

**Before the Hearings Panel
At Far North District Council**

Under the Resource Management Act 1991

In the matter of the Proposed Far North District Plan

**Joint Witness Statement – Provisions relating to the Waitangi Estate Special
Purpose Zone**

Date: 30 October 2025

INTRODUCTION:

- 1 This Joint Witness Statement (**JWS**) relates to expert planning conferencing on provisions relating to the Waitangi Estate Special Purpose Zone (**WEZ**) that were unresolved at the close of Hearing 15B on the Proposed Far North District Plan (**PDP**).
- 2 The following participants were involved in this conferencing and authored this JWS:
 - (a) Ms Lynette Morgan (WEZ section 42A author)
 - (b) Ms Melissa Pearson (Heritage section 42A author)
 - (c) Ms Rochelle Jacobs (expert planner for Waitangi Estate Limited (**WEL**)) and
 - (d) Mr Stuart Bracey (expert planner for Heritage New Zealand Pouhere Taonga (**HNZPT**)).
- 3 In preparing this statement, the experts have read and understand the Code of Conduct for Expert Witnesses as included in the Environment Court of New Zealand Practice Note 2023¹. In particular paragraph 5.4 Conferences, paragraph 9.4 Duty to confer, section 9.5 Joint Witness Statements, and paragraph 9.6. Party responsibility for expert conference. The experts also agree they have read Minute 1 issued by the Panel on 16 December 2023.

PURPOSE AND SCOPE OF CONFERENCING:

- 4 The conferencing was focused on matters identified in Minute 33, dated 10 September 2025 in relation to the direction from the Hearing Panel to caucus on the few narrow issues outstanding from Hearing 15B. Minute 33 defined the scope of the conferencing as limited to the following provisions in the draft WEZ chapter, the Natural Features and

¹ <https://www.environmentcourt.govt.nz/assets/Practice-Note-2023-.pdf>

Landscapes (**NFL**) chapter, the Signs chapter, the Temporary Activities (**TA**) chapter and the Definitions chapter:

- (a) NFL -R1 (as it applies to the WEZ) and/or any necessary amendments to WEZ standards to address scale of buildings in the Te Pitowhenua sub-zone;
- (b) WEZ rule(s) for signs;
- (c) WEZ rule(s) for temporary activities; and
- (d) Definition of Waitangi commercial activities (in terms of how it might accommodate activities otherwise caught by the temporary activities rule).

5 The Hearing Panel has also directed that, as the WEZ is a special purpose zone, it is comfortable with exploring the option of providing specific place-based definitions or rules for activities at Waitangi Estate to avoid any district-wide issues. The planners have been mindful of this direction in formulating this JWS.

ACTIONS TAKEN:

6 A meeting between the participants listed in paragraph 2 was held on 15 September 2025 at two separate locations, with Ms Morgan and Ms Jacobs conferencing in Kerikeri and Ms Pearson and Mr Bracey conferencing in Auckland, with the two meetings linked online. After this meeting, the following actions occurred:

- (a) Landscape advice was sought from Mr Simon Cocker and Ms Melean Absolum with respect to the Outstanding Natural Landscape (**ONL**) and whether identifying two areas within the ONL with greater/lesser sensitivity to new buildings and structures was appropriate from a landscape perspective. The outcome was an initial memo and associated map prepared by Mr Cocker, and a peer review memo prepared by Ms Absolum. Both are appended to this JWS as **Attachment A**.

(b) A marked-up version of the WEZ provisions and associated amendments to other PDP chapters prepared by Ms Pearson and Ms Morgan was circulated to the other two planners for comment on 22 September 2025. This version of the provisions reflected the progress that was made during the first conferencing session and highlighted the outstanding matters to be discussed further. Further mark ups and comments were received from Mr Bracey and Ms Jacobs on the 23 and 24 September 2025 respectively.

(c) An on-site walkover on 24 October 2025 (after some delays due to illness and bereavement) to 'ground-truth' the line identified by the landscape architects from a heritage and archaeological perspective to confirm how some of the agreed in principle rules relating to the ONL and signage would be applied in practice. This walk-over was attended in a planning capacity by Ms Jacobs, Ms Morgan and Mr Bracey, and from a heritage/archaeological perspective by Mr James Robinson from HNZPT.

(d) A revised map was prepared to show the amended line based on heritage/archaeological feedback received from Mr Robinson during the on-site walkover. This line was reviewed by Mr Andy Brown in his capacity as an archaeological expert for the Far North District Council (**Council**), who agreed with the location of the line. The map showing the amended line is appended to this JWS as **Attachment B**, which is the map proposed to be appended to the WEZ chapter as Appendix A.

7 A final conferencing session occurred after the on-site walkover on 24 October 2025 where the remaining outstanding issues were discussed.

8 A first draft of the JWS was circulated by Ms Pearson on 28 October 2025 for review and comment, with follow up correspondence via email received from all other expert planners. This final JWS has resulted from the two conferencing meetings, the additional landscape and heritage/archaeological input, the on-site walkover and follow up discussions between the expert planners.

MATTERS THAT THE EXPERTS AGREE ON:

General matters

9 As a starting point for this caucusing, the following matters are agreed by the planning experts, based on s42A reports and evidence received from Council, WEL and HNZPT:

(a) The WEZ as a special purpose zone is the most appropriate spatial tool to recognise the unique characteristics and values of the Waitangi Estate and manage its nationally significant cultural and heritage values.

(b) The recommended provisions for the WEZ (and consequential amendments to district wide chapters) contained in the section 42A report for Hearing 15B, except for those outlined in paragraph 4 above, are not within the scope of this expert caucusing. The exceptions are some minor wording errors identified during caucusing and additions to non-statutory parts of the WEZ chapter, both of which are addressed in the Other Matters section of this statement.

NFL-R1 and associated WEZ standards

10 The starting point for discussions between the planners on NLF-R1 and associated WEZ standards was an agreement between all planners that the most efficient way to manage the effects of built development on the landscape, heritage and cultural values of the ONL in the WEZ is to focus on the drafting of NFL-R1. It was agreed that a hybrid approach of building/structure footprint rules in the WEZ standards as well as the application of NFL-R1 could be confusing and it was more appropriate to have a workable rule located in a single chapter.

- 11 The planners agreed on the following points prior to considering drafting options for NFL-R1:
- (a) Based on the landscape evidence heard at Hearing 15B, both Mr Cocker and Ms Absolum agree that the key values of the ONL are heritage and cultural values rather than natural landscape values.
 - (b) The Te Pitowhenua (Treaty Grounds) sub-zone is the part of the WEZ impacted by the ONL. The planners agreed that there are parts of Te Pitowhenua that are used more for operational activities (generally in the southern portion of the ONL), as well as parts that are more sensitive from a landscape, heritage and cultural perspective (generally in the northern portion of the ONL).
 - (c) In principle, subject to further expert input and on-site ground-truthing, it was agreed at the first conferencing meeting that it may be appropriate to separate the ONL into two portions, with more stringent provisions applying to the northern portion and more lenient provisions applying to the southern portion.
- 12 The landscape and heritage/archaeological input received in the interim between the two conferencing sessions confirmed to the planners that their initial assumption in paragraph 11(c) above was correct and it is possible to spatially map the more sensitive and less sensitive parts of the ONL. The agreed position of the landscape experts (as set out in **Attachment A**) differs from the agreed position of the heritage/archaeological experts (as set out in **Attachment B**), however these different positions were anticipated by the planners from the outset. The memos provided by the landscape architects were clear that their feedback was provided through a landscape values lens only and that, with further heritage/cultural expert input, it may be appropriate to move the line between the more and less sensitive parts of the ONL.
- 13 Based on the expert feedback and the information gained from the on-site walkover, the planners agreed that it was appropriate to use the line

identified by the heritage/archaeological experts as opposed to the landscape experts as:

- (a) The landscape experts agreed that the most important values of the ONL were heritage and cultural values as opposed to natural landscape values;
- (b) The line identified by the heritage/archaeological experts is more conservative in that it identifies more of the ONL as being 'highly sensitive' compared to the landscape experts' line. As the planners were considering a more permissive approach to the drafting of NFL-R1 for the WEZ (particularly for the less sensitive southern portion), it was considered important to take the more conservative of the two expert positions to ensure that the majority of the ONL remained highly protected.
- (c) The line identified by the heritage/archaeological experts ensured that several key additional features were included in the more sensitive area, including Hobsons Memorial and the associated Hobson Circle, various trees and vegetation planted by Busby, Busby Memorial Gates, Te Korowai Maikuku (Wharewaka), stone walls and other trees, shrubs and flowers detailed within the Waitangi Treaty Grounds Conservation Plan.

14 The outcome was the preparation of a map (included as **Attachment B**) that separates the ONL into two parts:

- (a) ONL-North for the part of the ONL with the landscape, heritage and cultural values most at risk of being impacted by inappropriate built development; and
- (b) ONL-South for the part of the ONL that contains the majority of operational activities and buildings and fewer sites/areas of high landscape, heritage or cultural significance such as both public and staff car parks, Tau Henare Drive, the Wharewaka Café and outdoor seating area including hangi pits, the constructed pond, a series of boardwalks which connect to the gift shop, admin building and

carving area, the old bowling club, multiple toilet facilities, utility buildings and the permanent marquee.

15 The planners then turned their minds to the issue of an appropriate structure for NFL-R1, based on a more sensitive ONL-North area and a less sensitive ONL-South area. The discussion centred around two aspects of the rule – what the permitted threshold should be for new buildings and structures in both parts of the ONL, and what the activity status should be if those thresholds are exceeded.

16 Ms Jacobs provided a range of examples of low impact, small scale, but functionally necessary, buildings and/or structures where it would be desirable to provide a permitted pathway in ONL-North, including:

- (a) Signage structures
- (b) Rubbish bins
- (c) Seating
- (d) Lighting structures (free standing solar panels for lighting)
- (e) Monuments
- (f) Drinking fountains
- (g) Boardwalks
- (h) Water tanks
- (i) Security infrastructure including cameras and alarms

17 Mr Bracey and Ms Jacobs made the group aware that the current provisions that have immediate legal effect in the PDP are generating numerous minor resource consent applications for these types of features with little environmental benefit associated with the consent process.

18 The planners agreed that these types of buildings/structures would have a minimal impact on the landscape, heritage and cultural values for which the ONL was identified, provided they are limited to a small

footprint. There was agreement that these types of features are essential to the day-to-day operation of the Upper Treaty Grounds and requiring a resource consent for these types of buildings/structures in ONL-North would not be an efficient use of resources for either WEL or the Council. The planners consider that these types of buildings and structures should be anticipated in ONL-North as an appropriate part of managing the Upper Treaty Grounds and making them an attractive and functional place for visitors.

19 The planners discussed options for permitting these types of activities under NFL-R1. It was agreed that, rather than attempting to list all types of operational related structures (which can result in an inflexible and likely incomplete list), the preferred option is to set a 10m² permitted threshold for ONL-North as a proxy to allow the sorts of activities listed in paragraph 16 above. The planners consider that this approach strikes a balance between controlling the potential adverse effects of new buildings and structures on landscape, heritage and cultural values in ONL-North while still allowing small scale operational related structures to have a permitted pathway, without having to restrict WEL to a finite list of permitted buildings or structures. Mr Bracey wishes to record that another key benefit of this approach is avoiding WEL being subject to costly and, in his view, unnecessary resource consenting processes.

20 While this 10m² threshold is more restrictive than the permitted threshold for all other ONL in NFL-R1 (being 50m²), the planners agree that this is appropriate given the nationally significant heritage and cultural values associated with the ONL-North area. Setting this threshold relatively low ensures that proposed major projects in the ONL-North area will continue to require resource consent (for example, consent was recently obtained for the Māori Battalion Museum Development), which will allow for appropriate assessment of how new buildings/structures integrate into the highly significant heritage and cultural setting. For ONL-South, the planners agree that the permitted threshold should remain at 50m² under NFL-R1, which is consistent with all other ONL in the PDP.

- 21 The second component of the NFL-R1 rule structure is the appropriate activity status for infringing the m² thresholds in ONL-North and ONL-South areas. The starting position for Ms Pearson and Ms Morgan was that a non-complying activity status would be appropriate for ONL-North, given its sensitivity to built development and the fact that defaulting to non-complying is the activity status for buildings/structures in all other ONLs if the permitted m² threshold is exceeded. Ms Pearson and Ms Morgan considered that a discretionary activity status would be acceptable for the less sensitive ONL-South, being the most likely location for the development of larger scale building projects.
- 22 Ms Jacobs and Mr Bracey started from an alternative position, being that a restricted discretionary activity status would be appropriate for infringements of the m² thresholds in ONL – South and discretionary activity status would be appropriate in ONL-North. The arguments put forward for this position can be summarised as follows:
- (a) Unlike most other ONL in the Far North district that are more natural in character, the ONL applied to the WEZ contains an extensive amount of built development already. As such, the outstanding landscape character of the ONL inherently contains built forms, which in of themselves contribute to the heritage and cultural elements of that outstanding landscape character.
 - (b) The message being sent by the non-complying activity status under NFL-R1 is that built development is not anticipated or appropriate in an ONL above the m² threshold unless the 104D gateway tests are met – the starting position for a decision maker is to decline an application unless these tests are met. A restricted discretionary or discretionary activity status starts with a more neutral position, where the application is assessed on its merits without presumption about approval or decline. This is considered to be a more appropriate starting point for decision making in an ONL that is already characterised by built development and where some modifications to the environment should be anticipated over time.

Mr Bracey highlights that this approach to consenting acknowledges that the Treaty grounds site has been modified over the last 185 years and will need to continue to evolve as cultural and community outcomes change.

- (c) ONL- South generally consists of parking areas, roading, back of house buildings and infrastructure. Most areas have been highly modified and generally are out of view from the buildings and structures with the most heritage and cultural value. Development and upgrades of this area are anticipated to ensure the site can continue to effectively operate as a tourist venue centred on the heritage and cultural values of the Waitangi Estate. Specific criteria could be developed to ensure a suitable range of conditions could be imposed on any future land use application.
- (d) ONL – North contains buildings, objects and vegetation which have exceptional national value. Allowing for a full spectrum of potential adverse effects to be considered is regarded as appropriate.
- (e) Unlike other ONLs, the WEZ ONL covers a site of national heritage and cultural significance, with the underlying purpose of the WEZ stated in the Overview to be *“to preserve and further enable the lands within the Waitangi Estate to be utilised as a national place of historic interest, recreation, enjoyment, and benefit for all New Zealanders”*. The direction for the WEZ to be ‘utilised’ indicates a dynamic landscape that is used for a variety of purposes, as opposed to a more passive landscape valued for its lack of built development. In this context, a discretionary activity status is seen to balance the need for some built development to happen over time, alongside the need for that development to be fully assessed, with no limits on discretion, through the resource consent process.

23 After extensive discussion on the matter, Ms Pearson and Ms Morgan now agree that a discretionary activity status is more appropriate for infringements of the permitted m² thresholds in NFL-R1. Ms Pearson and Ms Morgan’s shift on the matter was influenced by the relatively

stringent threshold in ONL-North of 10m², combined with the larger area covered by ONL-North as recommended by the heritage/archaeological experts. In their view, the most important component of the rule is the m² threshold, which will ensure that all built development proposals in ONL-North that are more significant than signs, seating etc will be required to be assessed as a full discretionary activity through the resource consent process. Provided this low m² threshold is retained, Ms Pearson and Ms Morgan can support the discretionary activity status for ONL-North.

- 24 Ms Jacobs and Mr Bracey have also shifted their initial position and now agree that a discretionary activity status is appropriate for infringements for built development exceeding the m² permitted standards in both ONL-North and ONL-South. Ms Jacobs confirms that after ground truthing and further reviewing the Waitangi Treaty Grounds Conservation Plan, some areas of ONL-South will have visibility to buildings and objects that have been recorded as having 'considerable significance'². As such, being able to impose any consent conditions necessary for future activities which exceed 50m² to manage potential effects on those significant buildings and objects is important, meaning that a full discretionary activity is more appropriate. For ONL- North, the more restrictive permitted standard of 10m² allows for minor structures to be constructed which will not detract from the main heritage resources present on site. Ms Jacobs confirms that she is satisfied that the ONL- North and ONL-South boundaries are appropriate if both default to a Discretionary activity status where the permitted m² threshold is exceeded. If the drafting of NFL-R1 was to change from what has been agreed through caucusing and set out in **Attachment C**, Ms Jacobs would be concerned about the delineation between ONL-North and South given the restrictive permitted activity threshold.

² Items of Considerable Significance Table (Pg 117 – 120), Waitangi Treaty Grounds Conservation Plan

- 25 Ms Jacobs has also raised that, while the ONL-North and ONL-South line has been ground truthed, these points have not been subject to GPS location by a surveyor such that there may be a situation where an area intended to be included or excluded through discussions falls into the wrong ONL category. While every attempt has been made in reviewing aerals and including notes on specific boundary locations to set the line in the correct location, the bush coverage makes it difficult to capture boundaries around areas such as the staff carpark, admin building and Tau Henare Drive. Moreover, the cadastral layer does not necessarily align with the underlying aerial, which can also result in a slight shift of the ONL boundaries. The planners agree that, with more time to execute a more accurate survey of the line, there would be higher confidence that its location was spatially correct and reflective of the intended location agreed through caucusing.
- 26 On this basis, this JWS includes a mark-up of NFL-R1 in **Attachment B** that reflects the agreed position of all planners as set out above. The key elements of the recommended changes to this rule are:
- (a) New text inserted into NLF-R1, PER-1 (3)(a) to make it clear that the 50m² permitted threshold for ONL in the coastal environment also applies to ONL-South located within the WEZ.
 - (b) A new clause (f) added to NFL-R1, PER-1 (3) that sets a 10m² permitted threshold for ONL-North located within the WEZ.
 - (c) A new note that directs plan users to Appendix A of the WEZ chapter where they will find a map showing the spatial extent of ONL-North and ONL-South.
 - (d) A new discretionary activity status for ONL-North and ONL-South where PER-1 is infringed and CON-1 cannot be complied with.

WEZ rules for signs

- 27 There are several aspects of the approach to managing signage in the WEZ that the planners agreed on from the outset of conferencing:

- (a) Some parts of the WEZ are more sensitive to the cumulative effects of activity signage than others, being the area identified as ONL-North as well as the entrance road from the Waitangi Bridge along Te Karuwha Parade and Tau Henare Drive up to the intersection for the main car park. The planners agreed that these are the areas where the cumulative effects of signs could impact on the heritage and cultural values of the WEZ and how those values are experienced by the public.
- (b) Interpretation signs for heritage or cultural features, directional signs, health and safety signs, ecological or environmental protection signage, public amenity signage and community signs should have a permitted pathway subject to standards regarding size and form, but not subject to standards controlling the number of signs. It is agreed that these signs are driven by practical need and only the number of signs necessary to help the functional operation of the WEZ will have a permitted pathway.
- (c) All signage rules relating to the WEZ should be contained in a single rule for efficiency and to assist with understanding and interpretation.

28 As such, most of the conferencing on signage focused on the rules and standards that apply to signs relating to an activity occurring on the Waitangi Estate. It was agreed that, outside of ONL-North and the entranceway into the WEZ, the Waitangi Estate has a reasonable amount of capacity to internally absorb the potential cumulative effects of signage without adversely affecting how the public view and experience the Estate. The planners agreed that an appropriate number of signs per activity is a maximum of two, which will allow for two signs advertising the activity plus directional signs to find the activity (which are not restricted in their number). However, of those two permitted activity signs, the planners agreed that only one of those signs per activity should be located in the more sensitive parts of the WEZ i.e. ONL-North and the entranceway, to limit the cumulative effects of signage in those areas

e.g. visual clutter, detracting from heritage and/or cultural values, reduction in visual amenity.

29 There were two other areas where the planners were able to agree to amendments to the signage provisions:

(a) It was agreed that the 1m² area restriction for signage should continue to apply to ONL-North, but that the more operational and less sensitive nature of ONL-South justified a larger 3m² size limit.

(b) The originally drafted PER-1 of the WEZ specific signage rule referred to the need for signs to comply with the height, height in relation to boundary, and setback standards within the WEZ, except for on road boundaries. The planners agreed that the height in relation to boundary and setbacks standards do not need to apply to the internal cadastral boundaries running through the Estate and only needed to be applied at the boundaries of the WEZ, but that maximum height standards for signs should apply everywhere within the WEZ.

30 The one aspect of the signage provisions where the planners were unable to reach agreement related to third party advertising signs, which is discussed in the 'Matters that the experts disagree on' section below.

31 On this basis, this JWS includes a mark-up of the relevant Signage chapter provisions in **Attachment C** that reflects the agreed position the planners as set out above (with the exception of third-party advertising signs). The key elements of the recommended changes to the Signage rules and standards are:

(a) Consolidation of all signage rules applying to the WEZ in a single rule (referred to in **Attachment C** as SIGN-RXX). This involves consequential amendments to SIGN-R5, SIGN-R6, SIGN-R7 and SIGN-R8 to exempt the WEZ.

(b) Within the new SIGN-RXX:

- i. New PER-X providing a permitted activity pathway for the types of signs listed in paragraph 27(b) above plus signs for activities occurring on the Waitangi Estate.
- ii. New PER-Y containing the content of Sign rules R5-R7 but consolidating it into the WEZ specific signage rule e.g. providing for free-standing, double sided and v-shaped signs as well as limiting signs to not protruding above the highest point of a building or structure.
- iii. Amendments to PER-1 to clarify that height in relation to boundary and setback standards only apply at the external boundaries of the WEZ, as discussed in paragraph 29(b) above.
- iv. Delete PER-2 but consolidate it with the list of permitted signs in PER-X.

(c) SIGN-S1:

- i. Exemption for the WEZ from the part of the standard applying to ONFs, ONLs, Heritage Areas and Scheduled Heritage Resources, with that content relocated to the WEZ specific part of SIGN-S1.
- ii. A 1m² size restriction on signs in ONL-North, (which by default also manages signs near Scheduled Heritage Resources as these are all located within ONL-North), a 3m² size restriction in ONL-South and a 1m² size restriction in ONFs (Rocky Outcrop to the north of the Treaty Grounds and Haruru Falls).
- iii. One sign per activity in ONL North + Signage Restriction Frontage Area.
- iv. Two signs per activity elsewhere in WEZ.

(d) SIGN-S2: Add the WEZ to the list of zones that are excluded from the generic maximum height standard for signs.

(e) SIGN-S3: Redrafted WEZ specific part of the standard to state:

- i. No maximum number of signs for the purposes listed in SIGN-RXX, PER-X, 1-6 (being signs for things such as directional signs, health and safety signs etc.)
- ii. Maximum of two signs per activity located in the WEZ.
- iii. A limit of one sign per activity located in ONL-North and the entrance to the WEZ (noted on the map in **Attachment C** as 'Signage Restriction Frontage Area'). The drafting of this standard makes it clear that this one sign is not in addition to the two signs allocated to each activity, rather it ensures that only one of the two permitted signs can be located in these restricted areas.

WEZ rules for temporary activities (and associated definitions)

32 The planners began the discussion on temporary activities with a question about the capacity of the facilities on the Waitangi Estate to accommodate a temporary activity event. The planners agreed that the Waitangi Estate has purpose-built facilities capable of accommodating a temporary activity that, if held elsewhere, would likely generate off-site adverse effects such as noise, traffic congestion, and reduced access to public spaces. The size of the Estate, combined with the on-site parking and variety of event spaces inherently raises the threshold for the level of potential adverse effects that can be accommodated internally to the Estate without resulting in off-site effects. Mr Bracey also noted that the Waitangi Estate has unique checks and balances to manage the appropriateness of temporary activities on the Estate created through other legislation, being the Heritage New Zealand Pouhere Taonga Act 2014 and the legislated Trust deed document.

- 33 On that basis, the planners agreed that provisions for temporary activities in the WEZ can be more permissive than the generic provisions in the Temporary Activities chapter that apply elsewhere in the district. In considering how permissive those provisions should be, the planners agreed that the following matters should form the basis for drafting:
- (a) As per the approach to signage rules, there should be a WEZ specific temporary activity rule as opposed to exemptions relating to the WEZ being spread out over the generic temporary activity rules.
 - (b) Specific provision needs to be made for the three major temporary activities that occur annually, being Waitangi (and associated events during that week), ANZAC Day and the week of Matariki. These provisions should have tailored operating hours and durations specific to these events.
 - (c) A distinction should be made between genuine temporary activities and activities such as functions and conferences that are part of the regular operation of the Waitangi Estate.
 - (d) There should be a distinction between smaller and larger scale temporary events in terms of the frequency they are allowed to occur as a permitted activity.
- 34 The planners agreed that smaller scale temporary events should be permitted without a limit on frequency where they can be accommodated by the existing on-site infrastructure available for such events without needing external infrastructure brought to site e.g. no need for traffic management, opening of additional parking areas, catering infrastructure, event staging etc. It was also considered critical that the threshold used to identify a smaller temporary activity be set at a number of persons that could be accommodated without impacting the ability of the public to access the Treaty Grounds. The rationale for this position is that if a temporary activity can occur without disrupting the day to day running of the Treaty Grounds and without creating any additional adverse effects on adjacent properties or on the surrounding

transport network then it should be a permitted activity as there are no off-site adverse effects on the surrounding local community or impacts on the wider public to manage through a consent process.

35 The first step was to revisit the definition of 'Waitangi Commercial Activities' as it was clear from the evidence presented at Hearing 15B that additional activities should be included in this definition to:

- (a) Better reflect the range of activities that occur regularly on the Waitangi Estate, such as artisan workshops, exhibitions, functions and conferences, as well as the parking associated with those activities; and
- (b) Make it clear that activities such as functions and conferences are not 'temporary activities' as defined by the PDP and should not be managed by the Temporary Activities chapter.

36 With respect to temporary activities that are not captured by the definition of 'Waitangi Commercial Activities', the planners agreed that there should be three tiers of temporary activities managed by the Temporary Activities chapter:

- (a) **Waitangi, ANZAC Day and Matariki** – the planners agree that these three events should be named as permitted activities, with specific limits on hours of operation and duration tailored to each activity, as well as the requirement to comply with TA-S1 Road controlling authority approval.
- (b) **Temporary activities where there is a maximum of 500 people on the site (excluding staff)** – this is the 'smaller scale' of temporary activity discussed above that can occur simultaneously with the Treaty Grounds being open to the public and can be accommodated without the need for additional on-site event infrastructure or traffic control. The 500-person maximum is less than the likely maximum capacity of the existing facilities on-site (based on feedback about capacity requested from WEL by Ms Jacobs in the interim between conferencing sessions) but was agreed by the planners as a more

conservative number that ensures the scale of these activities does not adversely affect surrounding properties or impact on the experience of the public when they visit the Treaty Grounds. The planners agreed that this scale of temporary activity does not need to comply with TA-S1 Road controlling authority approval as the traffic generated by an event of this scale can be accommodated by the existing access and parking within the WEZ without impacting the surrounding road network.

- (c) **All other temporary activities** – this would capture temporary activities that are not one of the three named events but are over 500 people in size. The planners agree that events of this scale should still be provided for as a permitted activity in the WEZ, but there should be limits on the frequency that these activities can occur. Events of this size are likely to require traffic management, opening of additional parking areas, transportation of event infrastructure and equipment to site and may also restrict the opening of the Treaty Grounds to the public, depending on the nature of the event and its location within the WEZ. As such, events of this scale should not be occurring more than once or twice a month, depending on the time of year. The planners also agreed that it was appropriate to require these larger scale activities to comply with TA-S1 Road controlling authority approval to manage off-site traffic effects.

37 The next key matter to discuss was the frequency of when temporary activities involving more than 500 people can occur within the WEZ, noting that these events would be in addition to the three 'core' events of Waitangi, ANZAC Day and Matariki, plus any temporary activities involving less than 500 people. All planners agreed that allocating a certain number of events per year to each sub-zone within the WEZ (as was originally drafted for TA-RX – Temporary activities on the Waitangi Estate) was largely arbitrary and not based on any specific evidence about where events were most likely to occur. The planners agreed that a more efficient approach would be to provide flexibility for the events

to locate anywhere within the WEZ, noting that the nature of the event will dictate which part of the Waitangi Estate is most appropriate to use.

38 A range of numbers were considered for the maximum number of events over 500 people in a calendar year. The starting point for Ms Pearson and Ms Morgan was 12 events per year (averaging around 1 per month), while Ms Jacobs and Mr Bracey were inclined to be more permissive, with Mr Bracey suggesting 24 events (averaging around two per month). A compromise was reached with the recommended number of 15 events per calendar year, assuming around 1 event per month, with an additional 3 events provided over summer to reflect the higher use of the Estate during that period. It was discussed whether it was appropriate to limit the events to 1 per month (or 2 over the summer months) to ensure the events were spaced out, however it was acknowledged that this arrangement was unlikely to reflect the reality of when events are scheduled and having a total cap on events throughout the year was sufficient.

39 On this basis, this JWS includes a mark-up of the relevant Temporary Activity chapter provisions and associated Definitions in **Attachment C** that reflects the agreed position the planners as set out above. The key elements of the recommended changes to the Temporary Activity rules and standards and associated definitions are:

- (a) Amending the definition of 'Waitangi Commercial Activities' to include artisan workshops, exhibitions, functions, conferences and associated parking (including consequential amendments to WEZ-R4).
- (b) Removing all references to the WEZ from TA-R1 to consolidate all temporary activity rules applying to the WEZ in a single rule (TA-RX).
- (c) Within new TA-RX:
 - i. A new PER-X to provide for Waitangi Week, ANZAC Day and Matariki Week as permitted activities, with durations specific to each event.

- ii. A new PER-Y to provide a permitted pathway for temporary activities, other than those listed in PER-X, that have a maximum of 500 persons on site excluding event staff.
- iii. An amended PER-1 that applies to temporary activities not provided for by PER-X or PER-Y (i.e. events over 500 persons and not one of the listed events), where these events are limited to no more than 15 temporary activity events per calendar year and the duration does not exceed two consecutive days.
- iv. An amended PER-2 to set specific hours of operation for each event, with tailored times for Waitangi, ANZAC Day and Matariki (based on the operational needs outlined by Ms Jacobs) and hours limited to between 6.30am and 10.00pm for all other temporary activities.

MATTERS THAT THE EXPERTS DISAGREE ON:

- 40 The planners have reached a high degree of alignment in their recommendations and the areas in contention are relatively narrow. As outlined above, the areas where the planners disagree are limited to third-party advertising signs (being part of the wording of SIGN-RXX, PER X in **Attachment C**).
- 41 With respect to third-party advertising, the planners were divided into two opposing positions. Ms Pearson and Ms Morgan consider that the WEZ should be subject to the same third-party advertising restrictions as apply across the rest of the Far North District. During the conferencing, Ms Pearson and Ms Morgan did not hear any WEZ specific arguments that convinced them that the Waitangi Estate warranted a permitted activity status for third party advertising – in fact its uniqueness and national significance, including associated heritage and cultural values, further convinced Ms Pearson and Ms Morgan that it would be inappropriate to allow a permitted pathway for the WEZ to be used for

advertising purposes, regardless of the monetary value that advertising might afford to WEL and/or other activities such as the golf club that utilise sponsorship from third parties for additional funding. If signage for third-party advertising is desirable for WEL and/or other activities that utilise the Waitangi Estate, Ms Pearson and Ms Morgan consider the most appropriate way to enable this is through a global consent as a discretionary activity, either for the WEZ as a whole or for a specific sub-zone, to establish site specific parameters (and associated consent conditions) for the extent of third-party advertising.

42 Ms Jacobs and Mr Bracey are of the opinion that third party signage is already a reality for activities like the golf club, yacht club and Bledisloe sports grounds. These community organisations rely on third party advertising from local businesses to raise funds for on-going maintenance and upkeep of these facilities. While there is agreement that third party signage is not appropriate on Te Pitowhenua and this should remain as a Discretionary activity, Ms Jacobs and Mr Bracey consider that third party signage should be provided for as a Restricted Discretionary activity within the Papa Rehia sub zone. This covers both the Golf Club and the Yacht Club and can allow for discrete signs in specific locations. This could include a small business sign stating that a particular business sponsors a specific hole, a walking track or bench seat. Small signs of this nature are generally inwards facing, targeted at people using the facilities, and small as they are directed at people at close range rather than people driving by. As such, the likelihood of these signs detracting from any heritage items or coastal views is low.

43 A restricted discretionary activity status provides necessary comfort that the size and location of these signs can be controlled and conditioned. Ms Jacobs and Mr Bracey agrees that third party advertising in the Ahuwhenua sub zone should default to a Discretionary activity status given that this is a much larger area with multiple different activities occurring and is adjacent to neighbouring properties such that effects may be quite different and an activity status which allows for unrestricted consideration of conditions may be more appropriate.

OTHER MATTERS:

44 The planners were mindful to keep the matters discussed through conferencing within the scope set out by Minute 33. However, there were two matters that arose that, while outside the scope of conferencing, were either amendments to non-statutory parts of the WEZ chapter or amendments to fix an error that the planners agreed was worth alerting the Panel to. These amendments have been shown as part of the marked-up chapter in **Attachment C** for the Panel to include if they are minded to do so. The amendments are:

- (a) Additional wording added to the Overview to provide additional context for the description of Scheduled Heritage Resources, suggested by Mr Bracey; and
- (b) Amending the word 'and' to 'or' in the entry for MS09-49 in Schedule 3 – Sites and areas of significance to Māori. Ms Pearson's original recommendation for this entry in Hearing 12 was to add HNZPT as a requesting party, as per HNZPT's submission. However, Ms Jacobs pointed out that the use of the word 'and' means that any request must be made jointly between WEL and HNZPT, which was not the intent, rather it should provide the opportunity for either party to be a requesting party separately. All planners agreed that amending the word 'and' to 'or' would address the issue and align better with the intent of Ms Pearson's recommendations on Hearing 12.

Date: 30 October 2025

Signatories



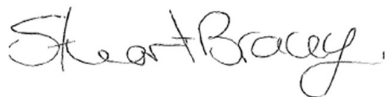
.....
**Lynette Morgan – Planner, Far North
District Council**



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**Melissa Pearson – Consultant Planner,
Far North District Council**



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**Rochelle Jacobs – Consultant Planner,
Waitangi Estate Ltd**



.....
Stuart Bracey – Planner, HNZPT

ATTACHMENT A – Landscape memorandums

MEMORANDUM

To: Rochelle Jacobs
Northland Planning and Development Ltd.

From: Simon Cocker
Simon Cocker Landscape Architecture Ltd.

Date: 18 September 2025

Subject: Waitangi: Delineation of high sensitivity ONL.

Ref #: 23011_01ONL

Dear Rochelle,

I have prepared a draft delineation for review by you and the relevant parties. This attached.

The basis for this map is as follows:

- My understanding is that the map is to be prepared for consideration in caucusing with Council's Planner and is based on the premise that the northern half of the ONL is more sensitive to built development in terms of the key historic and cultural values for which the ONL has been scheduled.
- As stated in my evidence at the hearing, my belief is that the landscape values that underpin identification of the Treaty Grounds as an ONL are principally cultural and historical, Waitangi being a nationally significant location in the Nation's development. The cultural and historical values are however, intrinsically bound with experiential (including visual) values, since the landscape character of the Treaty Grounds is derived from the spaces, the significant buildings, and the vegetation (including the vegetated 'backdrop' which contains the spaces).
- I note that my delineation is based on a desktop study, grounded in a detailed knowledge of the site following many visits. In addition, it has been prepared from a Te Ao Pakeha perspective rather than the perspective of Te Ao Māori. In addition, it has been prepared from a perspective that has only limited understanding of the historical / archaeological values of the Site. Therefore, informed / expert input should be included from those perspectives. My understanding is that delineated area will be peer reviewed by Melean Absolum (Council's consultant landscape architect), and then ground-truthed on site from an expert heritage/cultural values perspective .
- The delineated area therefore, includes the upper Treaty Grounds, the coastal margin and the treed / vegetated backdrop to those spaces. I have included the vegetated slope at the southern end of the upper TG since I believe that this forms an important edge.

- I have excluded the space which contains the Caretaker's house. This space has a more functional feel and use, and is separated from the main space by mature trees (the trees are included in the identified area. Similarly, I have excluded Te Rau Aroha on the basis that is a building. I recognise though that this building may be imbued with a cultural significance that merits its inclusion in the ONL, (although from a planning perspective, the benefit is questionable?).
- I have included the vegetated backdrop to the Treaty House and its garden, and the vegetation containing Te Whare Runanga on its western side.
- Hobson Memorial is located beyond the vegetated backdrop to the west of the Treaty House. From a landscape / spatial perspective, the memorial and roundabout is perceptually separate from the Treaty Grounds and so has not been included. I defer to cultural and historical expertise as to whether it should be included from those perspectives.
- To the north west, the Treaty Grounds space is less well defined by vegetation of other landscape features. To address this, I have excluded the car park, but included the grassed slope eastwards to the coastal edge. The grassed space adjoining the coastal edge to the north east of Te Whare Runanga does form a part of the Flagstaff space to the south, whilst the grassed space directly to the north of Te Whare Runanga is less clearly a part of the upper TG. Drawing a line through this grassed area would be arbitrary and cannot be 'tied back' to a feature on the ground, so as a solution I have included its entirety

I trust that the above is helpful Rochelle, and if you have any queries regarding the above, please do not hesitate to contact me.

Yours sincerely,

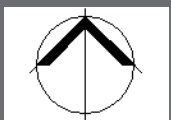


Simon Cocker





High sensitivity area



0m 15m 30m 60m

WAITANGI LTD
Te Pitowhenua
Delineation of high sensitivity ONL

18 Sept 2025. 23011_01ONL

Memorandum



To Lynette Morgan
Senior Policy Planner - District Plan, FNDC

From Melean Absolum
Landscape Architect, MALtd

Date 22 September 2025

Dear Lynette,

SUBMISSION 503 WAITANGI LIMITED

INTRODUCTION

This memorandum records my response to the memorandum from Simon Cocker, landscape architect for Waitangi Ltd, dated 18 September 2025. That memo was prepared following post-hearing caucusing between the planners on behalf of both Waitangi Ltd and Far North District Council, as directed by the IHP Minute 33, dated 10 September 2025.

Mr Cocker had been asked by the planners to identify that part of the ONL overlay at Waitangi, which has, in his opinion, greater sensitivity than the remainder of the ONL. I have subsequently been asked to peer review Mr Cocker's memorandum and provide this feedback.

MR COCKER'S MEMORANDUM

In his memorandum, Mr Cocker provides a detailed explanation of his delineation of 'the high sensitivity ONL' which is shown on an appended plan.

MY PEER REVIEW RESPONSE

Having received Mr Cocker's memorandum, I took the opportunity to visit the Pitowhenua (Treaty Grounds) on 21 September, to assess for myself the appropriate location for a delineation of the more sensitive part of the ONL from a landscape perspective. Like Mr Cocker, I emphasise that my assessment has been prepared from a Te Ao Pakeha perspective, with limited understanding of the historical / archaeological / cultural values of the site.

Initially, I had thought the line delineated by Mr Cocker to the south of Te Rau Aroha was unnecessarily convoluted. However, having visited the site, I agree with his opinion that the grassed area close to the Caretaker's house should be excluded from the delineated area.

Similarly, I agree that the vegetated slope wrapping around that grassed area is critically important to the landscape values of the open part of the Pitowhenua (Treaty Grounds), providing that central portion of the ONL with a vegetated backdrop and visual edge.

As for the remainder of the delineation line, it follows appropriate features on the ground, including in the northern part, the edge of the new carpark.

Overall, I completely concur with Mr Cocker's identification of that part of the ONL that is more sensitive than the remainder.

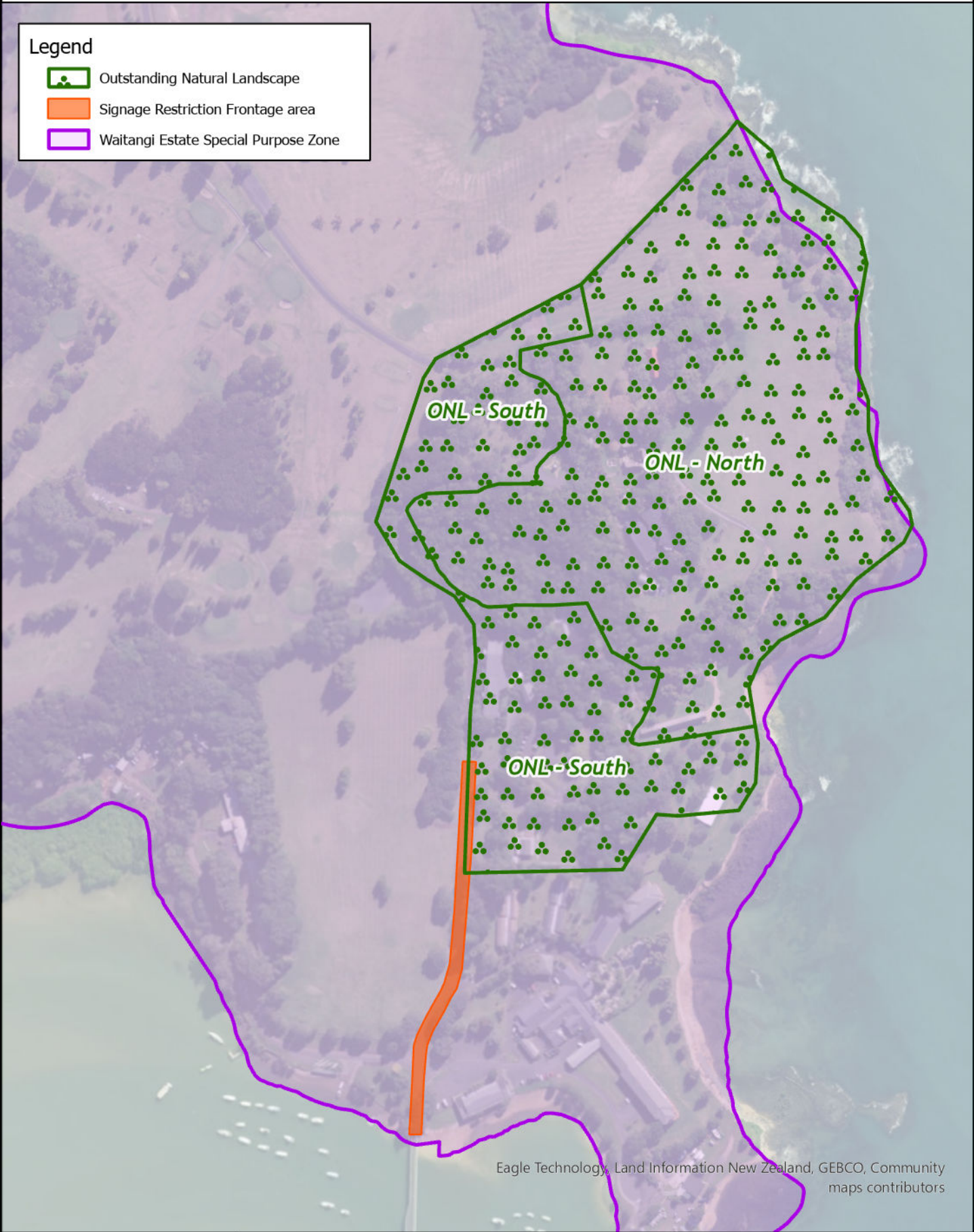


REGISTERED
LANDSCAPE
ARCHITECT

Melean Absolum
Dip LA FNZILA
22 September 2025

ATTACHMENT B – Map to be included as Appendix A to the WEZ chapter, as supported by the heritage/archaeological experts

Appendix A - Waitangi Estate Special Purpose Zone



**Te Kaunihera
o Te Hiku o te Ika**
Far North District Council



0 90 180 270 metres

Projection NZTM2000. Datum NZGD2000. Scale:1:4,500

DISCLAIMER:

While the Far North District Council strives to keep the data in this service current, it may not be the most recent or most accurate data available. No reliance on the information contained on this map by any person is permitted. FNDC will not be liable for any omissions or errors of information contained on this map. FNDC recommends that persons seek specific advice on individual properties from FNDC and other specialist organisations which may hold more up to date or accurate information.

ATTACHMENT C – Marked up provisions of the WEZ chapter and consequential changes to other PDP chapters

Waitangi Estate Special Purpose Zone (WEZ)

Note the below provisions represent the Section 42A Reporting Officer's recommended amendments to the version proposed by Waitangi Limited as at 15 July 2025. Recommended amendments are shown with black underlined used for new text and ~~strikethrough~~ for deleted text. Recommended amendments agreed through expert caucusing as at 30 October 2025 are shown with red underlined used for new text and ~~strikethrough~~ for deleted text. Recommended amendments made in previous hearings are shown with purple underlined used for new text and ~~strikethrough~~ for deleted text.

Overview

The Waitangi Estate Special Purpose Zone (WEZ) is located at Waitangi, near Paihia. The zone contains the nationally significant historic Waitangi Treaty Grounds / Te Pitowhenua and surrounding land that together comprise the Waitangi Estate. The Waitangi Estate land is administered by the Waitangi National Trust Board established under the Waitangi National Trust Board Act 1932. Known in pre-treaty times as a place where rangatira (chiefs) gathered to discuss matters of common interest, the Waitangi Treaty Grounds / Te Pitowhenua is where Te Tiriti o Waitangi was first signed in 1840 and is fundamental to New Zealand's cultural identity and origin as a modern bicultural nation. The grounds contain the following scheduled historic buildings and structures (Treaty House (Busby's House), the Flagstaff, Te Whare Runanga, and Hobson's Memorial). The site also contains and the Whare Waka – Te Korowai o Maikuku which houses Ngatokimatawharua, .It also contains He Turu o Maikuku / Maikuku's seat, and significant plantings and trees. Together with the land these features comprise Te Pitowhenua, which is a national landmark established under the Heritage New Zealand Pouhere Taonga Act 2014.

The surrounding land within the Waitangi Estate contains a mix of recreational and visitor accommodation activities, reserve land, coastal estuarine walkways, the Waitangi golf club, as well as open pastoral and bush-clad land. In recognition of its significance, the purpose of the WEZ is to preserve and further enable the lands within the Waitangi Estate to be utilised as a national place of historic interest, recreation, enjoyment, and benefit for all New Zealanders. The majority of the Waitangi Estate is located within the mapped coastal environment and some areas are mapped as containing Outstanding Natural Landscapes, Outstanding Natural Features, areas of High Natural Character, Sites and Areas of Significance to Māori or scheduled Heritage Resources. The rules and standards associated with these overlays also apply in the WEZ to ensure that the natural features and landscape values, historic heritage and cultural values of the Waitangi Estate are protected.

Development in the WEZ is managed through rules and standards applying to four sub-zones. These sub-zones are as follows:

- Te Pitowhenua (Treaty Grounds) sub-zone
- Papa Rehia (Recreation) sub-zone
- Whakanga (Tourism) sub-zone
- Ahuwhenua (General Activities) sub-zone

The purpose of the sub-zones is to enable a range of existing and future activities but direct them to appropriate locations within the WEZ, depending on where they will be compatible with the natural features and landscape values, historic heritage and cultural values of the Waitangi Estate.

Objectives	
WEZ-O1	The importance of the Waitangi Estate as a nationally significant historic site, and the contribution it makes to the cultural and social well-being of New Zealand, is recognised and provided for.
WEZ-O2	The unique characteristics and qualities that contribute to the historic, natural and cultural values of the Waitangi Estate are protected when undertaking land use activities and subdivision.
WEZ-O3	The relationship of Māori and their culture and traditions associated with the Waitangi Estate lands, adjacent coastal waters, sites, waahi tapu, and other taonga is recognised and provided for.
WEZ-O4	The Waitangi Estate lands are managed and developed to provide for recreation, tourism or other associated activities where these are supportive of, or compatible with, the historic, natural and cultural values of this nationally significant site.

Policies	
WEZ-P1	Provide for land use activities and subdivision at the Waitangi Estate where it maintains or enhances the historic, natural and cultural values of the Estate as a nationally significant historic site.
WEZ-P2	Enable commercial activities within the Waitangi Estate that are compatible with its historic, natural, and cultural values to support its management as a nationally significant historic site, while ensuring that any adverse effects of such activities are avoided, remedied or mitigated.
WEZ-P3	Enable the use of the Waitangi Estate as the national venue for commemorations associated with Waitangi Day and other significant cultural and heritage events held throughout the calendar year.
WEZ-P4	Recognise and protect Te Pitowhenua (the Waitangi Treaty Grounds) as the central historic and cultural focus of the Waitangi Estate Special Purpose zone.
WEZ-P5	Within the Whakanga (Tourism) sub-zone, enable the ongoing use and appropriate expansion, or redevelopment of established visitor accommodation and associated staff housing activities.
WEZ-P6	Within the Papa Rehia (Recreation) sub-zone, provide for recreation as the predominant activity, including open space associated with the established Waitangi Golf course, the Waitangi sportsgrounds, public boat ramp facilities, pedestrian walking tracks and the Bay of Islands Yacht Club.
WEZ-P7	Within the Ahuwhenua (General Activities) sub-zone, enable recreation and tourism activities that allow people to enjoy the Estate where: The scale, character and design avoids significant adverse effects on the historic and cultural values of Te Pitowhenua;

	b. <u>Historic heritage resources are protected;</u> c. <u>The values of the coastal environment, High Natural Character and Outstanding Natural Landscapes and Features are recognised and protected; and</u> d. <u>There is appropriate infrastructure to support development.</u>
WEZ-P8	<u>Ensure that the siting of buildings and structures and associated infrastructure in the Waitangi Estate Special Purpose zone minimises any adverse effects on historic, natural and cultural values. This includes the provision for adequate infrastructure servicing.</u>

Rules

Notes:

1. There may be other rules in Part 2 – District-wide Matters of the District Plan that apply to a proposed activity, in addition to the rules in this zone chapter. These District-Wide rules may be more stringent than the rules in this chapter. Ensure that relevant District-Wide Matters chapters are also referred to in addition to this chapter, to determine whether resource consent is required under other rules in the District Plan. Refer to *how the plan works* chapter to determine the activity status of a proposed activity where resource consent is required under multiple rules.
2. This zone chapter does not contain rules relating to setback to waterbodies and MHWS for building and structures or setbacks to waterbodies and MHWS for earthworks and indigenous vegetation clearance. The Natural Character contains rules for activities within wetland, lake and river margins and the Coastal Environment chapter contains rules for activities within the coastal environment. The Natural Character chapter and the Coastal Environment chapter should be referred to in addition to this zone chapter.
3. None of the rules in the table below apply to activities that are regulated under the Resource Management (National Environmental Standards for Commercial Forestry) Regulations 2017.

WEZ-R1	New buildings or structures, relocated buildings and or extensions or alterations to existing buildings or structures	
Waitangi Estate Special Purpose zone	Activity Status: Permitted Where: PER 1: <u>The new building or structure, relocated building or extension or alteration to an existing building or structure, will accommodate a permitted, controlled or restricted discretionary activity.</u> PER 2: <u>Any new building or structure, relocated building or extension, alteration to an existing building or structure complies with standards:</u> <u>WEZ-S1- Maximum height;</u> <u>WEZ-S2 – Height in relation to boundary;</u> <u>WEZ-S3 – Setback (excluding from MHWS or wetland, lake and river margins);</u> <u>WEZ-S4 – Building or Structure coverage</u> <u>WEZ-S5 - Landscaping</u>	Activity status where compliance not achieved with PER-2: Restricted Discretionary <u>Matters of discretion are restricted to:</u> a. <u>The matters of discretion of any infringed standard.</u>
		Activity status where compliance not achieved with PER-1: Discretionary

WEZ-R2	Visitor Accommodation	
Waitangi Estate Special Purpose Zone: Whakanga (Tourism) sub-zone	Activity status: Permitted 	Activity status where compliance not achieved with PER-1: Discretionary
Waitangi Estate Special Purpose Zone: Papa Rehia (Recreation) sub-zone Ahuwhenua (General) Activities sub-zone	Activity status: Permitted Where: PER-1 The occupancy does not exceed 10 guests per night.	
WEZ-R3	Residential Activity	

<u>Waitangi Estate Special Purpose Zone:</u> <u>Ahuwhenua (General Activities) sub-zone</u>	<u>Activity status: Permitted</u> <u>Where:</u> <u>PER-1</u> <u>The site area per residential unit is at least 40 hectares.</u> <u>PER-2</u> <u>The number of residential units on a site does not exceed ten.</u> <u>PER-1 does not apply to:</u> a single residential unit located on a site less than 40ha.	<u>Activity status where compliance not achieved with PER-1, and PER-2:</u> <u>Discretionary</u>
<u>WEZ-R4</u>	<u>Waitangi Commercial Activities</u>	
<u>Waitangi Estate Special Purpose Zone:</u> <u>Te Pitowhenua (Treaty Grounds) sub-zone</u>	<u>Activity Status: Permitted</u> <u>Where:</u> <u>PER-1:</u> <u>The activity is either:</u> 1. <u>Restaurants/cafes; or</u> 2. <u>Ancillary retail or tourism activities associated with the historic Waitangi Treaty Grounds;</u> 3. <u>Artisan galleries, artisan workshops, exhibitions and ancillary retail;</u> 4. <u>Gift / souvenir shops; and</u> 5. <u>Functions and conferences.</u>	<u>Activity status where compliance not achieved with PER-1 or PER-2: Discretionary</u>
<u>Whakanga (Tourism) sub-zone</u>	<u>Activity Status: Permitted</u> <u>Where:</u> <u>PER-2</u>	

Papa Rehia (Recreation) sub-zone Ahuwhenua (General Activities) sub-zone	<u>The GBA associated with an activity:</u> 1. <u>does not exceed 100m²; and</u> 2. <u>is set back a minimum of 30m from any external Estate site boundary, excluding MHWS.</u>	
WEZ-R5	Educational facility	
Waitangi Estate Special Purpose zone	Activity status: Permitted Where: PER-1 <u>The educational facility is for the purpose of furthering knowledge and understanding of the history of the Waitangi Estate, its natural environment and the Māori cultural values associated with the Estate.</u>	Activity status where compliance is not achieved with PER-1: Discretionary
WEZ-R6	Impermeable Surfaces	
Waitangi Estate Special Purpose zone: Te Pitowhenua (Treaty Grounds) sub-zone Papa Rehia (Recreation) sub-zone Ahuwhenua (General Activities) sub-zone	Activity Status: Permitted Where: PER 1 <u>The impermeable surface coverage of any site is no more than 15%.</u>	Activity status where compliance not achieved with PER-1: Restricted Discretionary Matters of discretion are limited to: a. <u>the extent to which landscaping or vegetation may reduce adverse effects of run-off,</u> b. <u>the effectiveness of the proposed method for controlling stormwater on site;</u> c. <u>the availability of land for disposal of effluent and stormwater on the site without adverse effects on adjoining waterbodies (including groundwater and aquifers) or on adjoining sites or downstream sites ;</u> d. <u>whether low impact design methods and use</u>

		<u>of green spaces can be used;</u> e. <u>any cumulative effects on total catchment impermeability; and</u> f. <u>natural hazard mitigation and site constraints.</u> g. <u>extent of potential adverse effects on cultural, spiritual, heritage and/or amenity values of any affected waterbodies; and</u> h. <u>The location and design of associated vehicle access, manoeuvring and parking area;</u> i. <u>The degree to which the landscape will retain its open character and visual value;</u> j. <u>The matters of discretion of any infringed standard.</u>
Whakanga (Tourism) sub-zone	Activity Status: Permitted Where: PER-2 1. <u>At least 10% of the site must be planted in grass, vegetation or be landscaped with permeable material.</u> 2. <u>Where a connection to Council's reticulated stormwater system is not available the stormwater must be disposed of within the site¹</u> <u>An engineering / site suitability report is required to determine compliance with these standards</u>	Activity status where compliance not achieved with PER-2: Discretionary
WEZ-R7	Recreation activity	

¹ Plan wide consistency Engineering Standards

Waitangi Estate Special Purpose zone:	Activity Status: Permitted Where: PER-1 The recreation activity does not involve a motorsport activity.	Activity status where compliance not achieved with PER-1 and PER-2: Discretionary
WEZ-R8	Farming	
Waitangi Estate Special Purpose Zone: Ahuwhenua (General Activities) sub-zone	Activity Status: Permitted	Activity status where compliance not achieved: Not applicable.
WS-R9	Helicopter landing area	
Waitangi Estate Special Purpose Zone	Activity status: Permitted Where: PER-1 Noise generated from the operation of helicopters using the helicopter landing area complies with standard NOISE-S4 Helicopter landing areas.	Activity status where compliance not achieved with PER-1: Discretionary
WEZ-R10	Conservation Activity	
Waitangi Estate Special Purpose Zone	Activity Status: Permitted	Activity status where compliance not achieved: Not applicable
WEZ-R11	Customary Activity	
Waitangi Estate Special Purpose Zone	Activity status: Permitted	Activity status where compliance not achieved: Not applicable
WEZ-R12	Activities not otherwise listed in this chapter	
Waitangi Estate Special Purpose Zone	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable
WEZ-R13	Industrial activity	

	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
WEZ-R14	Community corrections activity	
	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
WEZ-R15	Offensive Trade	
	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
WEZ-R16	Landfill, including managed fill	
	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
Standards		
WEZ-S1	Maximum Height	
Waitangi Estate Special Purpose zone:	The maximum height of a building or structure, or extension or alteration to an existing building or structure is: 1. Te Pitowhenua (Treaty Grounds), Papa Rehia (Recreation) and Ahuwhenua (General Activities) sub-zones – 5m above ground level. 2. Whakanga (Tourism) sub-zone – 10m above ground level. This standard does not apply to: i. pou, pou haki and carvings, provided that they do not exceed the height limit by more than 1m; ii. solar and water heating components provided these do not exceed the building height by more than 0.5m on any elevation; iii. chimney structures not exceeding 1.2m in width and 1m in height on any elevation; iv. satellite dishes and aerials that do not exceed 1m in height and/or diameter on any elevation; and v. architectural features (e.g. koruru, finials, spires) that do	Where the standard is not met, matters of discretion are restricted to: i. the extent to which the height of the proposed building is compatible with the historic, natural and cultural values of the Waitangi Estate; ii. measures to mitigate effects on the characteristics, qualities and values of the coastal environment, and the landscape setting of Te Pitowhenua (Treaty Grounds) sub-zone; iii. dominance in relation to the road and adjoining sites; iv. loss of privacy to adjoining sites; v. shading and loss of access to sunlight on adjoining sites; vi. natural hazard mitigation and site constraints; and ii. where the building or structure is located within the coastal environment, the relevant matters outlined in CE-P10.

	not exceed 1m in height on any elevation.	
WEZ-S2	Height in relation to boundary	
Waitangi Estate Special Purpose zone	The building or structure, relocated building or extension or alteration to an existing building or structure must be contained within a building envelope defined by the following recession planes measured inwards from the respective boundary: 1. <u>Te Pitowhenua (Treaty Grounds) and Ahuwhenua (General Activities) sub-zones - Any external Estate boundary:</u> a. <u>55 degrees at 2m above ground level at the northern boundary of the site; and</u> b. <u>45 degrees at 2m above ground level at the eastern and western boundaries of the site; and</u> c. <u>35 degrees at 2m above ground level at the southern boundary of the site.</u> 2. <u>Papa Rehia (Recreation) sub-zone</u> Any boundary: a. <u>55 degrees at 2m above ground level at the northern boundary of the site; and</u> b. <u>45 degrees at 2m above ground level at the eastern and western boundaries of the site; and</u> c. <u>35 degrees at 2m above ground level at the southern boundary of the site.</u>	Where the standard is not met, matters of discretion are restricted to: i. <u>loss of privacy to adjoining sites, including potential loss in relation to vacant sites;</u> ii. <u>shading and loss of access to sunlight on adjoining sites, including buildings and outdoor areas;</u> iii. <u>natural hazard mitigation and site constraints; and</u> iv. <u>measures to mitigate the effects of a development on Te Pitowhenua (Treaty Grounds) sub-zone or adjacent Outstanding Natural Landscape.</u>

	1. <u>Whakanga (Tourism) and Papa Rehia (Recreation) sub-zones – Any boundary:</u> a. <u>35 degrees at 2m above ground level at the northern boundary of the site</u> b. <u>45 degrees at 2m above ground level at the eastern and western boundaries of the site.</u> c. <u>35 degrees at 2m above ground level at the southern boundary of the site.</u> <u>This standard does not apply to:</u> i. <u>pou, pou haki and carvings provided that they do not exceed the height limit by more than 1m;</u> ii. <u>solar and water heating components provided these do not exceed the building height by more than 0.5m on any elevation;</u> iii. <u>chimney structures not exceeding 1.2m in width and 1m in height on any elevation;</u> iv. <u>satellite dishes and aerials that do not exceed 1m in height and/or diameter on any elevation; and</u> v. <u>architectural features (e.g.koruru, finials, spires) that do not exceed 1m in height on any elevation.</u>	
WEZ-S3	Setback (excluding from MHWS or wetland, lake and river margin)	
Te Pitowhenua (Treaty Grounds) sub-zone Papa Rehia (Recreation) sub-zone	1. <u>The new building or structure, relocated building or extension or alteration to an existing building or structure must be setback at least 10m from all site boundaries, except:</u> a. <u>On sites less than 5,000m² accessory buildings can be setback to a minimum of 3m</u>	<u>Where the standard is not met, matters of discretion are restricted to:</u> a. <u>the character and amenity of the surrounding area;</u> b. <u>screening, planting and landscaping on the site;</u>

Ahuwhenua (General Activities) sub-zone	for boundaries that do not adjoin a road; or b. <u>Habitable buildings must be setback at least 20m from the boundary of an unsealed road; and</u> c. <u>Habitable buildings must be set back 30m from the boundary of a site containing a commercial forest</u> <u>This standard does not apply to:</u> i. <u>fences or walls no more than 2m in height above ground level;</u> ii. <u>uncovered decks less than 1m in height above ground level; or</u> iii. <u>underground wastewater infrastructure; or</u> iv. <u>water tanks less than 2.7m in height above ground level.</u>	c. <u>the design and siting of the building or structure with respect to privacy and shading;</u> d. <u>natural hazard mitigation and site constraints;</u> e. <u>the effectiveness of the proposed method for controlling stormwater;</u> f. <u>the safety and efficiency of the current or future access, egress on site and the roading network;</u> g. <u>the impacts on existing and planned public walkways, reserves and esplanades;</u> h. <u>the health and amenity impacts of dust from unsealed roads on habitable buildings;</u> i. <u>the potential for adverse effects on areas containing historic heritage and sites of significance to Māori.</u>
Whakanga (Tourism) sub-zone	2. <u>The new building or structure, or extension or alteration to an existing building or structure must be setback at least 3m from all site boundaries.</u> <u>This standard does not apply to:</u> i. <u>fences or walls no more than 2m in height above ground level;</u> ii. <u>uncovered decks less than 1m in height above ground level; or</u> iii. <u>underground wastewater infrastructure; or</u> iv. <u>water tanks less than 2.7m in height above ground level.</u>	
WEZ-S4	Building or Structure coverage	
Te Pitowhenua (Treaty Grounds) sub-zone Papa Rehia (Recreation) sub-zone	The building or structure coverage of any site is no more than 15%.	<u>Where the standard is not met, matters of discretion are restricted to:</u> a. <u>the character and amenity values of the surrounding area;</u> b. <u>any landscaping, planting or screening to</u>

Ahuwhenua (General Activities) sub-zone		<u>mitigate any adverse effects;</u> c. <u>the extent to which the siting, setback and design mitigate visual dominance on adjacent sites, Te Pitowhenua (Treaty Grounds) sub-zone and the surrounding environment; and</u> d. <u>natural hazard mitigation and site constraints.</u>
WEZ-S5	Landscaping	
Whakanga (Tourism) sub-zone	1. <u>Where the site adjoins Te Karuwha Parade, at least 50% of the Eastern Road frontage of Te Karuwha Parade shall be landscaped with plants or trees; and</u> 2. <u>The landscaping shall be a minimum height of 1m at installation and shall achieve a continuous screen of 1.8m in height and 1.5m in width within 5 years.</u>	<u>Where the standard is not met, matters of discretion are restricted to:</u> a. <u>the character and amenity of the streetscape and surrounding area;</u> b. <u>the character and significance of the road frontage appearance at the main road entrance to the Waitangi Estate;</u> c. <u>topographical or other site constraints making compliance with this standard impractical; and</u> d. <u>health and safety implications for pedestrians and the transport network.</u>

Consequential amendments to rules in other chapters

Amendments to standards are shown below. Additions are shown as red and underlined, with deletions shown as red with strikethrough.

Interpretation

Definitions

Waitangi Estate	All land administered by the Waitangi National Trust contained within the Waitangi Estate Special Purpose zone.
Waitangi Commercial Activities	Means commercial activities and associated parking that support tourism or recreation activities in the Waitangi Estate Special Purpose Zone, including: - restaurants / bars / cafes; - ancillary retail or tourism activities associated with the historic Waitangi Treaty Grounds; - wine or beverage tasting rooms and ancillary retail; - artisan galleries, artisan workshops, exhibitions and ancillary retail; - gift / souvenir shops; - rural produce retail grown or produced on the Waitangi Estate; - market stalls; - wellness spa activities; - golf supply, golf rental or golf retail activities; rural tourism activity; functions and conferences.
Wetland, Lake and River Margins	In the Light Industrial and Heavy Industrial zones means the area of land within 20 metres of a: - wetland; - lake; or - river greater than 3m average width In the General Residential, Russell Township, Quail Ridge or Mixed-Use zones or in the <u>Waitangi Estate Special Purpose Whakanga (Tourism) sub-zone</u> means the area of land within 26 metres of a: - wetland; - lake; or - river greater than 3m average width In all other zones means the area of land within 30 metres of a: - wetland; - lake; or - river greater than 3m average width Where a river is smaller than 3m average width means 10m of a river. Note: The width is measured in relation to the bed of the waterbody

Energy, Infrastructure, and Transport

Renewable electricity generation

REG-R5	Free standing small scale renewable electricity generation activity (new and upgrading)	
Rural Production zone Rural Lifestyle zone Māori Purpose zone Rural Residential zone <u>Waitangi Estate Special Purpose Zone – Ahuwhenua (General Activities) Sub-zone & Whakanga (Tourism) sub-zone</u>	Activity status: Permitted Where: PER-1 No structure, including any attachments or turbine blades, exceed maximum height above ground level of 20m. PER-2 All structures occupy no more than a total area of 50m² where the lot size is 3,000m² or less or 150m² where the lot size is greater than 3,000m². PER-3 Any structure is setback at least three times the height of the structure from the boundary of any other site and is not within the notional boundary of any other site. PER-4 The setback from a road is at least three times the height of the structure and is not within the boundary of any other site. PER-5 Compliance is achieved with NZS 6808:2010 Acoustics - Wind farm noise for any proposal involving wind generation. PER-6 Written notice is provided to Council at least two weeks prior to the installation of	Activity status where compliance not achieved with PER-1, PER-2, PER-3, PER-4, PER-5 or PER-6: Restricted Discretionary Matters of discretion are restricted to: a. adverse effects resulting from the increase in the scale of the building or structure; b. adverse effects on any area with historical or cultural values, natural values or coastal values, c. vegetation clearance; d. visual domination, overshadowing, loss of privacy on surrounding sites; e. loss of access to sunlight and daylight on adjoining sites; f. the location and proximity of residential units and their associated outdoor areas; g. effects on the existing, planned or future use of the road or infrastructure; h. adverse effects on the natural character of the site or surrounding area; and i. shadow flicker and glare on surrounding sites, private and public roads.

	the structure, or the upgrade of an existing structure. The written notice shall detail the location of the activity, details of ownership and management responsibilities. This rule does not apply to devices associated within-stream or electricity generation.	
REG-R6	Solar energy large scale or community scale renewable electricity generation activity (new and upgrading)	
Rural Production zone Rural Lifestyle zone Māori Purpose zone Rural Residential zone <u>Waitangi Estate Special Purpose Zone – Ahuwhenua (General Activities) Sub-zone</u>	Activity status: Permitted Where: PER-1 No structure or device, including any attachments or turbine blades, exceeds a maximum height above ground level of 20m. PER-2 All devices and supporting structures attached to land, including solar panels, cover a total area of no more than 5,000m². PER-3 Any structure is setback at least three times the height of the structure (including supporting structures) from the boundary of any other site and is not within the notional boundary of any other site. PER-4 The setback of any structure from a road, is at least three times the height of structure or 20m, whichever is the greatest distance. PER-5 Compliance is achieved with NZS 6808:2010 Acoustics–	Activity status where compliance not achieved with PER-1, PER-2, PER-3, PER-4, or PER 5 : Restricted Discretionary Matters of discretion are restricted to: a. location, scale and size of the activity; b. adverse effects on any area with historical or cultural values, natural environment values or coastal environment values; c. shadow flicker and glare on surrounding sites, waterbodies and private and public roads; d. character, level, duration of noise received at the boundary or national notional boundary of another site; e. effects on migratory birds using any identified and scientifically established flight path; f. function and operational need to be in that location; g. alternative design options for the structure; and h. colour scheme of structure(s), screening and landscaping.

	<u>Wind farm noise for any proposal involving wind generation.</u> PER-65 Written notice is provided to Council at least 1 month prior to the installation of the structures, or the upgrade of any existing structure. The written notice shall detail the location and function of the activity, details of ownership and management responsibilities, and where the electricity will be supplied to.	
REG-RY	<u>Wind generation large scale or community scale renewable electricity generation activity (new and upgrading)</u>	
<u>Rural Production Zone</u> <u>Māori Purpose Zone</u> <u>Open Space Zone</u> <u>Waitangi Estate Special Purpose Zone – Ahuwhenua (General Activities) Sub-zone</u>	<u>Activity status: Permitted</u> <u>Where:</u> <u>PER-1</u> <u>No structure or device, including any attachments or turbine blades, exceeds a maximum height above ground level of 20m.</u> <u>PER-2</u> <u>All devices and supporting structures attached to land, including solar panels, cover a total area of no more than 5,000m².</u> <u>PER-3</u> <u>Any structure is setback at least three times the height of the structure (including supporting structures) from the boundary of any other site and is not within the notional boundary of any other site.</u> <u>PER-4</u> <u>The setback of any structure from a road, is at least three</u>	<u>Activity status where compliance not achieved with PER-1, PER-2, PER-3, PER-4, PER-5 or PER-6: Discretionary</u>

	<u>times the height of structure or 20m, whichever is the greatest distance.</u> PER-5 <u>Compliance is achieved with NZS 6808:2010 Acoustics - Wind farm noise for any proposal involving wind generation.</u> PER- 6 <u>Written notice is provided to Council at least 1 month prior to the installation of the structures, or the upgrade of any existing structure. The written notice shall detail the location and function of the activity, details of ownership and management responsibilities, and where the electricity will be supplied to.</u>	Activity status where compliance not achieved with PER-5: Non-complying
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Historical and Cultural Values

Historic Heritage

HH-R4	New buildings or structures, extensions or alterations to existing buildings or structures	
All zones Outside of Heritage Area overlays	Activity status: Permitted Where: PER-1 Any new buildings or structures, additions or alterations are not located within a site containing setback a minimum of 20m from a scheduled Heritage Resource. This rule shall not apply to domestic small scale renewable electricity generation, and connections to buildings or structures for network utilities. <u>Note: When applying PER-1, the 20m distance must be measured from the edge of the footprint of any building, site or structure as described in Schedule 2 – Schedule of historic sites, buildings and objects.</u>	Activity status where compliance not achieved with PER-1: Restricted Discretionary Matters of discretion are restricted to: a. whether a scheduled Heritage Resource will be adversely affected by the proposed works occurring within 20m; b. location, scale, design of the proposed works; c. any adverse effects on any archaeological site; d. any assessments or advice from a suitably qualified and experienced heritage expert; e. any landscaping or fencing to maintain heritage boundary treatments and curtilage; f. the location and relationship of the works in relation to adjoining sites and the road; <u>and</u> g. any assessments or advice from a suitably qualified and experienced heritage or cultural expert (where provided); and h. any consultation with Heritage New Zealand Pouhere Taonga, Department of Conservation and tangata whenua <u>(where provided).</u>

HH-R6	Infrastructure and renewable electricity generation infrastructure within a site containing a scheduled Heritage Resource	
All zones Outside of Heritage Area overlays	Activity status: <u>Restricted Discretionary</u> This rule shall not apply to domestic small scale renewable electricity generation, and: 1. <u>infrastructure located underground where it is set</u>	Activity status when compliance not achieved: Not applicable

	back 20m from a scheduled Heritage Resource; or 2. infrastructure within the Waitangi Estate Special Purpose Zone located above ground where it is located outside of the Te Pitowhenua (Treaty Grounds) sub-zone; or 2. maintenance, repair or upgrading of any existing above ground infrastructure that is located within 1m either side of the original location; or 3. connections to buildings or structures for network utilities. Note 1: When applying the exemption in (1), the 20m distance must be measured from the edge of the footprint of any building, site or structure as described in Schedule 2 – Schedule of historic sites, buildings and objects. Matters of discretion are restricted to: a. whether the proposed infrastructure will adversely affect the heritage values of the Heritage Area Overlay; b. whether the proposed infrastructure will adversely affect the heritage values of any adjacent Scheduled Heritage Resource; c. whether there is a practicable reason why the infrastructure needs to be located within the Heritage Area Overlay; d. the colour of all exterior surfaces and their appropriateness within the Heritage Area Overlay; e. any landscaping or fencing to maintain heritage boundary treatments and curtilage;	
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	<u>f. the location and relationship of the infrastructure in relation to adjoining sites and the road;</u> <u>g. any assessments or advice from a suitably qualified and experienced heritage or cultural expert (where provided); and</u> <u>h. any consultation with Heritage New Zealand Pouhere Taonga, Department of Conservation and tangata whenua (where provided).</u>	
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Sites of Cultural Significance to Māori

SASM-R1	New buildings or structures, <u>relocated buildings or extensions or alterations</u> to existing buildings or structures, earthworks or indigenous vegetation clearance
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Scheduled sites and areas of significance to Māori	Activity status: Permitted Where: PER 1: The activity is undertaken by the requesting party (or parties in the case of the Waitangi Estate SPZ) listed in Schedule 3. PER 2: Any indigenous vegetation clearance is for customary purposes. PER 3: <u>The activity is undertaken by a network utility provider for the operation, maintenance, repair or upgrading of existing above ground infrastructure where this is:</u> (i) <u>no greater than the height of the existing structure;</u> (ii) <u>no greater than 20% of the GFA of the existing lawfully established building or structure; and</u> (iii) <u>not replacing a pole with a pole.</u>	Activity status where compliance not achieved with PER 1, PER 2, PER 3 and PER 4: Restricted Discretionary Matters of discretion are restricted to: a. whether the requesting party listed in Schedule 3, the relevant iwi authority, or Heritage New Zealand Pouhere Taonga, have been consulted, the outcome of that consultation, and the extent to which the proposal responds to, or incorporates the outcomes of that consultation; b. whether a cultural impact assessment has been undertaken and the extent to which the proposal responds to or incorporates the recommendations in that assessment; c. the extent to which the activity may adversely affect cultural and spiritual values; d. whether the activity will have an adverse effect on the site and area of significance to Māori; and e. the means by which any adverse effects on cultural, spiritual and heritage values can be avoided, remedied or mitigated.
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Natural Environment Values

Ecosystems and indigenous biodiversity

IB-R43	Indigenous vegetation clearance and any associated land disturbance outside a Significant Natural Area
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All zones	Activity status: Permitted Where: PER-1 1. A report has been obtained from a suitably qualified and experienced ecologist confirming that the indigenous vegetation does not meet the criteria for a Significant Natural Area and it is submitted to Council 14 days in advance of the clearance being undertaken. It does not occur in a remnant forest; and 2. It does not exceed the following amounts per site over a calendar year 5 year period: i. Māori Purpose zone and Treaty Settlement Land Overlay – 1,500m² ii. Rural Production and Horticulture Zone Māori Purpose zone and Treaty Settlement Land Overlay - 5000m² if not in a remnant forest, otherwise 500m² in a remnant forest iii. Rural Lifestyle zone - 250m² iv. All other zones – 5100m² PER-2 1. A report has not been obtained from a suitably qualified and experienced ecologist confirming that the indigenous vegetation does not meet the criteria for a Significant Natural Area and a report has not been submitted to Council 14 days in advance of the clearance being undertaken; and 2. It does not exceed 100m² per site in any calendar year.	Activity status where compliance not achieved with PER-1: Discretionary <i>Note: This rule only has immediate legal effect for indigenous vegetation clearance where compliance is not achieved with PER-2 (i.e. in circumstances where a report confirming that the indigenous vegetation is not a Significant Natural Area has not been obtained).</i>
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Natural Character

NATC-R1	New buildings or structures, and extensions or alterations to existing buildings or structures	
Natural Character	Activity status: Permitted Where: PER-1	Activity status where compliance not achieved with PER-1: Non-complying

	The building or structure, or extension or alteration to an existing building or structure on wetland, lake and river margins is not located within an ONL or ONF. PER-2 The building or structure, or extension or alteration to an existing building or structure on wetland, lake and river margins <u>where it is required for:</u> 1. for restoration and enhancement purposes; or 2. <u>for</u> natural hazard mitigation undertaken by, or on behalf of, the local authority; or 3. for park management activity in the Open Space, Sport and Active Recreation zones or <u>in the Waitangi Estate SPZ - Te Pitowhenua (Treaty Grounds) or Papa Rehia (Recreation) sub-zones;</u> or 4. a post and wire fence for the purpose of protection from farm stock; or 5. <u>a</u> river crossings, including but not limited to, fords, bridges, stock-crossings and culverts crossings; or 6. activities related to the construction of <u>a</u> river crossings; or 7. <u>a</u> pumphouses utilised for the drawing of water provided they cover less than 25m² in area, or 8. <u>infrastructure less than 10m high within a road corridor provided any pole:</u> a. <u>is a single pole (monopole), and</u> b. <u>is not a pi-pole or a steel-lattice tower;</u> or 9. a lighting pole by, or on behalf of the local authority, or 10. a footpath and or paving no greater than 2m wide; or 11. <u>an upgrade of an existing above ground network utility, provided it:</u> a. <u>it is no greater than 10m 12.5m high or the height of the existing structure;</u> and b. <u>if it is a building, is no the upgraded building is no greater than 20% of the</u>	Activity status where compliance not achieved with PER-2, PER-3 and PER-4: <u>Restricted</u> Discretionary <u>Matters of discretion are restricted to:</u> a. <u>effects on the characteristics, qualities and values of natural character</u> b. <u>the matters in NATC-P6</u> c. <u>the positive effects of the activity</u>
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	<u>GFA of the existing lawfully established building or structure</u>; and c. <u>it does not involve replacing a pole with a pi pole.</u> <u>12. a maimai not exceeding 10m2; or</u> <u>13. the harvesting of indigenous timber approved under the Forests Act 1949 via either a registered sustainable forest management plan, a registered sustainable forest management permit or a personal use approval for the harvesting and milling of indigenous timber from the Ministry of Primary Industries.</u> PER-3 The building or structure on wetland, lake and river margins is no greater than 300m2. PER-4 The building or structure, or extension or alteration to an existing building or structure on wetland, lake and river margins complies with standard NATC-S1 Maximum height.	
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Natural features and landscapes

NFL-R1	New buildings or structures, and extensions or alterations to existing buildings or structures	
Within ONL and ONF	Activity status: Permitted PER-1 <u>Any if a new building or structure if it is:</u> <u>1. not used for a residential activity, and</u> <u>2. complies with NFL-S1 and NFL-S2, and</u> <u>3. no greater than:</u> <u>a. 50m2 in ONL in the coastal environment, including in ONL – South located within the Waitangi Estate SPZ, and</u> <u>b. 100m2 in ONL outside the coastal environment, and</u> <u>c. 50m2 in category ‘A’ ONF in the coastal environment, and</u>	<u>Activity status when compliance not achieved with PER-1:</u> <u>Controlled</u> CON-1 <u>The building is a residential unit or a minor residential unit on a defined building platform, where the defined building platform has been identified through an expert landscape assessment and approved as part of an existing or implemented subdivision consent.</u> <u>The matters of control are:</u> <u>a. the location, scale and design of buildings, and associated accessways</u>

	d. 100m² in category 'A' ONF outside the coastal environment, and e. 25m² in ONF (excluding category 'A' ONF), and f. 10m² in ONL – North located within the Waitangi Estate SPZ. <u>Note: Refer to Appendix A in the Waitangi Estate SPZ chapter for the extent of ONL – North and ONL – South.</u> is located outside the coastal environment it is: 1. ancillary farming (excluding a residential unit); 2. no greater than 25m² PER-2 If a building or structure is located within the coastal environment it is: 1. ancillary farming (excluding a residential unit); 2. no greater than 25m² PER-23 Any extension or alteration to a lawfully established building or structure: 1. if it is an extension or alteration of a building, it is no greater than 20% of the GFA of the existing lawfully established building or structure, and 2. complies with NFL-S1. PER-3 Any new building or structure, and extension or alteration to an existing	and infrastructure, having regard to their visual prominence; b. the means of integrating the building, structure or activity into the landscape, including through planting; c. the height of retaining walls, their colour and whether planting is necessary to mitigate their visual effects; and d. Measures to mitigate adverse effects on the characteristics, qualities and values that make ONL and ONF outstanding. a. effects on the characteristics, qualities and values of ONL and ONF b. the matters in NFL-P8. RD-1 Activity status when compliance not achieved with CON-1, PER-1 PER-2, and PER-3 outside the coastal environment: Restricted discretionary Discretionary The matters of discretion are: a. effects on the characteristics, qualities and values that make ONL and ONF outstanding b. the matters in NFL-P8. c. the positive effects of the activity.
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	<u>building or structure not provided for by PER-1 or PER-2 and is:</u> <u>1. a stock fence, or</u> <u>2. infrastructure no greater less than 10m 12.5m high within a road corridor provided any pole:</u> <u>a. is a single pole (monopole), and</u> <u>b. is not a pi-pole or a steel-lattice tower, or,</u> <u>3. an upgrade of existing above ground electricity network utilities:</u> <u>a. outside the coastal environment,</u> <u>b. in a ONL or category 'A' ONF,</u> <u>c. no greater than 10m 12.5m high or the height of the existing structure</u> <u>d. if it is a building, the upgraded building is no greater than 20% of the GFA of the existing lawfully established building or structure,</u> <u>and</u> <u>e. not replacing a pole with a pi pole.</u> PER-4 The building or structure, or extension or alteration to an existing building or structure, complies with standards: NFLS1 Maximum height NFL-S2 Colours and materials	RD-2 <u>Activity status for any extension or alteration to an existing building or structure within the coastal environment when compliance not achieved with CON-1, PER-2 or PER-3:</u> <u>Restricted discretionary</u> The matters of discretion are: <u>a. effects on the characteristics, qualities and values that make ONL and ONF outstanding</u> <u>b. the matters in NFL-P8; and</u> <u>c. positive effects</u> Activity status when compliance not achieved with CON-1 or, PER-2, PER-3 or RD-2 within the coastal environment PER-2: <u>ONL-North and ONL – South located within the Waitangi Estate SPZ: Discretionary</u> All <u>other</u> zones: Non-complying <u>Activity status when compliance not achieved with PER-1: Discretionary</u>
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Subdivision

SUB-R1	Boundary Adjustments	
All zones (except Open Space zones, Motorua Island zone, and Airport zone)	Activity status: Controlled Where: CON-1 1. The boundary adjustment complies with standards: SUB-S1 Minimum allotment sizes for controlled activities, except where an existing allotment size is already non-compliant, the degree of non-compliance shall not be increased; SUB-S2 Requirements for	Activity status where compliance not achieved with CON-1: Restricted Discretionary Matters of discretion are restricted to: a. matters of any infringed standard; and b. any relevant matters of control. Activity status where compliance not achieved with

	building platforms for each allotment; SUB-S3 Water supply; SUB-S4 Stormwater management; SUB-S5 Wastewater disposal; SUB-S6 Telecommunications and power supply; and SUB-S7 Easements for any purpose; CON-2 1. the boundary adjustment does not alter: i. the ability of existing activities to continue to be permitted under the rules and standards in this District Plan; ii. the degree of non compliance with zone or district wide standards; iii. the number and location of any access; and iv. the number of certificates of title. CON-3 1. The boundary adjustment complies with standard: SUB -S8 Esplanades. Matters of control are limited to: a. the design and layout of allotments, and the ability to accommodate permitted and/or intended land uses; b. the provision of easements or registration of an instrument for the purpose of public access and reserves; c. the effects of development phase works on the surrounding area; d. extent of potential effects on sites and areas of significance	CON-2 and CON-3: Discretionary
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	to Māori, ancestral lands, water, site, wāhi tapu and other taonga; e. adverse effects on areas with historic heritage and cultural values, natural features and landscapes, wetland, lake and river margins, natural character or indigenous biodiversity values including indigenous taxa that are listed as threatened or at risk in the New Zealand Threat Classification system lists; f. natural hazards or geotechnical constraints; g. where relevant compliance with Far North District Council Engineering Standards April 2022; and h. adverse effects arising from land use incompatibility including but not limited to noise, vibration, smell, smoke, dust and spray. NOTE: If a resource consent application is made under this rule on land that is within 500m of the airport zone, the airport operator will likely be considered an affected person for any activity where the adverse effects are considered to be minor or more than minor.	
Natural Open Space zone Open Space zone Sport and Active Recreation zone Motorua Island zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable

Airport zone		
SUB-R3	Subdivision of land to create a new allotment	
Māori Purpose zone Ngawha Innovation and Enterprise Park <u>Waitangi Estate</u> <u>Special Purpose Zone</u>	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable

General District-Wide Matters

Coastal Environment

CE-R1	New buildings or structures, and extensions or alterations to existing building or structures
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Coastal Environment	Activity status: Permitted Where: PER-1 If a new building or structure is located in <u>the General Residential Zone, Mixed Use Zone, Light Industrial Zone, Russell / Kororareka Special Purpose Zone, Māori Purpose Zone – Urban, Orongo Bay Zone, Hospital Zone, or Kauri Cliff SPZ - Golf Living Sub-Zone, an urban zone or Waitangi Estate SPZ – Whakanga (Tourism) Sub Zone it is:</u> 1. <u>is</u> no greater than 300m2; <u>and</u> 2. <u>is</u> located outside high or outstanding natural character areas; <u>and</u> 3. <u>complies with:</u> a. <u>CE-S1 Maximum height;</u> b. <u>CE-S2 Colour and materials; and</u> c. <u>CE-S4 Setbacks from MHWS.</u> PER-1(1) does not apply to: <u>the Mixed-Use Zone, Light Industrial Zone, Māori Purpose Zone – Urban, Hospital Zone and Waitangi Estate SPZ – Whakanga (Tourism) Sub-zone within the following settlements: Coopers Beach, Mangonui, Opua, Paihia and Waitangi, Rawene, and Russell / Kororareka.</u> PER-2 If a new building or structure <u>is not located within any of the zones referred to in PER-1 an urban zone it is:</u> a. <u>ancillary to farming activities (excluding a is not used for a residential activity unit);</u> b. <u>is</u> no greater than:	Activity status where compliance not achieved with PER-1 <u>and</u> PER-2: Controlled Discretionary (inside a high natural character area) Non-complying (inside an outstanding natural character area) CON-1 <u>The building is a residential unit or a minor residential unit on a defined building platform, where the defined building platform has been identified through a professional landscape assessment and approved as part of an existing or implemented subdivision consent.</u> CON-2 <u>a. The building is for a residential unit or a minor residential unit within the Māori Purpose Zone or Treaty Settlement Overlay; and</u> <u>b. It is located outside an outstanding natural character area or a high natural character area</u> The matters of control are: <u>a. the matters in CE-P10:</u> a. <u>the location, scale and design of buildings, and associated accessways and infrastructure, having regard to their visual prominence;</u> b. <u>the means of integrating the building, structure or activity into the landscape, including through planting;</u> c. <u>the height of retaining walls, their colour and whether planting is necessary to mitigate their visual effects;</u> d. <u>measures to mitigate adverse effects on the characteristics, qualities and values of the coastal environment; and</u> e. <u>in relation to CON-2, any historical, spiritual or cultural association with the land held by</u>
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	a. 25m² <u>within an outstanding natural character area</u>; b. 50m² <u>within a high natural character area</u>; and c. 100m² <u>in all other areas of the coastal environment; and located outside outstanding natural character areas; and</u> d. complies with: a. <u>CE-S1 Maximum height</u>; b. <u>CE-S2 Colour and materials</u>; and c. <u>CE-S4 Setbacks from MHWS</u>. PER-3 Any extension <u>or alteration</u> to a lawfully established building or structure is: 1. no greater than 20% of the GFA of the existing lawfully established building or structure; and 2. <u>complies with CE-S1 Maximum height</u>. PER-4 Any new building or structure or an extension or alteration to an existing building or structure not provided for by PER-1, PER-2 or PER-3, where it is: a. <u>fencing for the purposes of stock exclusion</u>; b. <u>an upgrade of an existing above ground network utility where this is:</u> i. <u>outside high or outstanding natural character areas</u>; ii. <u>permitted by I-R3</u>; iii. <u>no greater than 102.5m high or the height of the existing structure (whichever is the greatest)</u>; iv. <u>if it is a building, the upgraded building is no greater than 20% of the GFA of the existing lawfully established building or structure</u>; and v. <u>not replacing a pole with a pi pole</u>.	<u>tangata whenua, with regard to the matters set out in Policy TW-P6</u>
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	PER-4 The building or structure, or extension or addition to an existing building or structure, complies with standards: CE-S1 Maximum height. CE-S2 Colours and materials.	RD-1 Activity status where compliance not achieved with <u>CON-1, PER-3 and PER-4</u> PER-2: <u>Discretionary</u> (outside an outstanding natural character area) <u>Non-complying</u> (inside an <u>and outstanding a high natural character area</u>): <u>Restricted Discretionary</u> The matters of discretion are: a. the matters in CE-P10; and b. positive effects. RD-2 Activity status for any extension or alteration to an existing building or structure when compliance not achieved with <u>CON-1, CON-2, PER-4 or PER-4</u> (within an outstanding natural character area or a high natural character area): <u>Restricted discretionary</u> The matters of discretion are: a. the matters in CE-P10; and b. positive effects. Activity status where compliance not achieved with <u>CON-1, CON-2, PER-3, or PER-4, RD-1 or RD-2</u>: a. <u>Discretionary (in a high natural character area); or</u> b. <u>Non-complying (in an outstanding natural character area).</u>
CE-S1	Maximum Height	
Coastal Environment	1. The maximum height of any new building or structure above ground level is 5m and must not exceed the height of the nearest ridgeline, headland or peninsula; and or 2. Any extension to a building or structure must not exceed the height of the existing building above ground level or exceed the height of the nearest ridgeline, headland or peninsula.	Where the standard is not met, matters of discretion are restricted to: Not applicable

	This standard does not apply to: i. Telecommunication facilities; ii. The Orongo Bay zone, <u>and the Kororāreka Russell Township zone and the Waitangi Estate SPZ – Whakanga (Tourism) Sub-zone.</u> iii. The Mixed-Use Zone, Light Industrial Zone, Māori Purpose Zone – Urban, and Hospital Zone within the following settlements: a. Coopers Beach; b. Mangonui; c. Opua; d. Paihia & Waitangi; and e. Rawene. iv. <u>the following structures:</u> a. <u>Solar and water heating components not exceeding 0.5m in height on any elevation;</u> b. <u>Chimney structures not exceeding 1.2m in width and 1m in height on any elevation;</u> c. <u>Satellite dishes and aerials not exceeding 1m in height and/or diameter on any elevation; or</u> d. <u>Architectural features (e.g. finials, spires) not exceeding 1m in height on any elevation</u>	
CE-S4	Setbacks from MHWS	
Coastal Environment	<u>New buildings and structures and or extension or alteration to an existing building or structure must be setback at least:</u> a. <u>30m from MHWS in the Rural Production, Rural Lifestyle, Rural Residential, Horticulture, Horticulture Processing Facilities zones and the following Waitangi Estate Special Purpose sub zones – Te Pitowhenua (Treaty Grounds), Papa Rehia (Recreation) and Ahuwhenua</u>	Where the standard is not met, matters of discretion are restricted to: a. <u>the natural character of the coastal environment;</u> b. <u>screening, planting and landscaping on the site;</u> c. <u>the design and siting of the building or structure with respect to dominance on adjoining public space;</u> d. <u>natural hazard mitigation and site constraints;</u>

	(General Activities); or b. 26m in all other zones. This standard does not apply: 1. where there is a legally formed and maintained road between the property and MHWS. 2. to fencing for the purposes of controlling pests and excluding stock; 3. to structures associated with pest control; 4. to hard protection structures that are approved by a resource consent under the Northland Regional Plan; 5. to lighting poles that are established by, or on behalf of, Far North District Council; and 6. to boundary fences less than 2m high that are setback at least 20m from MHWS	e. the effectiveness of the proposed method for controlling stormwater; and f. the impacts on existing, and planned and potential roads, public walkways, reserves and esplanades.
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Earthworks

EW-S1	Maximum earthworks thresholds			
All zones, except Moturoa Island, Orongo Bay	The following maximum volumes and area thresholds <u>must not be exceeded</u> for all earthworks undertaken on a site within a single calendar year: Zone	Volume (m ³)	Area (m ²)	Where the standard is not met, matters of discretion are restricted to: <u>refer EW-R1</u>
	General Residential, Mixed Use, <u>Light Industrial</u> , Heavy Industrial , Hospital, Horticulture Processing Facility, Carrington, Kororāreka Russell Township, Hospital, Māori Purpose -Urban, <u>Waitangi Estate Special Purpose Zone –</u>	200	2,500	

	<u>Whakanga (Tourism) & Te Pitowhenua (Treaty Grounds) sub zone.</u>		
	Natural Open Space, Open Space, Sport and Active Recreation, Rural Residential, Settlement, Quail Ridge, Airport, <u>Waitangi Estate Special Purpose Zone – Papa Rehia (Recreation) sub Zone</u>	300	2,500
	<u>Light Industrial, Heavy Industrial</u>	<u>500</u>	<u>2,500</u>
	Rural Lifestyle	1000	2,500
	Rural Production, Horticulture, Kauri Cliffs, Ngawha Innovation Park, Māori Purpose – Rural, <u>Waitangi Estate Special Purpose Zone – Ahuwhenua (General Activities) sub Zone</u>	5000	2,500
<u>This standard does not apply to:</u> <u>a. earthworks for septic tanks and associated drainage fields;</u> <u>b. earthworks for the maintenance of existing walking tracks, farm tracks, driveways, roads and accessways</u> <u>c. earthworks for the operation, maintenance and repair of existing infrastructure; and</u> <u>c.d. earthworks for the maintenance of drains</u>			

Light

Light-S1	Maximum level of light spill	
Mixed Use zone	The maximum level of light spill when measured at a distance of 2m or greater from the boundary of any receiving site, or	Matters of discretion are restricted to:

Light Industrial zone	where any part of the building located within a receiving site is within 2m of the boundary of that site, when measured at the exterior surface of any window of any habitable room, must not exceed: 1. 10 lux (in both the horizontal and vertical planes) within any General Residential, Rural Residential, Settlement, and Quail Ridge zones; and 2. 20 lux (in both the horizontal and vertical planes) within the Mixed Use, Light Industrial, Heavy Industrial, Horticulture Processing, Orongo Bay, Open Space, and Sport and Active Recreation zones, and within the <u>Waitangi Estate Special Purpose Papa Rehia (Recreation) Sub Zone and Whakanga (Tourism) sub-zone.</u>	a. whether artificial lighting is for operation or functional purposes; b. whether timing, duration, direction, intensity, focus, design, height, or type of lighting contributes to avoidable or unnecessary light spill; c. adverse effects on the predominant character and amenity of the surrounding area; d. adverse effects on the health, safety and wellbeing of people and communities in the surrounding area, including the transport network; and e. the extent to which light spill or glare affects residential properties, including outdoor living space and/or has the potential to result in sleep disturbance. f. The extent to which artificial lighting affects the natural behaviour of indigenous fauna, including reference to best practice guidance where relevant.
Heavy Industrial zone		
Horticulture Processing zone		
Orongo Bay zone		
Quail Ridge zone		
General Residential zone		
Kororāreka Russell Township		
Settlement zone		
Rural Residential zone		
Open Space zone		
Sport and Active Recreation zone		
Hospital zone		
Ngawha Innovation and Enterprise Park zone		
Airport zone		
<u>Waitangi Estate Special Purpose Zone</u>		

Papa Rehia (Recreation) Sub Zone and Whakanga (Tourism) sub- zone.		
Rural Production zone Rural Lifestyle zone Horticulture zone Māori Purpose zone Kauri Cliffs zone Natural Open Space zone Waitangi Estate Special Purpose Zone – Te Pitowhenua (Treaty Grounds) sub- zone and Anuwhenua (General Activities) Sub Zone.	The maximum level of light spill measured at the notional boundary of any habitable building located within the Rural production, Rural Lifestyle, Horticulture zone, Māori Purpose, Kauri Cliffs or Natural Open Space zones or <u>Waitangi Estate Special Purpose Zone – Te Pitowhenua (Treaty Grounds) sub-zone and Anuwhenua (General Activities) Sub Zone must not exceed:</u> 1. 10 lux (in both vertical and horizontal planes).	Matters of discretion are restricted to: a. whether artificial lighting is for operational or functional purposes; b. whether timing, duration, direction, intensity, focus, design, height, or type of lighting contributes to avoidable or unnecessary light spill; c. adverse effects on the predominant character and amenity of the surrounding area, including views and enjoyment of the night sky; d. adverse effects on the health, safety and wellbeing of people and communities in the surrounding area, including the transport network; and e. the extent to which light spill or glare affects residential properties, including outdoor living space and/or has the potential to result in sleep disturbance. f. The extent to which artificial lighting affects the natural behaviour of

		indigenous fauna, including reference to best practice guidance where relevant
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Noise

Noise-S1	General noise rules applying to noise emitted from all zones and overlays (unless provided for by a specific standard elsewhere)	
Receiving zone General Residential zone Māori Purpose - Urban Kororareka Russell Township zone Hospital zone Rural residential zone Waitangi Estate Special Purpose Zone – Te Pitowhenua (Treaty Grounds) sub zone Quail Ridge	<u>Noise rule</u> <u>Noise generated by any activity shall not exceed the following noise limits at any point within any other site in the General Residential, Kororāreka Russell Township zone or Rural Residential zone:</u> <u>a) Noise generated in all zones, other than the zones and sites in b) and c) below:</u> - Noise shall not exceed the following <u>rating noise levels at any point within the received property boundary:</u> 7.00am to 10.00pm (daytime): 50 dB $L_{Aeq (15min)}$ 10.00pm to 7.00am (<u>night-time</u>): 40 dB $L_{Aeq (15min)}$ and 70 dB L_{AFmax}. <u>—10.00 pm to 7.00am</u> <u>Noise generated in Mixed Use, Light Industrial, Horticultural Processing facilities, Ngawha Innovation and Enterprise Park, Orongo Bay, Waitangi Estate Special Purpose Zone –Whakanga (Tourism), Papa Rehia (Recreation) or Ahuwhenua (General Activities) sub zones, or from non-aircraft operation activity within an Airport Zone:</u> <u>Noise shall not exceed the following</u> rating noise levels at any point within the receiving property boundary:	Matters of discretion if compliance not achieved: - ambient noise levels and any special character noise from any existing activities, the nature and character of any changes to the sound received at any receiving site and the degree to which such sounds are compatible with the surrounding activities; - type, scale and location of the activity in relation to any noise sensitive activities; - hours of operation and duration of activity; - the temporary or permanent nature of any adverse effects; - the ability to internalise and/or minimise any conflict with adjacent activities; and - any mitigation proposed, in accordance with the best practicable option approach (e.g. site layout and design, design and

	a. <u>7.00am to 10.00pm (daytime): 55 dB LAeq</u> b. <u>10.00pm to 7.00am (night-time): 40 dB LAeq and 75 dB LAFmax</u> c) <u>Noise generated in the Hospital or Heavy Industrial zones or Mineral Extraction Overlays or within any site used for substation activities which is owned and operated by a requiring authority within any zone:</u> 1. <u>Noise shall not exceed the following rating noise levels at any point within the receiving property boundary:</u> a. <u>7.00am to 10.00pm (daytime): 55 dB LAeq</u> b. <u>10.00pm to 7.00am (night-time): 45 dB LAeq and 75 dB LAFmax</u>	location of structures, buildings and equipment and the timing of operation).
Receiving Zone Rural Production zone Rural Lifestyle zone Māori Purpose – Rural zone Horticulture zone Moturoa Island zone Kauri Cliffs zone Ngawha Innovation and Enterprise Park zone Settlement Waitangi Estate Special Purpose Zone – Ahuwhenua	Noise rule Noise generated by any activity shall not exceed the following limits within the notional boundary of any noise sensitive activity in the Rural Production, Rural Lifestyle or Māori Purpose zones: <u>d) Noise generated in all zones, other than the zones and sites in e), f) and g) below:</u> 1. <u>Noise shall not exceed the following rating noise levels within the notional boundary of any noise sensitive activity within the receiving property:</u> a. <u>7.00am to 10.00pm (daytime): 55 dB LAeq (+15min)</u> b. <u>10.00pm to 7.00am – (night-time) 40 dB LAeq (+15min) and 70 dB LAFmax</u> 6. –10.00 pm to 7.00am	Matters of discretion if compliance not achieved: a. ambient noise levels and any special character noise from any existing activities, the nature and character of any changes to the sound received at any receiving site and the degree to which such sounds are compatible with the surrounding activities; b. type, scale and location of the activity in relation to any noise sensitive activities; c. hours of operation and duration of activity;

(General Activities) sub zone	<u>e) Noise generated in Mixed Use, Light Industrial, Horticultural Processing Facilities, Ngawha Innovation and Enterprise Park or Orongo Bay Zones, or from non-aircraft operation activity within an Airport zone:</u> 1. <u>Noise shall not exceed the following rating noise levels within the notional boundary of any noise sensitive activity within the receiving property:</u> a. <u>7.00am to 10.00pm (daytime): 55 dB LAeq</u> b. <u>10.00pm to 7.00am (night-time): 40 dB LAeq and 75 dB LAFmax</u> <u>f) Noise generated in the Hospital or Heavy Industrial zones or in Mineral Extraction Overlays:</u> 1. <u>Noise shall not exceed the following rating noise levels within the notional boundary of any noise sensitive activity within the receiving property:</u> a. <u>7.00am to 10.00pm (daytime): 55 dB LAeq and 75 dB LAFmax</u> b. <u>10.00pm to 7.00am (night-time): 45 dB LAeq and 75 dB LAFmax</u> <u>g) Noise generated within any site used for substation activities which is owned and operated by a requiring authority within any zone:</u> 1. <u>Noise shall not exceed the following rating noise levels within the notional boundary of any noise sensitive activity within the receiving property:</u> a. <u>7.00am to 10.00pm (daytime): 55 dB LAeq</u>	d. the temporary or permanent nature of any adverse effects; e. the ability to internalise and/or minimise any conflict with adjacent activities; f. any mitigation proposed, in accordance with the best practicable option approach (e.g. site layout and design, design and location of structures, buildings and equipment and the timing of operation);
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	b. <u>10.00pm to 7.00am (night-time): 45 dB LAeq and 75 dB LAFmax</u>	
...	...	...
Receiving zone Natural Open Space Zone Open Space zone Sport and Active Recreation zone Natural Open Space Waitangi Estate Special Purpose Zone – Papa Rehia (Recreation) sub-zone	Noise rule k) Noise generated in all zones, Except Heavy and Light Industrial, Horticultural Processing and Orongo Bay zones: 1. <u>Noise shall not exceed the following rating noise levels at any point within the receiving property boundary:</u> a. <u>Open Space and Sport and Active Recreation:</u> i. <u>All times: 55 dB LAeq</u> b. <u>Natural Open Space:</u> i. <u>7.00am to 10.00pm (daytime): 55 dB LAeq</u> ii. <u>10.00pm to 7.00am (night-time): 45 dB LAeq</u> <u>Noise generated by any activity shall not exceed the following noise limits at any point within any other site in the Natural Open Space, Open Space, and Sport and Active Recreation zones:</u> a. <u>7.00 am to 10.00 pm – 50 dB LAeq (15min);</u> b. <u>10.00 pm to 7.00 am – 40 dB LAeq (15 min); and</u> c. <u>10.00 pm to 7.00 am – 70 dB LAFmax.</u>	Matters of discretion if compliance not achieved: a. ambient noise levels and any special character noise from any existing activities, the nature and character of any changes to the sound received at any receiving site and the degree to which such sounds are compatible with the surrounding activities; b. type, scale and location of the activity in relation to outdoor activities within the zone; c. hours of operation and duration of activity; d. the temporary or permanent nature of any adverse effects; e. the ability to internalise and/or minimise any conflict with adjacent activities; f. any mitigation proposed, in accordance with the best practicable option approach (e.g. site layout and design, design and location of structures, buildings and equipment and the timing of operation);
Receiving Zone	Noise rule	Matters of discretion if compliance

Mixed Use zone Waitangi Estate Special Purpose Zone –Whakanga (Tourism) sub zones	l) Noise generated in all zones: 1. <u>Noise shall not exceed the following rating noise levels at any point with the receiving property boundary:</u> <u>Noise generated by any activity shall not exceed the following limits at any point within another site in the zone:</u> Sunday to Thursday a. 7.00am to 10.00pm(daytime): 60 dB LAeq (15min) b. 10.00pm to 7.00 am (night-time): 55 dB LAeq (15min) and 80 dB LAFmax C:-10.00pm to 7.00am Friday and Saturday a. 7.00am to midnight (daytime): 60 dB LAeq (15min) b. midnight to 7.00am: - 55 dB LAeq (15min) and 80 dB LAFmax c:—midnight to 7.00am 2. <u>Noise generated by any activity shall not exceed the following limits at any point within the boundary of any sites in the General Residential zone, or notional boundary of any noise sensitive activity within the Rural Production, Rural Lifestyle, Rural Residential, Horticulture, or Māori Purpose zones: a. 7.00am to 10.00pm – 55 dB L(15min); b. 10.00pm to 7.00am – 40 dB L(15min); and c. 10.00pm to 7.00am – 75 dB LAFmax.</u>	not achieved: a. ambient noise levels and any special character noise from any existing activities, the nature and character of any changes to the sound received at any receiving site and the degree to which such sounds are compatible with the surrounding activities; b. any existing noise generating activities and the level of noise that will be received within any noise sensitive building; c. the primary purpose and the frequency of use of the activity; d. the ability to design and construct buildings accommodating noise sensitive activities with sound insulation and/or other mitigation measures to ensure the level of noise received within the building is minimised particularly at night; e. any mitigation proposed, in accordance with the best practicable option approach (e.g. site layout and design, design and location of structures, buildings and equipment and the timing of
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		operation); and f. the effects on any existing noise sensitive activities
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Signs

SIGN-R2	Community Signs	
All zones – except for the Waitangi Estate Special Purpose Zone	...	...
SIGN-R5	Freestanding signs	
All zones – except for the Waitangi Estate Special Purpose Zone	...	...
SIGN-R6	Double-sided and V-shaped signs	
All zones – except for the Waitangi Estate Special Purpose Zone	...	...
SIGN-R7	Signs on or attached to a building, window, fence or wall (excluding a scheduled heritage resource)	
All zones – except for the Waitangi Estate Special Purpose Zone	...	...
SIGN-R8	Signs located within any overlay other than a Natural Hazard Overlay	
All zones – except for the Waitangi Estate Special Purpose Zone	...	...
SIGN-R15XX	Signs in Waitangi Estate	
Waitangi Estate Special Purpose Zone	Activity status: Permitted PER-X <u>The sign is an:</u> 1. <u>interpretation sign for heritage or cultural features;</u> 2. <u>directional sign;</u> 3. <u>health and safety sign;</u> 4. <u>ecological or environmental protection sign;</u> 5. <u>public amenity sign;</u> 6. <u>community sign; or</u> 7. <u>sign relating to an activity occurring on the Waitangi Estate; and</u> <u>The sign is not for the purpose of third-party advertising.²</u>	Activity status where compliance not achieved with PER-X, PER-Y, PER-1 or PER-2: Discretionary

² Note this provision is not agreed by all parties – Ms Pearson and Ms Morgan recommend its retention while Ms Jacobs and Mr Bracey recommend its removal.

	PER-Y The sign is: 1. a freestanding sign; 2. a double-sided or v-shaped sign; or 3. attached to a building, window, fence or wall where the sign does not protrude above the highest point of the building or structure. PER-1 The sign must comply with the height, height in relation to boundary; and setback standards <u>at the external boundaries of the Waitangi Estate SPZ</u>, except for the road boundary setback. PER-12 Signs relate to the activity occurring on the Waitangi Estate; PER-2 The sign complies with standards: SIGN-S1 Maximum area; SIGN-S2 Maximum height; SIGN-S3 Maximum number; SIGN-S4 Traffic safety; and SIGN-S5 Sign design and content.	
SIGN-S1	Maximum sign area per site	
All zones	1. Any temporary sign (excluding real estate and development) or community sign must not exceed 2m² in area but may be doublesided. Where a sign is double-sided, the maximum area of the sign is calculated	Matters of discretion are restricted to: a. impact on the character and amenity values of the surrounding area; b. whether the sign contributes to visual clutter; and

	as the area of one side of the sign; and 2. Any real estate and development sign must not exceed 1.5m² in area. Except that: <u>This standard does not apply to temporary signs within at the Waitangi Estate SPZ.</u>	c. any adverse cumulative effects.
ONFs ONLs Heritage Areas Scheduled Heritage Resource	1. The maximum total sign area within an ONF, ONL or Heritage Area must not exceed 0.5m²; 2. The maximum total sign area on a scheduled <u>historic heritage</u> resource must not exceed 0.25m². Except that: <u>This standard does not apply to signs within the Waitangi Estate SPZ.</u> <u>Within the Waitangi Estate SPZ, any sign within an ONL, ONF, Site of Significance to Māori or scheduled heritage resource must not exceed 1m².</u> Note: This standard only has immediate legal effect for signs on or attached to a scheduled heritage resource or heritage area (Rules SIGN-R9 and SIGN-R10)	Matters of discretion are restricted to: a. whether the sign contributes to the characteristics and qualities of the feature, landscape, or precinct; b. impact on the character and amenity of the surrounding area; c. whether the sign is compatible with the built form on the site; d. whether sign contributes to visual clutter; and e. any adverse cumulative effects
...	...	...
<u>Waitangi Estate Special Purpose Zone</u>	1. Any new sign within the <u>Te Pitowhenua (Treaty Grounds) sub-zone</u> must not exceed 1m² <u>in ONL – North and 3m² in ONL – South.</u> 2. Any new sign within the <u>Papa Rehia (Recreation) Sub-zone</u> must not exceed 3m². Where a	Matters of discretion are restricted to: a. <u>If located within a Feature, Landscape or area of mapped heritage whether the sign contributes to the characteristics and qualities of the overlay;</u> b. <u>impact on the character and amenity of the surrounding area; and</u>

	sign is double sided, the maximum sign area is calculated as the area of one side of the sign. 3. Any new sign within the <u>Whakanga (Tourism)</u> sub-zone must be less than 6m². 4. Any new sign within the <u>Ahuwhenua (General Activities)</u> sub-zone must not exceed 3m². 5. <u>Any new sign within a ONF must not exceed 1m².</u>	specifically on Te Pitowhenua and its Heritage buildings and objects; c. whether the sign is compatible with the built form on the site; d. whether the sign contributes to visual clutter; e. whether the sign can be seen from a public place; and e. any adverse cumulative effects
SIGN-S2	Maximum height of signage	
...	...	...
All zones excluding: Mixed Use zone Light Industrial zone Heavy Industrial zone Hospital zone Ngawha Innovation and Enterprise Park zone Airport zone <u>Waitangi Estate Special Purpose Zone</u>	The maximum height of any sign, including support structure, must not exceed 4m in height, measured from ground level. Note: This standard only has immediate legal effect for signs on or attached to a scheduled heritage resource or item or heritage area (Rules SIGN-R9 and SIGNR10)	Matters of discretion are restricted to: a. impacts on the character and amenity of the surrounding area; b. whether the sign is compatible with the built form on the site; c. whether the sign contributes to visual clutter; and d. any adverse cumulative effects.
<u>Waitangi Estate Special Purpose Zone</u>	1. Within the Te Pitowhenua (Treaty Grounds) sub-zone the maximum height of any sign, including the support structure must not exceed 3m in height. 2. Within the Papa Rehia (Recreation) Sub-zone and the Ahuwhenua (General Activities) sub-zone the maximum	Matters of discretion are restricted to: a. <u>impacts on the character and amenity of the surrounding area, and specifically on Te Pitowhenua and its Heritage buildings and objects;</u> b. <u>whether the sign is compatible with the built form on the site;</u>

	height of any sign, including the support structure must not exceed 4m in height. 3. Within the Whakanga (Tourism) sub-zone: a. Freestanding signs must not exceed 6m in height from ground level, and b. Signs attached to a building must not protrude above the highest point of the building.	c. whether the sign contributes to visual clutter; and d. any adverse cumulative effects.
SIGN-S3	Maximum number of signs	
...	...	...
Waitangi Estate Special Purpose Zone	1. <u>There is no maximum number of signs for the purposes listed in SIGN-RXX, PER-X, 1-6.</u> 2. <u>There shall be no more than two signs per activity located in the Waitangi Estate SPZ.</u> 3. <u>Of the two signs per activity provided for in 2. above, there shall be no more than one sign per activity located in the ONL – North area and the Signage Restriction Frontage area, as shown on the map in Appendix A of this chapter.</u> <u>There shall be no more than two one signs per activity visible beyond the Waitangi Estate.</u>	Matters of discretion are restricted to: a. impact on the character and amenity of the surrounding area, and specifically on Te Pitowhenua and its Heritage buildings and objects; b. whether the sign contributes to visual clutter; and c. any adverse cumulative effects.

Temporary Activities

TA-R1	Temporary activity (excluding any activity listed in the rules below as permitted or restricted discretionary)	
All zones except: Natural Open Space zone General Residential zone	Activity status: Permitted Where: PER-1 The site is not used for more than two temporary activity	Activity status where compliance not achieved with PER-1, PER-2, PER-3, PER-4, or PER-5: Discretionary

Settlement zone Rural Residential zone Waitangi Estate Special Purpose Zone	events per calendar year, and <u>each</u> event does not exceed two consecutive days, excluding the Waitangi Estate where a maximum of five events are allowed on the Treaty Grounds per calendar year. PER-2 The activity occurs between 6.30am to 10.00pm on each day excluding a week either side of Waitangi Day. PER-3 A maximum of 500 persons on the site, <u>excluding event staff</u> each day and excludes the Waitangi Day event held at the Waitangi Treaty Grounds. PER-4 Any accessory building or structure is removed within seven days of the <u>temporary</u> activity finishing. PER-5 The <u>temporary</u> activity complies with standard: TA-S1 Road controlling authority approval.	
TA-RX	Temporary activities on the Waitangi Estate	
Waitangi Estate Special Purpose Zone	Activity status: Permitted Where: PER-X <u>Where the temporary activity is one of the following listed activities and occurs within the timeframes specified (excluding set up and pack down time):</u> <u>Waitangi Week (seven days);</u> <u>ANZAC Day (one day); or</u> <u>Matariki Week (seven days).</u> PER-Y	Activity status where compliance not achieved with <u>PER-X, PER-Y, PER-1, PER-2, PER-3, or PER-4:</u> Discretionary

	<u>Temporary activities, other than those listed in PER-X above, that have a maximum of 500 persons on site excluding event staff each day.</u> PER-1 <u>For all temporary activities other than those listed in PER-X and PER-Y above:</u> <u>1. In the Whakanga (Tourism) sub-zone the site The WEZ is not used for more than fifteen <u>two</u> temporary activity events per calendar year.</u> <u>2. In the Ahuwhenua (General Activities) Te Pitowhenua (Treaty Grounds) and the Papa Rehia (Recreational) sub-zone the site is not used for more than five temporary activity events per calendar year.</u> <u>3. In the Whakanga (Tourism), Ahuwhenua (General Activities) and the Papa Rehia (Recreational) sub-zones the event The temporary activity does not exceed two consecutive days, with the exception of a week either side of Waitangi Day.</u> PER-2 <u>The temporary activity occurs between:</u> <u>1. 3.00am and 11.00pm for Waitangi Week;</u> <u>2. 4.00am and 10.00pm for ANZAC Day and Matariki Week; and</u> <u>3. 6.30am and 10.00pm for all other temporary activities on each day.</u>	
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	PER-3 <u>Any accessory building or structure is removed within seven days of the temporary activity finishing.</u> PER-4 <u>The temporary activity (except activities provided for in PER-Y) complies with standard: TA-S1 Road controlling authority approval.</u>	
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Schedule 3

Sites of Cultural Significance to Māori

Place #	Location	Name/Description	Requesting Party	Legal Description
<u>MS09-49</u>	<u>Waitangi</u>	<u>Te Pitowhenua/Waitangi Treaty Grounds</u> <u>Wāhi Tūpuna/Tipuna</u>	<u>Heritage New Zealand Pouhere Taonga or & Waitangi National Trust</u>	<u>Lot 1 DP 326610</u>