing 15B - Rezoning Requests for new Special Purpose Zones WEZ)

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Officer recommendation	Relevant section of S42A Report
S503.011	Waitangi Limited	General / Plan Content / Miscellaneous	Not Stated	<p>Given the high historical importance of Waitangi Estate is it has a number of overlays which apply to the site. If left with the underlying zone and general overlays, the rules assessment would be difficult to undertake as each overlay stipulates that the more restrictive rule is applicable. This would result in very minor activities which are generally enabled being captured and requiring consent.</p> <p>The existing Rural Production zone may directly conflict with the Waitangi Trust Board Act's preamble which has set aside the site for a specific purpose.</p> <p>The multiple layers make any planning assessment difficult as in all cases the most stringent rules in any overlay apply. This means that more enabling rules imposed under certain overlays tailored for a particular activity cannot be utilized which results in almost all activities requiring consent as a Discretionary or Non-Complying activity.</p> <p>A more tailored approach will provide clarity as at present the Proposed District Plan makes everyday management and maintenance activities require consent.</p> <p>We have an opportunity to tailor make some rules which are specific to the Waitangi Estate and help give effect to the deed established in 1932. Given the fact that no other zones in the</p>	<p>Delete the zoning that applies to the Waitangi Treaty Grounds (including the Treaty House, Hobson Memorial, Whare Runanga and Flaggpole, and regarded as including Lots 1 - 3 of DP 326610, and Lots 1 and 2 of DP 152502) and insert/create a new Waitangi Grounds Special Purpose zone</p> <p>OR</p> <p>Insert a new Precinct over the Waitangi Treaty Grounds</p> <p>OR</p> <p>In the event the Waitangi Treaty Grounds is not set aside for special zoning and/or precinct:</p> <ul style="list-style-type: none"> rezone Lots 2 and 3 DP 326610 Sport and Active Recreation (to accommodate the existing golf club) amend the rules applying to the Waitangi Treaty Ground to clarify when resource consent is required. 	Accept	

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				District Plan would be appropriate given the specific nature of this site, and moreover that the other spatial layers would cause undue confusion and perverse outcomes in terms of the activities they would capture, we consider that the use of a special purpose zone is most suitable to this site. We therefore seek that a Special Purpose Zone or Precinct be applied to the Estate.				
FS51.34	Heritage New Zealand Pouhere Taonga		Support	<p>The Waitangi Treaty Grounds/Te Pitowhenua is the most symbolically important place in Aotearoa/New Zealand, being identified in 2019 as the first National Historic Landmark/ Ngā Manawhenua o Aotearoa me ōna Kōrero Tūturu in accordance with the HNZPTA.</p> <p>The submission partially aligns with HNZPT's primary submission (409) in seeking an appropriate planning framework of the Waitangi Treaty Grounds.</p>	Allow		Accept in part	
S409.049	Heritage New Zealand Pouhere Taonga	Heritage Area	Support in part	<p>Additional Heritage Areas</p> <p>Heritage New Zealand Pouhere Taonga requests that the following places also be included within the District Plan as heritage areas:</p> <ul style="list-style-type: none"> - Waitangi, - Kaeo - Whangaroa Harbour area - Kawakawa Township - Oruru Valley - Omapere / Opononi - Te Ahu Ahu Area (Bounded by Remuera Settlement Road, SH 1 and SH 15 + Lake Omapere). - Northern War Sites - Ruapekpeka 	Insert new heritage areas (including associated mapping, overview, objectives, policies and rules) as indicated in submission		Reject	

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				<ul style="list-style-type: none"> - Ohaewai - Okaihau - Puketutu - Waikare - All islands within the Bay of Islands - Early contact sites. - Early settlement sites Mangahawea - Early European explorers Cook, Du Fresne - Te Rerenga Wairua/Cape Reinga 				
FS44.50	Northland Planning & Development 2020 Ltd		Oppose	Rather than just the Waitangi Treaty Grounds being mapped with another overlay, we seek to establish a special zone across the whole estate which would incorporate those particular matters that relate to the treaty grounds as a sub zone. This ensures that there is only one set of rules to look at rather than a standardized zone and about 6 different overlays which is complicated and contradictory. The special zoning across the whole estate means that we can also have consideration to heritage matters which may lie outside of the treaty grounds. Overall, special zoning is much more effective and can achieve the same outcome as a precinct.	Disallow in part		Accept	
FS284.2	Waitangi Limited		Oppose	Rather than just the Waitangi Treaty Grounds being mapped with another overlay, we seek to establish a special zone across the whole estate which would incorporate those particular matters that relate to the treaty grounds as a sub zone. This ensures that there is only one set of rules to look at rather than a standardized zone and about 6 different overlays which is complicated and contradictory. The special zoning across the whole estate means that we	Disallow in part		Accept	

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				can also have consideration to heritage matters which may lie outside of the treaty grounds. Overall, special zoning is much more effective and can achieve the same outcome as a precinct.				
S502.111	Northland Planning and Development 2020 Limited	Mixed Use Zone	Not Stated	<p>Given the high historical importance of Waitangi Estate is it has a number of overlays which apply to the site. If left with the underlying zone and general overlays, the rules assessment would be difficult to undertake as each overlay stipulates that the more restrictive rule is applicable. This would result in very minor activities which are generally enabled being captured and requiring consent.</p> <p>The existing Rural Production zone may directly conflict with the Waitangi Trust Board Act's preamble which has set aside the site for a specific purpose.</p> <p>The multiple layers make any planning assessment difficult as in all cases the most stringent rules in any overlay apply. This means that more enabling rules imposed under certain overlays tailored for a particular activity cannot be utilized which results in almost all activities requiring consent as a Discretionary or Non-Complying activity.</p> <p>A more tailored approach will provide clarity as at present the Proposed District Plan makes everyday management and maintenance activities require consent.</p> <p>We have an opportunity to tailor make some rules which are specific to the Waitangi Estate and help give effect to the deed established in 1932. Given the fact that no other zones in the District Plan would be appropriate</p>	<p>Delete the zoning that applies to the Waitangi Treaty Grounds (including the Treaty House, Hobson Memorial, Whare Runanga and Flagpole, and regarded as including Lots 1 - 3 of DP 326610, and Lots 1 and 2 of DP 152502) and insert/create a new Waitangi Grounds Special Purpose zone</p> <p>OR</p> <p>Insert a new Precinct over the Waitangi Treaty Grounds</p> <p>OR</p> <p>In the event the Waitangi Treaty Grounds is not set aside for special zoning and/or precinct:</p> <ul style="list-style-type: none"> rezone Lots 2 and 3 DP 326610 Sport and Active Recreation (to accommodate the existing golf club) amend the rules applying to the Waitangi Treaty Ground to clarify when resource consent is required. 		Accept	

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				given the specific nature of this site, and moreover that the other spatial layers would cause undue confusion and perverse outcomes in terms of the activities they would capture, we consider that the use of a special purpose zone is most suitable to this site. We therefore seek that a Special Purpose Zone or Precinct be applied to the Estate.				
FS51.27	Heritage New Zealand Poutere Taonga		Support	<p>The Waitangi Treaty Grounds/Te Pitowhenua is the most symbolically important place in Aotearoa/New Zealand, being identified in 2019 as the first National Historic Landmark/ Ngā Manawhenua o Aotearoa me ōna Kōrero Tūturu in accordance with the HNZPTA.</p> <p>The submission partially aligns with HNZPT's primary submission (409) in seeking an appropriate planning framework of the Waitangi Treaty Grounds.</p>	Allow		Accept in part	
S503.010	Waitangi Limited	Mixed Use Zone	Not Stated	<p>Given the high historical importance of Waitangi Estate is it has a number of overlays which apply to the site. If left with the underlying zone and general overlays, the rules assessment would be difficult to undertake as each overlay stipulates that the more restrictive rule is applicable. This would result in very minor activities which are generally enabled being captured and requiring consent.</p> <p>The existing Rural Production zone may directly conflict with the Waitangi Trust Board Act's preamble which has set aside the site for a specific purpose.</p> <p>The multiple layers make any planning</p>	<p>Delete the zoning that applies to the Waitangi Treaty Grounds (including the Treaty House, Hobson Memorial, Whare Runanga and Flagpole, and regarded as including Lots 1 - 3 of DP 326610, and Lots 1 and 2 of DP 152502) and insert/create a new Waitangi Grounds Special Purpose zone</p> <p>OR</p> <p>Insert a new Precinct over the Waitangi Treaty Grounds</p> <p>OR</p>		Accept	

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				<p>assessment difficult as in all cases the most stringent rules in any overlay apply. This means that more enabling rules imposed under certain overlays tailored for a particular activity cannot be utilized which results in almost all activities requiring consent as a Discretionary or Non-Complying activity.</p> <p>A more tailored approach will provide clarity as at present the Proposed District Plan makes everyday management and maintenance activities require consent.</p> <p>We have an opportunity to tailor make some rules which are specific to the Waitangi Estate and help give effect to the deed established in 1932. Given the fact that no other zones in the District Plan would be appropriate given the specific nature of this site, and moreover that the other spatial layers would cause undue confusion and perverse outcomes in terms of the activities they would capture, we consider that the use of a special purpose zone is most suitable to this site. We therefore seek that a Special Purpose Zone or Precinct be applied to the Estate.</p>	<p>In the event the Waitangi Treaty Grounds is not set aside for special zoning and/or precinct:</p> <ul style="list-style-type: none"> rezone Lots 2 and 3 DP 326610 Sport and Active Recreation (to accommodate the existing golf club) amend the rules applying to the Waitangi Treaty Ground to clarify when resource consent is required. 			
FS51.32	Heritage New Zealand Poutere Taonga		Support	<p>Te Pitowhenua /Waitangi Treaty Grounds is the most symbolically important place in Aotearoa/New Zealand, being identified in 2019 as the first National Historic Landmark/ Ngā Manawhenua o Aotearoa me ōna Kōrero Tūturu in accordance with the HNZPTA.</p> <p>The submission partially aligns with HNZPT's primary submission (409) in seeking an appropriate planning framework of the Waitangi Treaty</p>	Allow		Accept in part	

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				Grounds			
S502.108	Northland Planning and Development 2020 Limited	Rural Production Zone	Not Stated	<p>Given the high historical importance of Waitangi Estate is it has a number of overlays which apply to the site. If left with the underlying zone and general overlays, the rules assessment would be difficult to undertake as each overlay stipulates that the more restrictive rule is applicable. This would result in very minor activities which are generally enabled being captured and requiring consent. The existing Rural Production zone may directly conflict with the Waitangi Trust Board Act's preamble which has set aside the site for a specific purpose. The multiple layers make any planning assessment difficult as in all cases the most stringent rules in any overlay apply. This means that more enabling rules imposed under certain overlays tailored for a particular activity cannot be utilized which results in almost all activities requiring consent as a Discretionary or Non-Complying activity. A more tailored approach will provide clarity as at present the Proposed District Plan makes everyday management and maintenance activities require consent. We have an opportunity to tailor make some rules which are specific to the Waitangi Estate and help give effect to the deed established in 1932. Given the fact that no other zones in the District Plan would be appropriate given the specific nature of this site, and moreover that the other spatial layers would cause undue confusion and perverse outcomes in terms of the activities they would capture, we consider that the use of a special purpose zone is most</p>	<p>Delete the zoning that applies to the Waitangi Treaty Grounds (including the Treaty House, Hobson Memorial, Whare Runanga and Flagpole, and regarded as including Lots 1 - 3 of DP 326610, and Lots 1 and 2 of DP 152502) and insert/create a new Waitangi Grounds Special Purpose zone</p> <p>OR</p> <p>Insert a new Precinct over the Waitangi Treaty Grounds</p> <p>OR</p> <p>In the event the Waitangi Treaty Grounds is not set aside for special zoning and/or precinct:</p> <p>rezone Lots 2 and 3 DP 326610 Sport and Active Recreation (to accommodate the existing golf club). amend the rules applying to the Waitangi Treaty Ground to clarify when resource consent is required.</p>	Accept	

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				suitable to this site. We therefore seek that a Special Purpose Zone or Precinct be applied to the Estate.				
FS44.49	Northland Planning & Development 2020 Ltd		Oppose	A special zone has been requested which seeks to give better effect to the Waitangi Trust deed. The special zoning will continue to protect public access rights and recreation as was originally intended by the Waitangi Trust Board Act 1932. The resolution to utilize "Natural Open Space" zoning is not considered appropriate for this site.	Disallow		Accept	
FS284.3	Waitangi Limited		Oppose	A special zone has been requested which seeks to give better effect to the Waitangi Trust deed. The special zoning will continue to protect public access rights and recreation as was originally intended by the Waitangi Trust Board Act 1932. The resolution to utilize "Natural Open Space" zoning is not considered appropriate for this site.	Disallow		Accept	
S503.008	Waitangi Limited	Rural Production Zone	Not Stated	Given the high historical importance of Waitangi Estate is it has a number of overlays which apply to the site. If left with the underlying zone and general overlays, the rules assessment would be difficult to undertake as each overlay stipulates that the more restrictive rule is applicable. This would result in very minor activities which are generally enabled being captured and requiring consent. The existing Rural Production zone may directly conflict with the Waitangi Trust Board Act's preamble which has set aside the site for a specific purpose. The multiple layers make any planning assessment difficult as in all cases the most stringent rules in any overlay apply. This means that more enabling rules imposed under certain overlays	Delete the zoning that applies to the Waitangi Treaty Grounds (including the Treaty House, Hobson Memorial, Whare Runanga and Flagpole, and regarded as including Lots 1 - 3 of DP 326610, and Lots 1 and 2 of DP 152502) and insert/create a new Waitangi Grounds Special Purpose zone OR Insert a new Precinct over the Waitangi Treaty Grounds OR		Accept	

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				tailored for a particular activity cannot be utilized which results in almost all activities requiring consent as a Discretionary or Non-Complying activity. A more tailored approach will provide clarity as at present the Proposed District Plan makes everyday management and maintenance activities require consent. We have an opportunity to tailor make some rules which are specific to the Waitangi Estate and help give effect to the deed established in 1932. Given the fact that no other zones in the District Plan would be appropriate given the specific nature of this site, and moreover that the other spatial layers would cause undue confusion and perverse outcomes in terms of the activities they would capture, we consider that the use of a special purpose zone is most suitable to this site. We therefore seek that a Special Purpose Zone or Precinct be applied to the Estate.	In the event the Waitangi Treaty Grounds is not set aside for special zoning and/or precinct: rezone Lots 2 and 3 DP 326610 Sport and Active Recreation (to accommodate the existing golf club); amend the rules applying to the Waitangi Treaty Ground to clarify when resource consent is required.			
FS51.30	Heritage New Zealand Poutere Taonga		Support	<p>Te Pitowhenua/Waitangi Treaty Grounds is the most symbolically important place in Aotearoa/New Zealand, being identified in 2019 as the first National Historic Landmark/ Ngā Manawhenua o Aotearoa me ōna Kōrero Tūturu in accordance with the HNZPTA.</p> <p>The submission partially aligns with HNZPT's primary submission (409) in seeking an appropriate planning framework of the Waitangi Treaty Grounds</p>	Allow		Accept in part	
S502.110	Northland Planning and	Sport And Active Recreation Zone	Not Stated	Given the high historical importance of Waitangi Estate is it has a number of overlays which apply to the site. If left	Delete the zoning that applies to the Waitangi Treaty Grounds (including the Treaty House, Hobson Memorial, Whare		Accept	

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	Development 2020 Limited			<p>with the underlying zone and general overlays, the rules assessment would be difficult to undertake as each overlay stipulates that the more restrictive rule is applicable. This would result in very minor activities which are generally enabled being captured and requiring consent.</p> <p>The existing Rural Production zone may directly conflict with the Waitangi Trust Board Act's preamble which has set aside the site for a specific purpose.</p> <p>The multiple layers make any planning assessment difficult as in all cases the most stringent rules in any overlay apply. This means that more enabling rules imposed under certain overlays tailored for a particular activity cannot be utilized which results in almost all activities requiring consent as a Discretionary or Non-Complying activity.</p> <p>A more tailored approach will provide clarity as at present the Proposed District Plan makes everyday management and maintenance activities require consent.</p> <p>We have an opportunity to tailor make some rules which are specific to the Waitangi Estate and help give effect to the deed established in 1932. Given the fact that no other zones in the District Plan would be appropriate given the specific nature of this site, and moreover that the other spatial layers would cause undue confusion and perverse outcomes in terms of the activities they would capture, we consider that the use of a special purpose zone is most suitable to this site. We therefore seek that a Special</p>	<p>Runanga and Flagpole, and regarded as including Lots 1 - 3 of DP 326610, and Lots 1 and 2 of DP 152502) and insert/create a new Waitangi Grounds Special Purpose zone</p> <p>OR</p> <p>Insert a new Precinct over the Waitangi Treaty Grounds</p> <p>OR</p> <p>In the event the Waitangi Treaty Grounds is not set aside for special zoning and/or precinct:</p> <ul style="list-style-type: none"> rezone Lots 2 and 3 DP 326610 Sport and Active Recreation (to accommodate the existing golf club) amend the rules applying to the Waitangi Treaty Ground to clarify when resource consent is required. 		

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				Purpose Zone or Precinct be applied to the Estate.				
FS51.26	Heritage New Zealand Poutere Taonga		Support	<p>The Waitangi Treaty Grounds/Te Pitowhenua is the most symbolically important place in Aotearoa/New Zealand, being identified in 2019 as the first National Historic Landmark/ Ngā Manawhenua o Aotearoa me ōna Kōrero Tūturu in accordance with the HNZPTA.</p> <p>The submission partially aligns with HNZPT's primary submission (409) in seeking an appropriate planning framework of the Waitangi Treaty Grounds.</p>	Allow		Accept in part	
S503.009	Waitangi Limited	Sport And Active Recreation Zone	Not Stated	<p>Given the high historical importance of Waitangi Estate is it has a number of overlays which apply to the site. If left with the underlying zone and general overlays, the rules assessment would be difficult to undertake as each overlay stipulates that the more restrictive rule is applicable. This would result in very minor activities which are generally enabled being captured and requiring consent.</p> <p>The existing Rural Production zone may directly conflict with the Waitangi Trust Board Act's preamble which has set aside the site for a specific purpose.</p> <p>The multiple layers make any planning assessment difficult as in all cases the most stringent rules in any overlay apply. This means that more enabling rules imposed under certain overlays tailored for a particular activity cannot be utilized which results in almost all activities requiring consent as a Discretionary or Non-Complying</p>	<p>Delete the zoning that applies to the Waitangi Treaty Grounds (including the Treaty House, Hobson Memorial, Whare Runanga and Flagpole, and regarded as including Lots 1 - 3 of DP 326610, and Lots 1 and 2 of DP 152502) and insert/create a new Waitangi Grounds Special Purpose zone</p> <p>OR</p> <p>Insert a new Precinct over the Waitangi Treaty Grounds</p> <p>OR</p> <p>In the event the Waitangi Treaty Grounds is not set aside for special zoning and/or precinct:</p> <ul style="list-style-type: none"> rezone Lots 2 and 3 DP 326610 Sport and Active Recreation (to 		Accept	

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				<p>activity.</p> <p>A more tailored approach will provide clarity as at present the Proposed District Plan makes everyday management and maintenance activities require consent.</p> <p>We have an opportunity to tailor make some rules which are specific to the Waitangi Estate and help give effect to the deed established in 1932. Given the fact that no other zones in the District Plan would be appropriate given the specific nature of this site, and moreover that the other spatial layers would cause undue confusion and perverse outcomes in terms of the activities they would capture, we consider that the use of a special purpose zone is most suitable to this site. We therefore seek that a Special Purpose Zone or Precinct be applied to the Estate.</p>	<p>accommodate the existing golf club)</p> <ul style="list-style-type: none"> amend the rules applying to the Waitangi Treaty Ground to clarify when resource consent is required. 			
FS51.31	Heritage New Zealand Poutere Taonga		Support	<p>Te Pitowhenua/Waitangi Treaty Grounds is the most symbolically important place in Aotearoa/New Zealand, being identified in 2019 as the first National Historic Landmark/ Ngā Manawhenua o Aotearoa me ōna Kōrero Tūturu in accordance with the HNZPTA.</p> <p>The submission partially aligns with HNZPT's primary submission (409) in seeking an appropriate planning framework of the Waitangi Treaty Grounds.</p>	Allow		Accept in part	
S502.112	Northland Planning and Development 2020 Limited	General / Miscellaneous	Not Stated	Given the high historical importance of Waitangi Estate is it has a number of overlays which apply to the site. If left with the underlying zone and general overlays, the rules assessment would	Delete the zoning that applies to the Waitangi Treaty Grounds (including the Treaty House, Hobson Memorial, Whare Runanga and Flagpole, and regarded as including Lots 1 - 3 of DP 326610, and Lots 1		Accept	

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				<p>be difficult to undertake as each overlay stipulates that the more restrictive rule is applicable. This would result in very minor activities which are generally enabled being captured and requiring consent.</p> <p>The existing Rural Production zone may directly conflict with the Waitangi Trust Board Act's preamble which has set aside the site for a specific purpose.</p> <p>The multiple layers make any planning assessment difficult as in all cases the most stringent rules in any overlay apply. This means that more enabling rules imposed under certain overlays tailored for a particular activity cannot be utilized which results in almost all activities requiring consent as a Discretionary or Non-Complying activity.</p> <p>A more tailored approach will provide clarity as at present the Proposed District Plan makes everyday management and maintenance activities require consent.</p> <p>We have an opportunity to tailor make some rules which are specific to the Waitangi Estate and help give effect to the deed established in 1932. Given the fact that no other zones in the District Plan would be appropriate given the specific nature of this site, and moreover that the other spatial layers would cause undue confusion and perverse outcomes in terms of the activities they would capture, we consider that the use of a special purpose zone is most suitable to this site. We therefore seek that a Special Purpose Zone or Precinct be applied to the Estate.</p>	<p>and 2 of DP 152502) and insert/create a new Waitangi Grounds Special Purpose zone</p> <p>OR</p> <p>Insert a new Precinct over the Waitangi Treaty Grounds</p> <p>OR</p> <p>In the event the Waitangi Treaty Grounds is not set aside for special zoning and/or precinct:</p> <ul style="list-style-type: none"> rezone Lots 2 and 3 DP 326610 Sport and Active Recreation (to accommodate the existing golf club) amend the rules applying to the Waitangi Treaty Ground to clarify when resource consent is required 		

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FS51.28	Heritage New Zealand Poutere Taonga		Support	<p>The Waitangi Treaty Grounds/Te Pitowhenua is the most symbolically important place in Aotearoa/New Zealand, being identified in 2019 as the first National Historic Landmark/ Ngā Manawhenua o Aotearoa me ōna Kōrero Tūturu in accordance with the HNZPTA.</p> <p>The submission partially aligns with HNZPT's primary submission (409) in seeking an appropriate planning framework of the Waitangi Treaty Grounds.</p>	Allow		Accept in part	