

**BEFORE HEARING COMMISSIONERS DELEGATED BY FAR NORTH
DISTRICT COUNCIL / TE KAUNIHERA O TE TAI TOKERAU KI TE RAKI**

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of the hearing of submissions on the Proposed Far North
District Plan

**STATEMENT OF EVIDENCE OF ROCHELLE ASHLEY JACOBS (PLANNING)
FOR WAITANGI LIMITED (SUBMITTER 503)**

HEARING 15B (REZONING – NEW SPECIAL PURPOSE ZONES)

30 May 2025

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1. INTRODUCTION

- 1.1. My name is Rochelle Ashley Jacobs. I am a Director and Senior Planner at Northland Planning & Development 2020 Limited.
- 1.2. My evidence is given on behalf of Waitangi Limited (Submitter 503) in relation to the Proposed Far North District Plan (**Proposed Plan**).
- 1.3. Waitangi Limited's submission relates solely to the Waitangi National Trust Estate (**Estate**) which contains the historic Waitangi Treaty Grounds / Te Pitowhenua (**Treaty Grounds**). It is responsible for managing the day-to-day operations at the Estate.

2. QUALIFICATIONS AND EXPERIENCE

- 2.1. I have the following qualifications and experience relevant to the evidence I shall give:
 - (a) I hold a Bachelor of Resource and Environmental Planning from Massey University.
 - (b) I am an Intermediate Member of the New Zealand Planning Institute.
 - (c) I have more than 15 years' experience as a planner in New Zealand with the majority of my planning career being in the Far North.
 - (d) In 2020, I joined Northland Planning and Development 2020 Limited as a part owner. In this role, I regularly advise and assist corporate and private individuals with the preparation of resource consent applications under the Resource Management Act 1991 (**RMA**), including subdivision applications, land use resource consents, and coastal permits in the coastal marine area.
 - (e) During my planning career, I have both processed and prepared resource consent applications for activities on the Waitangi Estate (**Estate**) on behalf of the Far North District Council (**Council**) and Waitangi Limited. This experience has given me an in-depth understanding of the planning issues that affect the management of the Estate.

3. CODE OF CONDUCT

- 3.1. While this hearing is not before the Environment Court, I acknowledge that I have read the Environment Court's Code of Conduct for Expert Witnesses (contained in the 2023 Practice Note) and agree to comply with it. Except where I rely on the evidence of another person, I confirm that the issues addressed in this statement of evidence are within my area of expertise, and I have not omitted to consider material facts known to me that might alter or detract from my expressed opinions.

4. BACKGROUND AND ROLE

- 4.1. I am the consultant planner for Waitangi Limited. I work closely with and advise Waitangi's Chief Transformation Officer (Ralph Johnson) and Head of Operations and Infrastructure Officer (Nicole Wihongi) on planning related matters, including proposed changes to the Operative Far North District Plan (**Operative Plan**) and how these proposals are likely to impact the Estate. I have been advising Waitangi Limited on the Council's plan review since 2022.
- 4.2. In particular, I have:
- (a) advised Waitangi Limited of the changes proposed by the Council through its review of the Operative Plan;
 - (b) prepared a submission on behalf of Waitangi Limited on the Proposed Plan (as notified);
 - (c) prepared analysis and carried out work drafting provisions for a special purpose zone (within the meaning of the National Planning Standards (November 2019 – Updated February 2022) (**National Planning Standards**) for the Estate;
 - (d) prepared evidence on behalf of Waitangi Limited for hearings 4 (natural environment values & coastal environment), 6/7 (general district-wide matters) and 9 (rural, horticulture & horticulture processing). My evidence addressed the proposed use of a special purpose zone and responded to matters relating to Waitangi Limited's secondary 'fall-back' relief, including responding to reports prepared by the Council under section 42A of the RMA;

- (e) completed a report in accordance with s32AA of the RMA and the Panel's Minute 14 (**s32AA report**) to accompany the provisions I prepared for the Waitangi Estate Special Purpose Zone proposal (**WEZ provisions**) (as described in my evidence and included in full at Appendix K of the s32AA report);
- (f) liaised with stakeholders and other interested parties in drafting the WEZ provisions and writing the s32AA report; and
- (g) liaised with and reviewed supplementary analysis attached as appendices to the s32AA report that were prepared by other consultants in respect of this work.

5. SCOPE OF EVIDENCE

5.1. The purpose of my evidence is to:

- (a) provide an overview of the Estate;
- (b) provide an overview of the Proposed Plan provisions that apply to the Estate;
- (c) explain the effect of the Proposed Plan provisions and why I consider that a special purpose zone should be created for the Estate, including an overview of the analysis provided in the s32AA report that determined that the application of a special purpose zone is the most appropriate option for achieving effective planning outcomes for the Estate;
- (d) provide an overview of whether a special purpose zone for the Estate meets the criteria in the National Planning Standards;
- (e) provide an overview of the proposed WEZ provisions that have been developed in draft for the Waitangi Estate Special Purpose Zone; and
- (f) provide an overview of other general and consequential changes that are required to other chapters of the Proposed Plan that will affect the Waitangi Estate Special Purpose Zone.

5.2. My evidence references sections of the s32AA report and the relevant WEZ provisions, where appropriate, to avoid repeating content already covered in those documents. I also refer to my evidence prepared for hearing 4, as relevant.

- 5.3. I confirm that in preparing my evidence, I have read in draft the evidence of Mr Ben Dalton, chief executive of Waitangi Limited, Mr Simon Cocker, expert landscape architect, and Ms Ngahuia Harawira, expert in cultural matters, for Waitangi Limited.

6. EXECUTIVE SUMMARY

- 6.1. Waitangi Limited is seeking the application of a special purpose zoning to the Estate and has developed a proposal and drafted provisions for a Waitangi Estate Special Purpose Zone (the WEZ provisions are included as Appendix K of the s32AA report).
- 6.2. The Waitangi Estate Special Purpose Zone is sought as an alternative to the general land use zones and provisions applying in the Proposed Plan. In conjunction with seeking a special purpose zoning, some changes to general district-wide provisions have been sought. While some of those changes are consequential, others are sought to reflect the unique characteristics of the Estate. The circumstances of the Estate strongly support special purpose zoning, in line with guidance provided in the National Planning Standards, for the reasons explained in my evidence.
- 6.3. The Estate is a unique 506-hectare area of land at Waitangi and includes the historic Treaty Grounds where Te Tiriti o Waitangi / the Treaty of Waitangi (**Te Tiriti**) was first signed between Māori and the British Crown on 6 February 1840. The Treaty Grounds are of national significance and are considered by many to be New Zealand's pre-eminent historic site.
- 6.4. Waitangi Limited manages the operations of the Estate on behalf of the Waitangi National Trust Board (**Trust Board**), and in line with its governing legislation, the Waitangi National Trust Board Act 1932 (**Trust Board Act**).
- 6.5. The lands comprising the Estate were gifted to the people of New Zealand by the then Governor-General Lord Bledisloe, and his wife, Lady Bledisloe, under the Trust Board Act as "*a place of historic interest, recreation, enjoyment, and benefit in perpetuity to the inhabitants of New Zealand.*" The Estate is managed in accordance with this purpose.
- 6.6. Today, the Estate accommodates a variety of activities in addition to the Treaty Grounds themselves, including pastoral farmland and indigenous vegetation, a hotel, a golf club and other sports facilities, a concert venue, a public boat ramp, slipway, jetty and pontoon. The Estate is a unique and complex environment that combines very special historical and cultural

significance (for the whole nation and all New Zealanders) with recreational and tourism values, productive uses, and coastal, estuarine, and other natural values. These circumstances warrant a bespoke planning response, in my view.

- 6.7. The Estate's governing bodies are concerned that the Proposed Plan provisions (as notified) do not appropriately reflect the national historic significance of the Estate and its unique characteristics, and that they are misaligned with the legislative scheme under the Trust Board Act that underpins the way the Estate is managed and developed.
- 6.8. This is further complicated by the eleven zones and overlays that would apply to the Estate under the Proposed Plan.
- 6.9. The Proposed Plan would zone the majority of the Estate as Rural Production zone (**RPZ**) (shown in mid green in **Figure 3** below). The purpose of the RPZ does not align with the purpose for which the Estate is managed, and the provisions for the RPZ do not aid in the continued protection of nationally significant historic heritage on the Treaty Grounds, or provide for the recreation, enjoyment and benefit of the Estate for all New Zealanders.
- 6.10. While a high number of protections are to be expected on a site where multiple values and features require management, the extent of the proposed rules that apply to the Estate and their general application means that even the most basic activities on the Estate will require resource consents under the Proposed Plan. Examples of such activities are included in **Table 1 – Summary of PDP standards as applied to the Waitangi Estate** of the s32AA report. These highlight both zone and district-wide rules which, as notified, will result in resource consent requirements for the Estate. Some examples include:
 - (a) new buildings and structures where the proposed activity they are associated with is not permitted, or where the building is not for farming purposes;
 - (b) new staff housing;
 - (c) new or expanded education spaces;
 - (d) any tourism activities;
 - (e) any commercial activity;

- (f) any activity that involves built development, indigenous vegetation clearance, or earthworks on the Treaty Grounds, such as extensions to non-heritage buildings, installing irrigation, improving or clearing out drains, storm maintenance (remedying slips, removing dangerous trees etc.), inspecting and maintaining infrastructure, upgrading CCTC cables as technology changes), and installing temporary signage; and
- (g) across the Estate, any new infrastructure on Lot 1 DP 326610 (which is 411ha and covers the Treaty Grounds, the Yacht club, boat ramp, workshop area, staff housing, Waitangi sports field, Tau Henare Drive, Haruru Falls recreational area, the Haruru Falls track, Bledisloe Sports grounds, farmland, forest and wetland areas), any new sign (commercial or community based), or an increase in the size of an existing sign, and any new temporary sign associated with temporary events.

- 6.11. For this reason, the WEZ provisions suggest changes to some general district-wide provisions to enable some of those activities to be undertaken without needing resource consent. Other WEZ provisions set more realistic thresholds for permitted activities based on existing operations at the Estate.
- 6.12. It is noted that, as hearings have progressed, in some situations the recommended changes by the reporting planners to the Panel for those zone, district-wide and overlay rules that apply to the Waitangi Estate have somewhat remedied issues highlighted by Waitangi Limited in its fall-back relief, and issues raised by other submitters. For example, in the proposed Coastal Environment and Outstanding Natural Landscapes and Features rules, buildings must be for farming purposes in order to be permitted, and further activities within the building must be permitted in order to comply with the building rule. This has been remedied to remove the reference to farming and the requirement for the activity to be permitted. If accepted by the panel, this would enable some minor buildings and structures to be established on the Estate without requiring resource consent. However, in many other instances, issues remain, or new infringements have been created. A full discussion is included at section 9 of the s32AA report and some discussion on notable examples is detailed within section 9 of my evidence below.

6.13. These examples include:

- (a) the proposed changes to ***Rule HH-R4 New Buildings or structures, extension or alterations to existing building or structures***, and ***Rule RPROZ-R22 Rural Tourism Activity***;
- (b) the proposed wording and application of ***Rule SASM-R1 New building or structure, extensions to an existing building or structure, earthworks or indigenous vegetation clearance***, ***Rule RPROZ-R27 Extension of existing commercial activity***, and ***RPROZ-R33 Commercial activities not otherwise provided for as a permitted, restricted discretionary or discretionary activity***;
- (c) the proposed signage provisions, specifically in ***Sign-R2 Community Signs***, ***Sign-R3 Temporary Signs***, ***Sign-R5 Freestanding signs***, ***Sign-R6 Double-sided and V-shaped signs***, ***Sign-R7 Signs on or attached to a building, window, fence or wall (excluding a scheduled heritage resource)***, ***Sign-R8 Signs located within any overlay other than a Natural Hazard Overlay***, ***Sign-R9 Signs on or attached to a scheduled heritage resource*** and referenced associated standards; and
- (d) the proposed changes to the temporary event provision, ***Rule TA-R1 Temporary activity (excluding any activity listed in the rules below as a permitted or restricted discretionary)***.

6.14. In terms of zoning, while the Estate has a small area of pastoral farming, rural production is not its primary purpose. As such, the associated objectives and policies for the RPZ do not provide for the continued operation, maintenance and expansion of activities on the Estate. This makes resource consent outcomes uncertain, difficult and costly.

6.15. There are two other zones which have been applied to the Estate, the Sport and Recreation Zone (**SARZ**) and Mixed Use Zone (**MUZ**). Similar to the above, these standard zones do not provide for the main purpose of the Estate, which is to support necessary day-to-day activities, and future activities on the Estate that align with that purpose.

6.16. For the reasons set out in my evidence and in the accompanying s32AA report (which includes an evaluation of other planning options), I consider that special purpose zoning is the most practical option for managing the Estate.

- 6.17. My evidence explains my expert planning opinion:
- (a) that the proposed Waitangi Estate Special Purpose Zone is the most practical option to protect nationally significant heritage, support necessary day-to-day activities, and future activities on the Estate that align with its purpose while, at the same time, meeting the obligations in section 6 of the RMA; and
 - (b) that the proposed Waitangi Estate Special Purpose Zone achieves the tests for a special purpose zone prescribed by the National Planning Standards.
- 6.18. The proposed Waitangi Estate Special Purpose Zone will provide a practical management approach for activities proposed at the Estate. The use of this method has enabled tailored rules, objectives, and policies to be utilised that provide the site with the mana and acknowledgement it deserves. The tailored provisions found in the WEZ provisions and amended general standards seek to ensure that future development need not be considered through the lens of a production zone, or a general zoning which is impractical for the Estate. It also ensures that the issues highlighted through the overlapping of spatial layers applying to the Estate can be resolved, through careful review of standards and how they interact with one another.
- 6.19. Clear objectives and policies have been developed and are accompanied by bespoke sub-zone overlays and provisions to better reflect the varying land uses and environs throughout the Estate. This is discussed further in the evidence of Mr Cocker.
- 6.20. For the reasons set out in my evidence, I consider that the proposed Waitangi Estate Special Purpose Zone will better enable focused management of the historic, cultural, recreational, and natural and landscape values of the Estate that have local, regional and national significance.
- 6.21. The site-specific objectives and policies that have been developed are largely directed at the protection and ongoing management of the Estate. In my view, these bespoke provisions will better achieve the purpose of the RMA and the wider interests of New Zealanders.
- 6.22. Given the diverse range of activities across the Estate, each with varying planning issues, Waitangi Limited's proposal establishes four sub-zones within the Waitangi Estate Special Purpose Zone. These are based on the

Kauri Cliffs special purpose zone in both the Operative and Proposed Plan. This method has allowed more stringent standards to be applied to particular areas, such as the Treaty Grounds, and the development of overarching objectives and policies that guide the management of the entire Estate.

- 6.23. As detailed in the s32AA report, throughout the development of the Waitangi Estate Special Purpose Zone, there has been engagement with the Council, Heritage New Zealand Pouhere Taonga (**HNZPT**), Cognitum Corporation Limited, the Waitangi Golf Course, the Waitangi Yacht Club, Te Tii Marae, the Waitangi National Trust Board and the Waitangi Limited Board. A meeting with the Department of Conservation is still yet to be confirmed, however both myself and representatives from Waitangi Limited would still like to meet with them to discuss the proposal. Through this process, there have been various discussions and input into the spatial extent of the Estate, the sub-zones, and detail on the context, objectives, policies, and rules. This has culminated into the fully formed Waitangi Estate Special Purpose Zone proposal discussed in my evidence and included at Appendix K of the s32AA report.

7. OVERVIEW OF THE WAITANGI ESTATE

- 7.1. An overview of the Estate is provided in detail in section 5 of the s32AA report, section 7 of evidence I provided at hearing 4, and in the evidence provided by Mr Dalton. The overview provided in my hearing 4 evidence is repeated here for ease of reference.
- 7.2. The Estate is a large 506-hectare landholding located north of the township of Paihia at Waitangi (shown in **Figure 1**).¹ The Estate contains the historic Treaty Grounds that were the location of the first signing of Te Tiriti between Māori and the British Crown on 6 February 1840.

¹ Lots 1, 2 & 3 DP 326610, Lots 1 & 2 DP 152502, Lot 3 DP 51155, Sec 6 – 11, 15 & 16 SO 338905.



Figure 1 - Location of the Estate

- 7.3. Historically, missionary settlers purchased the land comprising the Estate from local iwi and established it as a farm prior to it being acquired by Lord and Lady Bledisloe who gifted the land to resident New Zealanders in 1932 as *"a place of historic interest, recreation, enjoyment, and benefit in perpetuity to the inhabitants of New Zealand"*.² The Estate as it exists today also includes adjacent lands that have been added to the original Estate over time.
- 7.4. Today the Estate accommodates a variety of activities in addition to the Treaty Grounds themselves, including pastoral farmland and indigenous vegetation, a hotel, a golf club and other sports facilities, a concert venue, a public boat ramp, and a wharf. The Estate is a unique and complex environment that combines very special historical and cultural significance (for the whole nation / all New Zealanders) with recreational and tourism values, productive uses, and coastal, estuarine, and other natural values. Its landscape values are described in the evidence of Mr Cocker.
- 7.5. The Estate contains a number of heritage features associated with the signing of Te Tiriti, as detailed in the evidence of Mr Dalton. These are located on the upper Waitangi Treaty Grounds and include the flagpole, James Busby's house (renamed at Lord Bledisloe's request the 'Treaty House' in 1932), Te Whare Runanga, and Hobson's memorial. These are scheduled historic items in both the Operative Plan and the Heritage New

² Trust Board Act, preamble.

Zealand Heritage List (Rārangi Kōrero). These heritage buildings are objects are shown by just one purple pentagon in **Figure 2**. The Treaty Grounds is a National Historical Landmark Site and Category 1 Historic Place under the Heritage New Zealand Pouhere Taonga Act 2014.

- 7.6. The Estate is strongly influenced by the coastal environment that frames its southern, eastern and northern boundaries. Coastal estuarine inlets extend far into the site that are densely vegetated with established mangroves. There are also several large inland wetlands on the site. As the original Estate was a pastoral farm, it was largely devoid of any kind of vegetation. Over time, indigenous vegetation, along with notable planted exotic species, has regenerated on the site and currently forms a vegetated background to the upper Treaty Grounds and a screened location for the main Waitangi visitor, administration and museum buildings. This vegetation has now been identified in the Regional Policy Statement for Northland (**NRPS**) and the Proposed Plan as having 'high natural character' (**HNC**) (as shown as hatched green with HNC descriptors in **Figure 2**).



Figure 2 - Areas of High Natural character, Outstanding Natural Features and Outstanding Landscape

- 7.7. Two outstanding natural features (**ONF**) are mapped on the Estate (shown in brown with dots in **Figure 2**). These are a volcanic rocky outcrop located to the north of the flagpole, and Haruru Falls is on the western periphery of the site.
- 7.8. The Treaty Grounds is mapped as an outstanding natural landscape (**ONL**) in the NRPS and the Proposed Plan and there are seven distinct areas of HNC mapped across the Estate. The ONL is shown in dark green with three dots in triangle formation in **Figure 2**.
- 7.9. The Estate also contains eight different soil classifications. Three areas are considered to contain highly productive land, as defined by the National Policy Statement for Highly Productive Land (**NPS-HPL**).
- 7.10. The Treaty Grounds and the wider Estate have high cultural significance, not only from the signing of Te Tiriti, but also as a seasonal location for various hapū of Ngāpuhi accessing the coast. Archaeological surveys of the Estate indicate more than 100 recorded sites predominantly along the coast and near Hutia Creek. Many sites are shell middens, but some are identified as wāhi tapu, and there is evidence of a pā on the site of the Waitangi golf course.
- 7.11. In his evidence, Mr Dalton explains the special legislative regime that applies to the Estate under the Trust Board Act. Overall, I consider that the Estate is a unique environment that warrants a bespoke planning response.

8. OVERVIEW OF THE PROPOSED PLAN PROVISIONS THAT APPLY TO THE ESTATE AND RECOMMENDED CHANGES TO THOSE PROVISIONS

- 8.1. The Proposed Plan seeks to establish the following eleven zones and overlays over the Estate:
- (a) RPZ;
 - (b) MUZ;
 - (c) SARZ;
 - (d) Coastal Environment Overlay;
 - (e) Outstanding Natural Landscape Overlay;
 - (f) Outstanding Natural Feature Overlay;

- (g) High Natural Character Overlay;
- (h) Sites and Areas of Significance to Māori Overlay;
- (i) Heritage Items Overlay;
- (j) River Flood Hazard Overlay; and
- (k) Coastal Flood Hazard Overlay.

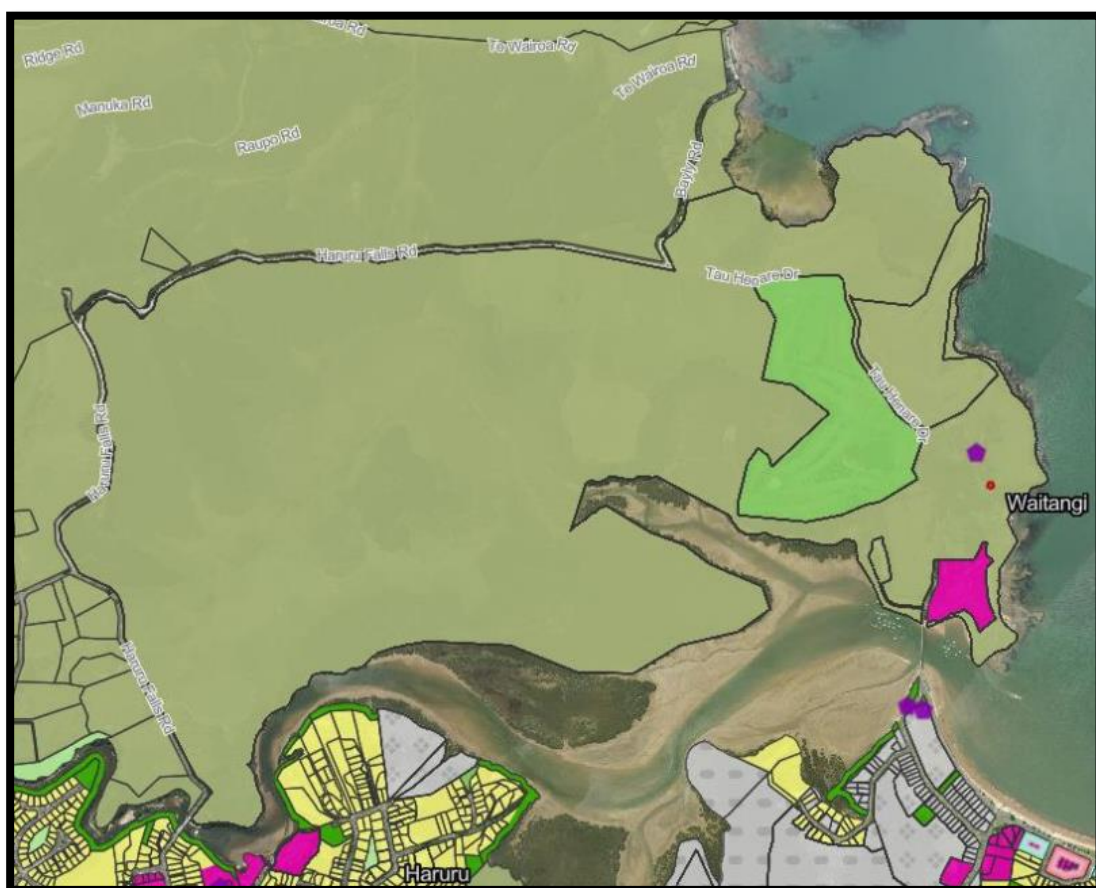


Figure 3 - Proposed District Plan Map

- 8.2. Under the Proposed Plan, the majority of the Estate has been mapped as Rural Production Zone (**RPZ**) (shown in mid green in **Figure 3**), with the exception of one golf course allotment (SARZ) shown in light green, and the Copthorne (MUZ) shown in pink.
- 8.3. The whole Estate, with the exception of Lot 3 DP 51155, Sections 15 & 16 SO 338905 and part of Section 6 SO 338905, will be overlain by the Coastal Environment overlay, as shown in **Figure 4** below. The excluded areas are circled in red, and the overlay area is filled with blue vertical lines.

- 8.6. The primary purpose of the RPZ is to ensure the availability of land for primary production and associated ancillary activities. The RPZ policies seek to avoid land use that is incompatible with the purpose, character and amenity of the RPZ or which do not have a functional need to locate in the zone.
- 8.7. The SARZ covers just one of the two golf course allotments at the Estate. There are also other recreational areas within the Estate (Bledisloe Sports grounds, boat ramp, pontoon and slipway, and the walking track between the Treaty Grounds and Haruru Falls) which provide public facilities and showcase local amenities.
- 8.8. The purpose of the SARZ is to acknowledge the '*range of dedicated indoor and outdoor organised sports and active recreation facilities*' in the Far North District. The zone recognises that '*the level of development anticipated is expected to be higher than the Open Space zone*' and '*may also include commercial activities associated with sport and recreation, such as the retail of merchandise and equipment and providing food and beverages to players and supporters*'.
- 8.9. The MUZ has been applied to one of two of the Copthorne's lease hold sites. The MUZ envisages a mix of commercial, civic and community activities, and also residential activities where these are located above commercial activities. Larger urban scale buildings and developed surface areas are envisaged and provided for. The rules allow for larger scale development within the Copthorne Hotel title (Lot 1 DP 152502), but this does not extend to their secondary title (Lot 2 DP 152502) where the primary purpose is to provide staff accommodation. At present, the accommodation on this title generally consists of single mans quarters.
- 8.10. The Estate has connections to Council infrastructure including wastewater and water supply, akin to a more urbanised environment. The Treaty Grounds accommodate hundreds and sometimes thousands of people a day as part of their tourism/cultural attraction. There are a number of commercial activities undertaken within the Treaty Grounds, including the operation of a café/restaurant, multiple event spaces, two museums, an art exhibition, educational facilities, a souvenir shop, and back of house offices. The Treaty Grounds and the surrounding Estate host Waitangi Day celebrations every year that attract up to 60,000 people. The Treaty Grounds also host Members of Parliament in the lead-up to annual Waitangi celebrations, where they discuss pressing matters impacting upon Māori.

- 8.11. The Coastal Environment overlay, as mapped by the Regional Policy Statement for Northland, covers the majority of the Estate. The coastal environment overlay contains policies that seek to avoid any adverse effects on areas identified as ONL or ONF (as detailed below). Policies seek to control the scale and extent of land use activities and their effects on coastal environment values, which is reflected in the overlay rules. Areas identified as having HNC also require consideration and are subject to development rules.
- 8.12. There are also mapped Natural Features and Landscapes on the Estate. A ONL has been placed across the majority of the Treaty Grounds. That ONL is appropriately identified as having a heritage focus and covers the main Treaty Grounds and heritage features at the Estate. ONFs have been mapped on the foreshore area further to the north of the flagpole and at Haruru Falls. The relevant objectives and policies make a distinction between features that are within or outside of the coastal environment. Within the coastal environment, there is a stronger policy directive to avoid adverse effects on the characteristics and qualities of the identified features. Any built development exceeding 25m² that is not ancillary to farming will be a non-complying activity.
- 8.13. The Waitangi Treaty Grounds / Te Pitowhenua (MS09-49) are identified in Schedule 3 of the Proposed Plan as site of significance to Māori. HNZPT is listed in the schedule as the 'requesting party'. This means that, if an activity is initiated by a party other than HNZPT, resource consent is automatically required as a restricted discretionary activity.
- 8.14. The site also contains a number of scheduled historic heritage items (#100). The relevant objectives and policies seek that these items be identified and managed for long term protection. The relevant rules seek a 20m setback for earthworks and/or built development, with the exception of infrastructure. Where infrastructure is sought, resource consent is automatically required as a discretionary activity.
- 8.15. Table 1 in the **Appendix** to my evidence provides a summary of standards in the Proposed Plan that apply to a range of potential activities at the Estate, including day-to-day maintenance activities. The table, which is also included at section 9 of the s32AA report, includes the relevant activity statuses under the Proposed Plan and sets out any changes that have been proposed throughout the hearing process to date.

- 8.16. In summary, Waitangi Limited is likely to be required to obtain resource consents for activities at the Estate under the following rules in the Proposed Plan:
- (a) new buildings and structures, and extensions and alterations;
 - (b) residential activities;
 - (c) educational facilities;
 - (d) recreational activities;
 - (e) rural tourism; and
 - (f) commercial activities.
- 8.17. Resource consents are also likely to be required under the district-wide and overlay rules for the following activities:
- (a) new buildings and structures, extensions and alterations in the Coastal Environment Overlay, Outstanding Natural Landscape Overlay, and Outstanding Natural Feature Overlay;
 - (b) new buildings and structures, extension and alterations to existing buildings, earthworks and indigenous vegetation clearance on a Site of Cultural Significance to Māori (Treaty Grounds);
 - (c) earthworks in the Coastal Environment Overlay, Outstanding Natural Landscape Overlay, and Outstanding Natural Feature Overlay;
 - (d) new infrastructure or alterations or extensions to existing infrastructure;
 - (e) new or altered signage (both temporary and permanent); and
 - (f) temporary events.
- 8.18. As hearings have progressed, in some situations the recommended changes by the reporting planners to the Panel for those zone, district-wide and overlay rules that apply to the Estate have somewhat remedied issues highlighted by Waitangi Limited in its fall-back relief, and issues raised by other submitters. For example, in the proposed Coastal Environment and Outstanding Natural Landscapes and Features rules, buildings must be for farming purposes in order to be permitted. Further, activities within the building must be permitted in order to comply with the building rule. This has been remedied to remove the reference to farming and the requirement for

the activity to be permitted. If accepted by the Panel, this would enable some minor buildings and structures to be established on the Estate without requiring resource consent. However, in many other instances, issues remain, or new infringements have been created. A full discussion is included at section 9 of the s32AA report; however, a couple of notable examples are as follows:

- (a) A new infringement, which has arisen as a result of the s42A report for heritage, is the recommended change to **Rule HH-R4 New Buildings or structures, extension or alterations to existing building or structures**. This rule previously only applied where an activity was taking place within 20m of a scheduled Heritage Resource. It is recommended that this now apply to an entire site. For Waitangi Limited, this results in a rule infringement for any new buildings or structures, or alteration to existing buildings and structures across Lot 1 DP 326610 which is 411ha (as this is one 'site' for the purpose of the rule). This would include activities at Haruru Falls some 3km from the scheduled Heritage Resources on the Treaty Grounds.
- (b) **Rule SASM-R1 New building or structure, extensions to an existing building or structure, earthworks or indigenous vegetation clearance**, as notified, has not been amended, therefore, resource consents will be required any activity on the Treaty Grounds that involves building works or the placing of structures (which could include a bench seat, a footpath, or any other manmade thing which is fixed to the land, no matter the size), or earthworks (which includes any disturbance of the ground, with the exception of gardening or for fencing). Specific examples include the digging of a hole for a new dignitary tree, if it is to be planted outside of an existing garden bed (this is due to the definition of gardening being the 'activity of working a garden', indicating that the garden is already in place), or basic maintenance which includes the clearing of built up debris from stormwater drains, digging up the ground to check pipes for leaks, or indigenous vegetation clearance (even just for a singular tree). This rule has major unintended consequences for the Treaty Grounds site, such that all of those minor activities listed above which are required for day-to-day maintenance and upkeep will need resource consent. The application of this rule to the

Treaty Grounds remains a significant issue which is likely to add significant and unjustifiable costs to Waitangi Limited's management of the site.

- (c) **Rule RPROZ-R22 Rural Tourism Activity** has a default activity status of restricted discretionary such that any new tourism type activity on the Estate will automatically require resource consent. Since notified, the position is less favourable for Waitangi Limited, as it has been recommended that this rule become a discretionary activity if the tourism activity is located on highly productive land (within the meaning of the NPS-HPL). Regional Council maps currently indicate that the Treaty Grounds and surrounding land is 'highly productive land'. This essentially discounts land around the Treaty Grounds for tourism use. Tourism use goes hand in hand with the protection of historic heritage at the Estate, as it promotes New Zealand culture and history to domestic and international visitors.
- (d) **Rules RPROZ-R27 Extension of existing commercial activity, and RPROZ-R33 Commercial activities not otherwise provided for as a permitted, restricted discretionary or discretionary activity** continue to be an issue, as most activities on the Estate involve the trading of goods, equipment or services which results in them being captured by the definition of 'commercial activity'. This means that any extension to an existing activity will automatically require resource consent as a discretionary activity, and any new activity that may be proposed to support activities on the Treaty Grounds will be a non-complying activity.
- (e) Sign rules **Sign-R2 Community Signs, Sign-R3 Temporary Signs, Sign-R5 Freestanding signs, Sign-R6 Double-sided and V-shaped signs, Sign-R7 Signs on or attached to a building, window, fence or wall (excluding a scheduled heritage resource), Sign-R8 Signs located within any overlay other than a Natural Hazard Overlay, Sign-R9 Signs on or attached to a scheduled heritage resource**, all refer to standard **Sign-S1 Maximum area** and the majority of rules reference **Sign-S3 Maximum number**. This means that any new sign at the Estate, no matter the size or location, will automatically require resource consent as a discretionary activity. This includes any new directional signs on the Estate or signs for information purposes. An exemption

has been included for signs associated with temporary activities on the Estate, which is helpful. However, the rule requires that the associated temporary event be permitted, meaning that even with this exception, resource consent may still be required.

- (f) For temporary events, ***Rule TA-R1 Temporary activity (excluding any activity listed in the rules below as a permitted or restricted discretionary)*** is now more favourable for Waitangi Limited, as Waitangi week celebrations have now been enabled as a permitted activity, and up to five events per year are now allowed at the Estate. However, existing temporary activities on the Estate already exceed five events per year, and other events outside of Waitangi Day (such as the lead up to Waitangi Day, Anzac Day, and Matariki) all exceed 500 persons. Resource consents will therefore be required for those events and for the associated temporary signage. As an event venue, this remains an issue for the Estate.

9. THE EFFECT OF THE PROPOSED PLAN AND NEED FOR A SPECIAL PURPOSE ZONE FOR THE ESTATE

- 9.1. From the overview of provisions provided in section 8 above, it is clear that the proposed zone and district-wide provisions and overlay standards will have onerous consequences for Waitangi Limited.
- 9.2. Those proposed district-wide rules and overlays will result in a number of resource consents being required, even for basic day-to-day activities at the Estate. As many of these rules result in discretionary or non-complying activity statuses, those activities must then conform with the underlying zone objectives and policies, being largely RPZ, which does not align with existing activities at the Estate or the purpose for which it is held under the Trust Board Act.
- 9.3. As detailed above, the Proposed Plan as notified would place most of the Estate within the 'Rural Environment' to be managed under the RPZ. The RPZ is the land use zone where large-scale primary production is prioritised. It is distinguished from the Rural Lifestyle and Rural-Residential zones where rural residential living is provided as a measure to avoid further fragmentation of productive land and reverse sensitivity effects. The RPZ policy framework does not recognise or provide for the variety of activities that are currently occurring on the Estate. As such, it is likely that commercial

or tourism development, which could include larger scale visitor facilities and accommodation, as described in the evidence of Mr Dalton, would be restricted by this zoning. As detailed further in the s32AA report, neither of these rural zones are an appropriate fit for the Estate.

- 9.4. Retaining the RPZ over the majority of the Estate would restrict its ability to function as a unique land environment that has as its central focus as protection of nationally significant historic features that are also a major visitor attraction. The restrictive nature of the proposed RPZ policies, as worded, particularly RPROZ-P4 and RPROZ-P5, would not be enabling of predominantly non-production type recreational or tourism activities throughout a large site, despite a suggestion to the contrary in the RPZ Overview statement. Environmental outcomes sought in the RPZ anticipate the predominance of low-density development with low site coverage of buildings and structures, as associated with a rural environment. Activities that do not have a functional need to be located in the RPZ are to be avoided.
- 9.5. If the RPZ were to continue to apply to the Estate, it would result in many existing and future proposed activities associated with the Treaty Grounds and use of the wider Estate to be contrary to the majority of RPZ objectives and policies that are focussed on prioritising rural production activities or activities that have a functional need to be located in a rural environment. A new museum or a larger scale visitor accommodation facility, for example, may struggle to obtain resource consent under this proposed framework, despite the fact that both of these types of activities currently exist on the Estate. The RPZ is not an appropriate zoning for the Estate.
- 9.6. As detailed above, the Estate also includes other proposed zoning (MUZ and SARZ).
- 9.7. The MUZ is located at the very edge of Paihia's residential area and adjacent to the Treaty Grounds. While not an entirely inappropriate zoning for this part of the Estate, it does not align with MUZ-O1, as the location is not a focus area for the district's commercial (town), community, and civic activities. The application of this objective emphasises the commercial importance of this part of the Estate without considering potential adverse effects on the immediately adjacent historic Treaty Grounds and the visitor amenity associated with that site. As a result, Waitangi Limited would prefer that the site be managed under the policy framework of a new, single special purpose zone that has as its core purpose the protection of nationally significant historic heritage associated with the signing of Te Tiriti.

Supporting activities at the Estate, including commercial visitor accommodation, should remain subservient to that purpose.

- 9.8. The SARZ has been applied to part of the golf course lease area (i.e. the original nine holes) and not the whole course. Again, while the SARZ is not entirely inappropriate, for the reasons set out above, it is Waitangi Limited's preference to include it within the Waitangi Estate Special Purpose Zone, and to manage all of the golf course activities via a 'Recreation' type sub-zone.
- 9.9. As a result of the planning issues highlighted above, an analysis of eight different options for achieving Waitangi Limited's objectives for managing the Estate were explored in the s32AA report. These were as follows:
 - (a) Option 1: Do nothing – retain the proposed zoning and overlays;
 - (b) Option 2: Apply a special purpose zone over the Treaty Grounds and retain the notified zoning (RPZ, MUZ and SARZ) over the balance of the Estate;
 - (c) Option 3: Apply a precinct over the Estate with the notified zoning;
 - (d) Option 4: Apply a special purpose zone over the Estate, except for long term leaseholds;
 - (e) Option 5: Apply a heritage overlay over the upper Treaty Grounds;
 - (f) Option 6: Apply a special purpose zone over the entire Estate with appropriate changes to district-wide standards and overlays;
 - (g) Option 7: Seek changes to the notified zoning and overlay provisions; and
 - (h) Option 8: Apply a comprehensive special purpose zone over the entire Estate that disapplies district-wide standards and overlays.
- 9.10. In assessing each option, including the costs, benefits and risks relating to the four well-beings under the RMA (social, economic, environmental and cultural), it was concluded that *Option 6 – Apply a special purpose zone over the entire Estate with appropriate changes to district-wide standards and overlays* was the most appropriate option.
- 9.11. The Estate is one of a kind, and no other existing zoning in the notified plan fits. A special purpose zone that includes objectives and policies specific to the Estate that will ensure the promotion and protection of historic heritage,

and provisions that facilitate both day-to-day and future activities that align with the Trust Board Act purpose, will best achieve Waitangi Limited's objectives for the management of the Estate.

- 9.12. In deciding upon the use of a special purpose zone, consideration was also given as to whether there were existing special purpose zones being proposed in the plan. Ten other areas across the Far North District have been zoned as special purpose in the Proposed Plan. This demonstrates that the Council does not have a fundamental issue with the use of special purpose zones in its district plan.

10. COMPLIANCE WITH THE NATIONAL PLANNING STANDARDS REQUIREMENTS FOR A SPECIAL PURPOSE ZONE

- 10.1. In considering a special purpose zone there is a requirement under section 58I of the RMA to meet the relevant tests set out in the National Planning Standards.

- 10.2. The National Planning Standards have explicit tests set out in Mandatory Direction 8.3 of the National Planning Standards. All tests must be satisfied in order for a special purpose zone to be accepted as a viable option. These are as follows:

a. are significant to the district, region or country;

b. are impractical to be managed through another zone;

c. are impractical to be managed through a combination of spatial layers.

- 10.3. Compared to any other alternative zone or precinct method, it is my view that a special purpose zone is the most appropriate method for achieving effective planning outcomes for the Estate and the purpose of the RMA. For the Waitangi Estate Special Purpose Zone, the central focus of the Estate is the management of nationally significant historic heritage and other associated tangata whenua, natural environment and coastal landscape values. The site is best managed comprehensively under a common set of objectives and policies that apply to the whole Estate. This framework recognises the Estate's diversity in terms of the variety of land uses and activities that occur on the site, including as mandated by the Trust Board Act.

- 10.4. The following paragraphs, in turn, respond to the National Planning Standard criteria and associated MfE guidance:

(a) are significant to the district, region or country

- *Are the activities within the zone significant because of their scale and expanse, or their social, economic, cultural or environmental benefits?*

10.5. The Estate comprising the Treaty Grounds and its surrounding lands is New Zealand's most important historic site and is referred to as the birthplace of the nation. The management of the Estate is provided for under the Trust Board Act as a place of historic interest, recreation, enjoyment, and benefit in perpetuity that was gifted to all inhabitants of New Zealand. There is an established independent governance structure that manages the Estate, in conjunction with the interests of HNZPT, to protect the national landmark site.

10.6. The primary land use activity at the Estate is the protection of, and management of public access to, historic heritage contained within the Treaty Grounds (Te Pitowhenua) which is significant to the district, region and the country. Such activities include daily visits from domestic visitors, international tourists, visiting school groups, and other members of the public, hosting and managing national annual events associated with Waitangi Day celebrations, and the development of the Estate for the recreational enjoyment of New Zealanders. The Trust Board and Waitangi Limited manage the Estate on behalf of all New Zealanders, as provided for in the Trust Board Act. This is a unique arrangement where the RMA is just one part of the legislative regime that applies to the site.

10.7. The Estate is largely self-funding and relies on revenue from paying tourists and lease arrangements to pay for Estate management and upkeep. In my view, a comprehensive land use planning approach to the management of the Estate is likely to result in superior environmental outcomes with respect to the sustainable management of the Estate (including revenue generation) and the protection of nationally significant historic heritage as envisaged by section 6(f) of the RMA.

- *Are the activities located in a specific area and not found elsewhere in the district?*

10.8. The Estate is a specific land area that is governed by the Trust Board Act. It is not found elsewhere in the district, or anywhere else in the country.

(b) Are impractical to be managed through another zone

- 10.9. The general application of the RPZ to the majority of the Estate and the associated spatial overlays under the notified Proposed Plan do not enable the efficient or appropriate management of the Estate in accordance with the Trust Board Act. There are no other proposed urban or non-urban zones that could effectively provide for the management of the Estate and its existing land uses and activities. Nor is there any other zone which recognises the historic heritage value and could provide for the comprehensive management of the Estate. This need is niche and specific to the Estate.
- 10.10. As described above, the Estate is a dynamic environment that has at its core focus the protection and management of historic heritage in way that enables the ongoing appreciation and enjoyment by domestic and international visitors. The rural production focus of the RPZ is not appropriate for the Estate and has an entirely different land use focus. Its continued application will remain at odds with the Estate. The RPZ and all other existing zones are considered impractical for this site.

(c) Are impractical to be managed through a combination of spatial layers

- 10.11. The opportunity to better manage land use activities at the Estate via district-wide spatial overlays is limited because of the nature of the underlying zone. Additionally, combining this with the proposed overlays (as notified), further limits activities from being carried out on the Estate. While it is accepted that the coastal environment and natural character spatial layers should still apply to particular parts of the Estate (subject to the proposed amendments in the proposed provisions), a special purpose zoning is needed to provide the underlying policy framework for the Estate.
- 10.12. Under the Proposed Plan, if an activity is discretionary or non-complying, it must be assessed firstly against rural production objectives that seek to avoid activities that are incompatible with the rural production purpose, character and amenity of the RPZ. Land use rules reflect this policy by, for example, requiring every building to accommodate a permitted land use, limiting commercial activities, and larger scale visitor accommodation activities, only enabling up to four students at an educational facility, and requiring resource consent to be obtained for any expansion or new commercial activity. The additional spatial layers further limit building size and scale, earthworks, and vegetation clearance. The adoption of a special

purpose zone would more appropriately identify the site for its intended purpose and prioritise the protection of historic heritage and land use activities involving the public visiting or staying at the site.

- 10.13. While the site contains nationally significant historic heritage, the application of a proposed historic heritage spatial overlay would not provide for the range of land uses and activities at the Estate.
- 10.14. For the reasons stated above, in my view, the National Planning Standard criteria for the adoption of a special zone are met. The Waitangi Estate Special Purpose Zone will enable the comprehensive management of the Estate in accordance with its legislative purpose by providing objectives and policies which align with its purpose. The national and regional policy directives that are reflected in the Proposed Plan spatial overlays, including the coastal environment, outstanding landscapes and features, historic heritage and sites and areas of significance to Māori will be retained. However, some amendments are proposed to these general rules which align with the special nature of this site and enable day-to-day operations. The proposed Rural Production zoning of the site is inappropriate and impractical for a site that does not have a rural production purpose. The application of the MUZ and SARZ are also considered inappropriate as they do not place any consideration of the nationally important historic features on the Estate.
- 10.15. I consider that all of the above special purpose zone criteria are met in respect of the Estate.
- 10.16. The National Planning Standards also set mandatory directions to councils on the structure of plans, including the location of district-wide provisions. The WEZ provisions have been drafted in accordance with the National Planning standards.

11. PROPOSED WAITANGI ESTATE SPECIAL PURPOSE ZONE

- 11.1. Based on the above finding, I have undertaken work to establish what a special purpose zone for the Estate could look like. Given the vast array of activities on the Estate, and the varying degrees of planning issues highlighted through the overlays, district-wide rules and zone rules in the Proposed Plan, I identified that the establishment of sub-zones, similar to the Kauri Cliffs special purpose zone, would provide a suitable methodology and is one which is fundamentally acceptable to the Council.

- 11.2. That method allows more stringent standards to be applied to areas such as the Te Pitowhenua (Treaty Grounds) sub-zone, and is able to direct certain types of development in specified areas, such as large-scale visitor accommodation in the Whakanga (Tourism) sub-zone and recreational activities in the Papa Rehia (Recreation) sub-zone, while still having overarching objectives and policies that apply to the whole Estate. Building on this, I have prepared the WEZ provisions which set out a structure for a proposed 'Waitangi Estate Special Zone chapter' as well as some applicable rules (attached at Appendix K of the s32AA report).
- 11.3. This process has involved consultation with a number of parties, including:
- (a) HNZPT;
 - (b) Cognitum Corporation Limited;
 - (c) Waitangi Golf Course;
 - (d) Waitangi Yacht Club;
 - (e) Te Tii Marae; and
 - (f) the Council.
- 11.4. Future meetings are also being sought with the Department of Conservation. Any proposed changes as a result of their feedback are intended to be addressed through this process as further evidence.
- 11.5. The area-specific special purpose zone to be applied to the Estate is intended to replace the proposed general zoning (RPZ, SARZ and MUZ) in the Proposed Plan. The Waitangi Estate Special Purpose Zone has clear objectives and policies and is accompanied by bespoke sub-zone provisions to better reflect the varying land uses and environs throughout the Estate. General district-wide overlays will continue to apply, as well as district-wide general rules and standards (with amendments discussed in section 12 of my evidence).
- 11.6. The proposed objectives and policies for the special purpose zone are included below:

Objectives	
WEZ-O1	The importance of the Waitangi Estate as a nationally significant site, and the contribution it makes to the heritage, cultural, and social well-being of New Zealand, is recognised and provided for.

WEZ-O2	The unique characteristics and qualities that contribute to the cultural and environmental values in the Waitangi Estate are protected when undertaking land use and subdivision.
WEZ-O3	The relationship of Māori and their culture and traditions associated with the <u>Waitangi Estate</u> lands, adjacent coastal waters, sites, waahi tapu, and other taonga is recognised and provided for.
WEZ-O4	The Waitangi Estate lands are protected, managed and developed to provide for recreation, tourism or other activities that are supportive of, or ancillary to the historic interest of the nationally significant site.
Policies	
WEZ-P1	Provide for land use and <u>subdivision</u> at the Waitangi Estate where it maintains or enhances the values of the Estate as a site of historic national significance.
WEZ-P2	Recognise and protect Te Pitowhenua (the Waitangi Treaty Grounds) as the central historic and cultural focus of the <u>Waitangi Estate</u> Special Purpose zone.
WEZ-P3	Enable activities within the Waitangi Estate that support and provide for its long-term economic viability while ensuring that any adverse effects of such activities are appropriately avoided, remedied or mitigated.
WEZ-P4	Recognise the importance 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-P5	Enable <u>visitor accommodation</u> activities and associated infrastructure and the extension or enhancement of those activities where adverse effects can be appropriately avoided, remedied or mitigated.
WEZ-P6	Provide for recreation activities within the Waitangi Estate where significant adverse effects on historic heritage can be avoided.
WEZ-P7	Ensure that the siting of <u>buildings</u> and <u>structures</u> and associated infrastructure in the <u>Waitangi Estate</u> Special Purpose zone is undertaken in a way that minimises any adverse amenity or landscape effects on historic heritage. This includes the consideration of activities and development, and the provision for adequate <u>infrastructure</u> servicing.

11.7. The proposed sub-zones for the Estate are as follows:

- (a) Te Pitowhenua (Treaty Grounds) sub-zone (Lot 1 DP 326610 – in part);
- (b) Papa Rehia (Recreation) sub-zone (Lots 2 and 3 DP 326610);
- (c) Whakanga (Tourism) sub-zone (Lot 1 and Lot 2 DP 152502); and
- (d) Ahuwhenua (General Activities) sub-zone (Lot 1 DP 326610 – in part, Lot 3 DP 51155 and Sections 5, 6, 7, 9, 15 & 16 SO 338905).

11.8. I have worked with Mr Cocker to develop a map of these sub-zone areas. This is provided within Mr Cocker's Landscape Report at Appendix C (and separately at Appendix J) to the s32AA report.

11.9. Waitangi Estate Special Purpose Zone rules have been developed using the proposed zone rule structure as a template. The rules have been refined for the sub-zones, which also include the Waitangi golf course land and the Copthorne Hotel site that are currently proposed to be zoned SARZ and MUZ. Additional rules which are specific to the Estate are detailed below:

- (a) **New buildings and extensions to existing buildings** – is a permitted activity at thresholds specified for the proposed sub-zone areas. This rule is a hybrid of new building land use rules that apply to new buildings in zones and in the coastal environment. The thresholds vary throughout, and are based on landscape recommendations provided by Mr Cocker. They are particularly restrictive (30m²) in the proposed Te Pitowhenua (Treaty Grounds) sub-zone where there is a carefully managed built environment development regime that includes close consultation with HNZPT and iwi. I note that a consultation procedure is being developed with the Haukainga, as identified in the CVA provided at Appendix E of the s32AA report.

Threshold standards relate to building gross floor area, building height, height in relation to boundary, and exterior colours and materials. Building standard threshold exceedances are restricted discretionary activities and subject to the assessment criteria listed in WEZ-R1.³

- (b) **Visitor Accommodation** – is a permitted activity in the Whakanga (Tourism) sub-zone and in other sub-zones. Other than in the Te Pitowhenua (Treaty Grounds) sub-zone, small-scale accommodation activities (up to 10 guests per night) are also permitted. It is expected that any large-scale visitor accommodation development (such as another hotel complex) would be subject to a discretionary activity status with full discretion available to the Council to decide a resource consent application. However, the policy framework would be more aligned with the land use intent for

³ These include the consideration of location, scale and design, landscaping, earthworks, height, colour scheme, coastal values, historic and cultural values, landscape sensitivity, the buildings intended purpose, its contribution to the Estate, and any positive effects.

the Estate, providing greater potential for the development of a well-designed and located accommodation facility.

- (c) **Residential Activity** – Limited residential activities are provided for as a permitted activity, which generally aligns with the RPZ provisions. There would be a slight increase in the number of permitted units within a site from six to ten to enable additional staff housing, particularly within the larger Lot 1 DP 326610 site which is over 400ha in area.
- (d) **Commercial Activity** – Permitted activities are limited to those associated with visitor amenities (such as cafes and restaurants), recreational and tourism activities that appropriately utilise the Estate lands (existing examples include the Paihia Horse Treks), and small-scale retail supportive of or ancillary to historic heritage and cultural experiences.
- (e) **Education Facilities** – permitted where education facilities are for the purpose of furthering knowledge and understanding of the Estate, its natural environment, or Māori cultural traditions and values.
- (f) **Impermeable Surfaces** – permitted up to 15% of any site for the Te Pitowhenua (Treaty Grounds), Papa Rehia (Recreation) and Ahuwhenua (General Activities) sub-zones. This is consistent with notified rule RPROZ-R2. It is noted that for Te Pitowhenua (Treaty Grounds), Papa Rehia (Recreation) and Ahuwhenua (General Activities) sub-zones that all three are located across the main title (Lot 1 DP 326610) or site. As such, it was intentional that the standard remains consistent across these sub-zones for ease of implementation. I note that at present in the Operative Plan there is an issue with the existing split zones. For the Whakanga (Tourism) sub-zone, the MUZ impermeable surface rule has been adopted. As these are separate titles, there are no implementation issues.
- (g) **Recreation Activity** – permitted as defined in the notified Proposed Plan. Consistent with RPROZ-R9, activities will be permitted if their commercial nature is small-scale and limited to those listed for the various sub-zones in WEZ-R4. Larger-scale commercial recreation activities involving built structures greater than 100m² gross business area are discretionary activities. There would be no limitation for

recreation activities that do not require buildings (e.g. the existing horse trekking activity).

- (h) **Farming** – is permitted in the Ahuwhenua (General Activities) sub-zone and discretionary in all other parts of the Estate. This is generally consistent with RPROZ-R7.
- (i) **Helicopter Landing Area** – is permitted where NOISE-S4 Helicopter Landing Areas is complied with. This is consistent with the Kauri Cliffs special purpose zone(s) Rule KCZ-R10. Helicopter landings on the Estate are not a regular occurrence and are largely associated with dignitaries visiting the site or for emergencies.
- (j) **Conservation Activity** – is permitted and consistent with RPROZ-R8.
- (k) **Customary Activity** – is permitted and consistent with the notified rule SARZ-R10.
- (l) **All other activities** – discretionary.

11.10. In my view, these alternative zone provisions will better achieve effective planning outcomes for the Estate and the purpose of the RMA, including by incorporating objectives and policies that highlight the sites national importance. The proposed draft objectives and policies seek to ensure that future activities at the Estate protect the nationally significant historic heritage resources and natural environment values from inappropriate subdivision, use and development, while also enabling the day-to-day and future management of the Estate in a manner that is centred on the social, economic and cultural wellbeing of people and communities.

12. CHANGES PROPOSED TO GENERAL DISTRICT-WIDE STANDARDS IN THE PROPOSED PLAN THAT APPLY TO THE ESTATE

12.1. In accordance with the National Planning Standards, certain rules must be located within specified chapters. Therefore, not all of the provisions that apply to the Estate can be contained in the WEZ provisions. Changes to definitions and general standards in the Proposed Plan are therefore also proposed as part of this special purpose zone package. This includes adding cross references to the WEZ provisions in the general standards and changes to rules to either ensure that the district-wide rules (which include some general overlays) are consistent with the zone standards, or to enable

specific activities on the Estate to promote historic heritage such as Waitangi Day.

12.2. The following definitions are proposed to be added to the Proposed Plan:

- (a) **Waitangi Estate** – This term has been referenced in the general rules for signage and also within the WEZ chapter. Given its use throughout a number of general rules, the inclusion of a definition is necessary.
- (b) **Wetland Lake and River Margins** – An amendment to this rule has been sought to include reference to the Whakanga (Tourism) sub-zone, where it is sought that a 26m setback apply rather than a 30m setback. This change is in line with the MUZ provisions.

12.3. The following amendments to district-wide rules are proposed:

Renewable Electricity Generation

- (a) **REG-R5 Free standing small scale renewable electricity generation activity (new and upgrading)** – A reference to the Ahuwhenua (General Activities) and the Whakanga (Tourism) sub-zones is sought for inclusion in this rule. The Ahuwhenua (General Activities) sub-zone is currently zoned RPZ and Waitangi Limited would like to enable some small-scale renewable energy proposals as a permitted activity. The Copthorne Hotel have also expressed an interest in enabling renewable energy proposals on their leasehold title. While this is likely to be quite small scale, such as installing solar panels on roofs, they have been included in this rule as well.
- (b) **REG-R6 Solar energy large scale or community scale renewable electricity generation activity (new and upgrading)** – A reference to the Ahuwhenua (General Activities) sub-zone is sought for inclusion in this rule. The Ahuwhenua (General Activities) sub-zone is currently zoned RPZ. Waitangi Limited would like the ability to install some larger renewable energy proposals as a permitted activity. It is likely that, if a smaller site on the Estate is used, Waitangi Limited will not meet the definition of 'small scale renewable electricity generation'. While the electricity will be generated on the Estate, it will be on a separate title to the museums meaning that this is the likely rule to apply. If this is the case, associated policy **REG-P9** should also be updated to reflect the WEZ in its list of zones which are appropriate for this type of development.

Historical and Cultural Values

- (c) **HH-R4 New buildings or structures, extensions or alterations to existing buildings or structures** – Waitangi Limited is seeking that a different set of provisions apply to the Estate than the general standards. As notified, this rule had a 20m setback requirement. Through the Council's s42A recommendations, it has been recommended that this be site-wide, meaning that any new building or structure, no matter where it is located on Lot 1 DP 3266610, would require resource consent under this standard. The area of interest is Te Pitowhenua (Treaty Grounds). Following consultation, HNZPT agreed that a 20m setback standard is acceptable for the WEZ. In the event that this standard is not reverted back to its notified position, it is requested that a specific reference to a 20m setback for the Estate be included. This will ensure that activities outside this area would not require resource consent under this standard.
- (d) **HH-R6 Infrastructure within a site containing a scheduled Heritage Resource** – Similar to the above, Waitangi Limited are seeking that this rule include a separate standard for the Estate which makes reference to a 20m setback, as agreed with HNZPT.

Sites of cultural significance to Māori

- (e) **SASM-R1 New buildings or structures, relocated buildings or extensions or alterations to existing buildings or structures, earthworks or indigenous vegetation clearance** – Following consultation, HNZPT has agreed that the Waitangi National Trust could also be referenced as a 'requesting party'. This would enable minor day-to-day operations to be undertaken at the Estate without the requirement to obtain resource consents.

A minor amendment to the rule is also sought to state that the activity can be sought by just one of the parties, rather than having to be jointly sought by both HNZPT and the Waitangi National Trust. It is considered that the Waitangi National Trust would be the appropriate requesting party (rather than Waitangi Limited). This is due to its decision-making roles in respect of activities at the Estate under the Trust Board Act.

Natural character

- (f) **NATC-R1 New buildings or structures, and extensions or alterations to existing buildings or structures** – References to Te Pitowhenua (Treaty Grounds) and Papa Rehia (Recreation) sub-zones have been included in the section for park management. The sub-zones host activities that are akin to park management activities.

Natural Features and Landscapes

- (g) **NFL-R1 New buildings or structures, and extensions or alterations to existing buildings or structures** – An additional permitted standard has been added for a minimum building size within the ONL area within the Te Pitowhenua (Treaty Grounds) sub-zone. The proposal is for a minimum size of 30m². This is an increase of 5m² from what was originally proposed in the notified plan, but a decrease of 20m² from what was recommended in the relevant s42A report and right of reply from Council. An activity status of discretionary has been sought, rather than non-complying, because the Outstanding Natural Landscape Values of the Treaty Grounds differ from a standard ONL as its status is more of an outcome of its cultural associations, rather than its naturalness. This has been discussed at length at pages 32-33 of the Landscape Report prepared by Mr Cocker that is appended at Appendix C to the s32AA report. It is noted that Mr Cocker recommended some assessment criteria in his report. However, it was considered that including these in that form would be contrary to the structure of the Proposed Plan which does not use assessment criteria for discretionary activities. Rather, it is the objectives and policies which are relied upon in any decision making. Instead, the themes of Mr Cocker's recommended assessment criteria have been incorporated into the WEZ provisions for activities which are restricted discretionary.

Subdivision

- (h) **SUB-R1 Boundary Adjustments** – While no changes are sought to this rule, it is acknowledged that, in changing the zoning of the golf course from SARZ to the WEZ, a boundary adjustment could be undertaken as a controlled activity, rather than a non-complying activity. In most cases, the reason for boundary adjustments in the Open Space zone being non-complying is that they involve public

land. As the land within the Estate is in private ownership, the controlled activity status is considered more appropriate.

- (i) **Sub-R3 Subdivision of land to create a new allotment** – The WEZ has been added to the list, and it is suggested that any new sites created on the Estate will default to a discretionary activity status, regardless of minimum allotment size. While subdivision of the Estate is unlikely, it has been included to enable future long-term leases to accommodate larger activities.

Coastal Environment

- (j) **CE-R1 New buildings or structures, and extensions or alterations to existing building or structures** – A reference to the Whakanga (Tourism) sub-zone has been added, as it was recommended at hearing 4 that an exemption be included for the MUZ at the Estate. A reference to Waitangi is no longer needed with the changes sought above, and this is also recommended for deletion.
- (k) **CE-S1 Maximum Height** – Similar to the above, a reference to the Whakanga (Tourism) sub-zone has been included in line with the recommendations from hearing 4. As a result, the reference to Waitangi can be deleted from this standard.
- (l) **CE-S4 Setbacks from MHWS** – References to the WEZ and the appropriate sub-zones should be included for completeness. In consultation with the Waitangi Yacht club, they noted that during regattas they are required to establish temporary buildings such as race offices and buildings / structures to be used as lockers. Given what these buildings are used for and given that they are temporary any effect is considered less than minor. Moreover, the Yacht club also noted that at times they could have a minor structure or building required to be established such as a catch tank. At present one is situated just behind MHWS. It was noted that in the Operative Far North District Plan minor buildings and structures associated with utility service structures which do not exceed 2m in height or 5m² in area are exempt (Rule 12.7.6.1.1 Exemption (v)). A similar exemption has also been sought specifically for the Waitangi Estate.

Earthworks

- (m) **EW-S1 Maximum earthworks thresholds** – References to the WEZ and the applicable sub-zones have been included in the standards where they best align with other similar general zoning.

Light

- (n) **Light-S1 Maximum level of light spill** – References to the WEZ and the applicable sub-zones have been included in the standards where they best align with other similar general zoning.

Noise

- (o) **Noise-S1 General noise rules applying to noise emitted from all zones and overlays (unless provided for by a specific standard elsewhere)** – References to the WEZ and the applicable sub-zones have been included in the standards where they best align with other similar general zoning.

Signs

- (p) **Sign-R2 Community Signs** – Waitangi Limited seeks that there be a different set of provisions that apply to the Estate than the general standards. This is due to the size of the Estate and the number of community facilities present on site, such as the boat ramp, slipway, jetty and pontoon, two sets of public toilets, Bledisloe sports grounds, Haruru Falls walking track and lookout, and the Waitangi sports fields. Currently, limiting the number of community signs on the site to one would automatically mean resource consent would need to be obtained for any additional signage. As there is no other site in the district like the Estate, which is private and has a high level of public facilities, an exemption is sought, insofar as it relates to the total number of community signs.
- (q) **Sign-R15 – Signs in Waitangi Estate Special Purpose zone** – This is a new rule which relates solely to signs on the Estate. The approach taken is similar to other special purpose zones such as Orongo Bay, Carrington Estate and Quail Ridge.
- (r) **Sign-S1 Maximum area per sign** – Amendments are sought to the standard which captures ONFs, ONLs, Heritage Areas and Scheduled Heritage Resources. In the Council's right of reply for hearing 6/7, an exception was added for the Estate. This exception

only included an exemption for the ONL and disregarded the ONF, site of significance to Māori, and other scheduled resources mapped on the site. The way in which this was worded meant that the exemption could not be utilised as the default would mean the 0.5m² standard would still apply. A further amendment to this standard has been included specifically for the WEZ and includes a maximum sign area for each sub-zone. As there is already a high number of signs across the Estate, the standard has been worded to assess new signs, rather than base the assessment on total sign area (as has been sought on other general sites). To ensure there will not be a proliferation of signs visible on site, other standards have been included below. On the Copthorne site, the MUZ currently allows for a 12m² sign as a permitted activity. This has been reduced to 6m² to be more sympathetic to potential effects on the Treaty Grounds located immediately next door.

- (s) **Sign-S2 Maximum height of signage** – A section has been included for the WEZ and the associated sub-zones. A more restrictive standard has been included on Te Pitowhenua (Treaty Grounds) sub-zone. The remaining sub-zones are aligned with similar zones.
- (t) **Sign-S3 Maximum number of signs** – A standard has been included which relates to the number of signs per activity visible beyond the Estate. This ensures that there will not be a proliferation of signs on the Estate that are externally visible. It ensures that small directional signage and plaques branded with Waitangi, rather than HNZPT, are not included in the number of signs calculation. This wording is similar to the wording used by Council for the Open Space Zone and SARZ.
- (u) **Sign-S5 Sign design and content** – No changes are sought to this rule. However, I note that there is an exemption for signage in the MUZ to enable animated signs, reflective materials and flashing light sources. We do not seek that this exemption be applied to the Whakanga (Tourism) sub-zone.

Temporary Activities

- (v) **TA-R1 Temporary activity (excluding any activity listed in the rules below as permitted or restricted discretionary)** – It is

proposed that this rule would not apply to temporary activities on the Estate. Instead, a new bespoke rule would apply as detailed below.

- (w) **TA-RX Temporary Activities on the Waitangi Estate** – This wording differs from what was sought at hearing 6/7. This rule seeks that no limit be placed on the number of temporary activities being held at Te Pitowhenua (Treaty Grounds) sub-zone. For other sub-zones, a limit of two has been sought for the Whakanga (Tourism) sub-zone and a limit of five has been sought for the Ahuwhenua (General Activities) and Papa Rehia (Recreation) sub-zones. Limitations related to hours of operation, accessory buildings and structures and traffic management have also been included. The Council's s42A report writer settled on enabling up to five events per title, where the event does not last for more than two days. The hours of operation excluded Waitangi day events, and people numbers excluded Waitangi Day. Upon further review, this was deemed to not be workable for the Estate. A specific rule for the Estate is therefore necessary. This would ensure that larger events such as Waitangi Day (and the week leading up to Waitangi Day, Anzac Day and Matariki) do not automatically require resource consents to be obtained. Larger temporary events are generally held at the Treaty Grounds, and this is an area where these types of events are expected. As such, it is sought that no limit of events is applied to this sub-zone. Hours of operation were also extended to 5am to enable dawn services to take place.

PER-2 applies to all sub-zones. This exemption will also cover gatherings at the marae at dawn for various reasons which could be captured under the definition of a temporary activity. While gatherings at the marae could be considered under existing use rights, having the rule enable this is clearer for any future events on site. As indicated at hearing 6/7, there are a number of activities which occur on the site which would be captured by the definition. As the site contains a number of different activities, including public amenities, recreation and heritage, any restriction on the numbers of events will be very quickly used up.

- 12.4. The proposed changes to general provisions will work in conjunction with the WEZ provisions to provide a comprehensive planning framework at the Estate that promotes historic heritage, provides for existing and future

activities, and is structured in a way that ensures the overarching national direction documents are given effect to.

13. CONCLUSION

- 13.1. The Estate contains New Zealand's most nationally important historic site. The Treaty Grounds and the wider Estate have been set aside to support the ongoing maintenance, protection and promotion of this heritage feature. The Proposed District Plan general zoning is not fit for purpose. I have undertaken a thorough assessment and determined that a bespoke special purpose zoning is the most appropriate option to achieve effective planning outcomes for the Estate in alignment with the purpose of the RMA. The Waitangi Estate Special Purpose Zone, as proposed, is able to meet the requirements set out in the National Planning Standards. Bespoke objectives, policies and rules have been developed in conjunction with consequential amendments to general provisions which will ensure that the future management, day-to day-operations and development of the Estate is appropriately provided for and enabled. The Waitangi Estate Special Purpose Zone will provide superior environmental planning outcomes for the Estate, and enhance the protection of nationally significant historic heritage as envisaged in section 6(f) of the RMA.

Rochelle Jacobs

30 May 2025

APPENDIX – SUMMARY OF STANDARDS IN THE PROPOSED PLAN THAT APPLY TO THE ESTATE

Table 1: Summary of standards in the Proposed Plan that apply to the Estate

Activity Type	Zone or Overlay	Notified Rule	Section 42A recommendation	Right of Reply recommendation
New buildings, extensions and alterations	Rural Production (RPZ)	Restricted Discretionary Where a standard is infringed. RPROZ-R1	Restricted Discretionary Where a standard is infringed. RPROZ-R1	Restricted Discretionary Where a standard is infringed. RPROZ-R1
		Discretionary Where the activity it accommodates is not permitted. RPROZ-R1	Discretionary Where the activity it accommodates is not permitted, <u>controlled or restricted discretionary.</u> RPROZ-R1	Discretionary Where the activity it accommodates is not permitted, <u>controlled or restricted discretionary.</u> RPROZ-R1
	Sport and Active Recreation (SARZ)	Restricted Discretionary Where a standard is infringed. SARZ-R1	Restricted Discretionary Where a standard is infringed. Excludes <u>Setback from MHWS and Park furniture.</u> SARZ-R1	Restricted Discretionary Where a standard is infringed. Excludes <u>Setback from MHWS and Park furniture.</u> SARZ-R1
		Discretionary Where the activity it accommodates is not permitted. SARZ-R1	Discretionary Where the activity it accommodates is not permitted, <u>controlled or restricted discretionary.</u> SARZ-R1	Discretionary Where the activity it accommodates is not permitted, <u>controlled or restricted discretionary.</u> SARZ-R1
	Mixed Use (MUZ)	Restricted Discretionary Where a standard is infringed. MUZ-R1	TBC	TBC
		Discretionary Where the activity it accommodates is not permitted. >400m ² Gross Floor Area MUZ-R1	TBC	TBC
	Coastal Environment	Discretionary Unless Ancillary to Farming or	Controlled Residential unit on a defined building platform. Confirmed by	Controlled Residential unit or a minor residential unit on a defined building platform.

		greater than 25m ² CE-R1	landscape assessment and approved by subdivision. CE-R1	Confirmed by landscape assessment and approved by subdivision. CE-R1
			Restricted Discretionary Outside High Natural Character Area. CE-R1	Restricted Discretionary Outside High Natural Character Area. CE-R1
	Natural Features and Landscapes	Non-Complying (Te Pitowhenua) Unless Ancillary to Farming or greater than 25m ² NFL-R1	Controlled Residential Unit on defined building platform. Confirmed by landscape assessment and approved by subdivision. NFL-R1	Controlled Residential Unit or Minor Residential Unit on defined building platform outside of Coastal Environment. Confirmed by landscape assessment and approved by subdivision. NFL-R1
			Non-Complying ONL or ONF within Coastal Environment greater than 50m ² . NFL-R1	Restricted Discretionary Extension or Alteration in Coastal Environment. NFL-R1
				Non-Complying ONL or ONF within Coastal Environment greater than 50m ² . NFL-R1
	Sites and Areas of Significance to Māori	Restricted Discretionary Not undertaken by the requesting party (HNZPT). SASM-R1	Restricted Discretionary Undertaken by the requesting party. SASM-R1	TBC
	Historic Heritage	Permitted Setback a minimum of 20m from a scheduled resource. HH-R4	Discretionary Located on a site with scheduled Historic Heritage. HH-R4	TBC
Earthworks Volume / Area	Rural Production	Restricted Discretionary	Restricted Discretionary Exceeds 5000m ³ / 2500m ² per year	Restricted Discretionary Exceeds 5000m ³ / 2500m ² per year

		Exceeds 5000m ³ / 2500m ² per year Cut/fill – 1.5m EW-R1	Cut/fill – 1.5m EW-R1	Cut/fill – 1.5m EW-R1
	Sport and Active Recreation	Restricted Discretionary Exceeds 300m ³ / 2500m ² per year Cut/fill – 1.5m EW-R9	Restricted Discretionary EW-R9 deleted but standards still the same. Refer back to EW-R1	Restricted Discretionary EW-R9 deleted but standards still the same. Refer back to EW-R1
	Mixed Use - Standards	Restricted Discretionary Exceeds 200m ³ / 2500m ² per year Cut/fill – 1.5m	TBC	TBC
	Coastal Environment	Non-complying >400m ² for 10 years from the notification of the District Plan. >1m cut/fill in an area outside high or outstanding natural character areas CE R3	Restricted Discretionary >100m ² in a calendar year. >1m cut/fill in an area outside high or outstanding natural character areas CE R3	Restricted Discretionary >100m ² in a calendar year. >1m cut/fill in an area outside high or outstanding natural character areas CE R3
	Natural Features and Landscapes	Non-Complying >50m ² over the life of the District Plan. >1m cut/fill. Be for the purpose of a building platform. NFL-R3	Non-Complying >50m ² in Coastal Environment in a calendar year. > 1m cut/fill. NFL-R3	Non-Complying >50m ² in Coastal Environment in a calendar year. > 1m cut/fill. NFL-R3
	Sites and Areas of Significance to Māori	Restricted Discretionary Not undertaken by the requesting party (HNZPT). SASM-R1	Restricted Discretionary Not undertaken by the requesting party (HNZPT). SASM-R1	TBC
Indigenous Vegetation Clearance	Rural Production	Discretionary Activity Outside of Significant Natural Area with report – >5000m ² .	Discretionary Activity >500m ² IB-R3	Discretionary Activity >500m ² IB-R3

		Outside of Significant Natural Area no report – >100m ² IB-R4		
	Sport and Active Recreation (All other Zones)	Discretionary Activity Outside of Significant Natural Area with report – >5000m ² . Outside of Significant Natural Area no report – >100m ² IB-R4	Discretionary Activity >500m ² IB-R3	Discretionary Activity >500m ² IB-R3
	Mixed Use (All other zones)	Discretionary Activity Outside of Significant Natural Area with report – >5000m ² . Outside of Significant Natural Area no report – >100m ² IB-R4	Discretionary Activity >500m ² IB-R3	Discretionary Activity >500m ² IB-R3
	Coastal Environment	Non-complying >400m ² for 10 years from the notification of the District Plan. CE R3	Restricted Discretionary >400m ² in a calendar year outside high or outstanding natural character areas CE R3	Restricted Discretionary >400m ² in a calendar year outside high or outstanding natural character areas CE R3
	Natural Features and Landscapes	Non-Complying >50m ² over the life of the District Plan. Be for the purpose of a building platform. NFL-R3	Non-Complying In Coastal Environment and: >50m ² in ONL in a 10 year period. >100m ² in ONF within any calendar year. NFL-R3	Non-Complying >50m ² in Coastal Environment in calendar year. >1m cut/fill. NFL-R3
	Sites and Areas of Significance to Maori	Restricted Discretionary Not undertaken by the requesting party (HNZPT). SASM-R1	Restricted Discretionary Not undertaken by the requesting party (HNZPT). SASM-R1	TBC

Residential Activity	Rural Production	Non-Complying Activity >6 dwellings. RPROZ-R3	Non-Complying Activity >6 dwellings. RPROZ-R3	Non-Complying Activity >6 dwellings. RPROZ-R3
	Sport and Active Recreation	Non-Complying Activity SARZ-R16	Non-Complying Activity SARZ-R16	Non-Complying Activity SARZ-R16
	Mixed Use	Discretionary If on ground level unless existed prior to notification. MUZ-R4	TBC	TBC
Visitor Accommodation	Rural Production	Discretionary Not within a Residential Unit, accessory building or Minor Residential Unit. >10 guests per night. RPROZ-R4	Discretionary Not within a Residential Unit, accessory building or Minor Residential Unit. >10 guests per night. RPROZ-R4	Discretionary Not within a Residential Unit, accessory building or Minor Residential Unit. >10 guests per night. Setback >20m from adjacent site. RPROZ-R4
	Sport and Active Recreation	Discretionary SARZ-R12	Non-Complying Activity If not primary or ancillary to purpose of the zone SARZ-R12	Non-Complying Activity If not primary or ancillary to purpose of the zone SARZ-R12
	Mixed Use	Restricted Discretionary Existing residential unit. Cannot comply with noise insulation. MUZ-R3 Discretionary Not located on ground floor and not an existing residential unit. MUZ-R3	TBC	TBC
Educational Facility	Rural Production	Discretionary Not within a Residential Unit, accessory building or Minor Residential Unit. >4 students RPROZ-R6	Restricted Discretionary Not within a Residential Unit, accessory building or Minor Residential Unit.. >4 students	Restricted Discretionary Not within a Residential Unit, accessory building or Minor Residential Unit.. >4 students

			RPROZ-R6	RPROZ-R6
	Sport and Active Recreation	Discretionary SARZ-R14	Discretionary If not ancillary to the sport & active recreation activity on site. SARZ-R14	Discretionary If not ancillary to the sport & active recreation activity on site. SARZ-R14
	Mixed Use	Discretionary MUZ-R11	TBC	TBC
Rural Tourism	Rural Production	Restricted Discretionary RPROZ-R22	Discretionary If on Highly Productive Land. RPROZ-R22	Discretionary If on Highly Productive Land. RPROZ-R22
Recreational Activity	Rural Production	Discretionary Activity is commercial Activity is for motor sport RPROZ-R9	Discretionary Activity is commercial Activity is for motor sport Activity is on Highly Productive Land. RPROZ-R9	Discretionary Activity is commercial Activity is for motor sport Activity is on Highly Productive Land. RPROZ-R9
	Sport and Active Recreation	Permitted SARZ-R3	Permitted SARZ-R3	Permitted SARZ-R3
	Mixed Use	Discretionary All other activities not listed in this chapter MUZ-R16	TBC	TBC
Farming	Rural Production	Permitted RPROZ-R7	Permitted RPROZ-R7	Permitted RPROZ-R7
Rural Produce Retail	Rural Production	Discretionary >100m ² Gross Business Area <30m setback from internal boundary. RPROZ-R10	Discretionary >100m ² Gross Business Area <30m setback from site boundary other than road. RPROZ-R10	Discretionary >100m ² Gross Business Area <30m setback from site boundary other than road. RPROZ-R10
Rural Produce Manufacturing	Rural Production	Discretionary >100m ² Gross Business Area RPROZ-R11	Restricted Discretionary >150m ² Gross Business Area RPROZ-R11	Restricted Discretionary >150m ² Gross Business Area RPROZ-R11
Farm Quarry	Rural Production	Discretionary <30m from boundary. >5000m ³ of material extracted. RPROZ-R12	Discretionary <30m from boundary. >5000m ³ of material extracted. RPROZ-R12	Discretionary <30m from boundary. >5000m ³ of material extracted. RPROZ-R12

Commercial Activity	Rural Production	Non-Complying Activity Not provided as Permitted, Restricted Discretionary Activity or Discretionary. RPROZ-R33	Non-Complying Activity Not provided as Permitted, Restricted Discretionary Activity or Discretionary. RPROZ-R33	Non-Complying Activity Not provided as Permitted, Restricted Discretionary Activity or Discretionary. RPROZ-R33
	Sport and Active Recreation	Discretionary >Gross Floor Area over 40m ² If not ancillary to recreation activity on site SARZ-R11	Discretionary > Gross Floor Area over 40m ² If not ancillary to the <u>sport &</u> recreation activity on site SARZ-R11	Discretionary > Gross Floor Area over 40m ² If not ancillary to the <u>sport &</u> recreation activity on site SARZ-R11
	Mixed Use	Discretionary Not a service station > Gross Floor Area 200m ² MUZ-R2	TBC	TBC
Seasonal worker accommodation	Rural Production	N/A	Discretionary No associated with farming or forestry. >10 workers. On Highly Productive Land. RPROZ-RY	Discretionary No associated with farming or forestry. >10 workers. RPROZ-RY
New Infrastructure	Historic Heritage	Discretionary Infrastructure on site with scheduled historic heritage. Excluding domestic small scale renewable electricity. HH-R6	Discretionary Infrastructure on site with scheduled historic heritage. Excluding above ground infrastructure and connections to buildings or structures for network utilities. HH-R6	TBC
Temporary Activities	Rural Production Sport & Active Recreation Mixed Use	Discretionary >2 events per year >500 persons on site TA-R1	Discretionary >5 events per year (excluding Waitangi week) >500 persons on site (excluding event staff and Waitangi week) TA-R1	Discretionary >5 events per year (excluding Waitangi week) >500 persons on site (excluding event staff and Waitangi week) TA-R1

Signs	Rural Production	<p>Restricted Discretionary / Discretionary</p> <p>>1 community sign.</p> <p>SIGN-R2</p> <p>Community signs in an overlay.</p> <p>SIGN-R8</p> <p>Signs on Outstanding Natural Landscape, Outstanding Natural Feature, Heritage Areas and scheduled heritage resources >0.5m².</p> <p>Total sign area on site >3m².</p> <p>SIGN-S1</p> <p>>4m in height.</p> <p>SIGN-S2</p> <p>>2 signs per site.</p> <p>SIGN-S3</p>	<p>Restricted Discretionary / Discretionary</p> <p>>1 community sign.</p> <p>(Temporary signs excluded from Waitangi Estate)</p> <p>SIGN-R2</p> <p>Community signs in an overlay.</p> <p>SIGN-R8</p> <p>Signs on Outstanding Natural Feature, Heritage Areas and scheduled heritage resources >0.5m².</p> <p>Signs within Outstanding Natural Landscape >1m².</p> <p>Total sign area on site >3m².</p> <p>SIGN-S1</p> <p>>4m in height.</p> <p>SIGN-S2</p> <p>>2 signs per site.</p> <p>SIGN-S3</p>	<p>Restricted Discretionary / Discretionary</p> <p>>1 community sign.</p> <p>(Temporary signs excluded from Waitangi Estate)</p> <p>SIGN-R2</p> <p>Signs on Outstanding Natural Feature, Heritage Areas and scheduled heritage resources >0.5m².</p> <p>Signs within Outstanding Natural Landscape >1m².</p> <p>Total sign area on site >3m².</p> <p>SIGN-S1</p> <p>>4m in height.</p> <p>SIGN-S2</p> <p>>2 signs per site.</p> <p>SIGN-S3</p>
	Sport & Active Recreation	<p>Restricted Discretionary/ Discretionary</p> <p>>1 community sign.</p> <p>SIGN-R2</p> <p>Community signs in an overlay.</p> <p>SIGN-R8</p> <p>Total sign area on site >3m².</p> <p>SIGN-S1</p> <p>>4m in height.</p> <p>SIGN-S2</p> <p>>2 signs visible beyond the site.</p> <p>SIGN-S3</p>	<p>Restricted Discretionary / Discretionary</p> <p>>1 community sign.</p> <p>(Temporary signs excluded from Waitangi Estate)</p> <p>SIGN-R2</p> <p>Community signs in an overlay.</p> <p>SIGN-R8</p> <p>Total sign area on site >3m².</p> <p>SIGN-S1</p> <p>>4m in height.</p> <p>SIGN-S2</p> <p>>2 signs visible beyond the site.</p> <p>SIGN-S3</p>	<p>Restricted Discretionary / Discretionary</p> <p>>1 community sign.</p> <p>(Temporary signs excluded from Waitangi Estate)</p> <p>SIGN-R2</p> <p>Total sign area on site >3m².</p> <p>SIGN-S1</p> <p>>4m in height.</p> <p>SIGN-S2</p> <p>>2 signs visible beyond the site.</p> <p>SIGN-S3</p>
	Mixed Use	<p>Restricted Discretionary / / Discretionary</p> <p>>1 community sign.</p>	<p>Restricted Discretionary / Discretionary</p> <p>>1 community sign.</p>	<p>Restricted Discretionary / Discretionary</p> <p>>1 community sign.</p>

		<p>(Temporary signs excluded from Waitangi Estate)</p> <p>SIGN-R2 Community signs in an overlay.</p> <p>SIGN-R8 Total sign area on site $>6\text{m}^2$ + 0.25m^2 for every 1m of road frontage over 24m.</p> <p>SIGN-S1 <5 per site</p> <p>SIGN-S3</p>	<p>(Temporary signs excluded from Waitangi Estate)</p> <p>SIGN-R2 Community signs in an overlay.</p> <p>SIGN-R8 Total sign area on site $>6\text{m}^2$ + 0.25m^2 for every 1m of road frontage over 24m.</p> <p>SIGN-S1 >6m in height.</p> <p>SIGN-S2 >5 signs per site.</p> <p>SIGN-S3</p>	<p>(Temporary signs excluded from Waitangi Estate)</p> <p>SIGN-R2 Total sign area on site $>6\text{m}^2$ + 0.25m^2 for every 1m of road frontage over 24m.</p> <p>SIGN-S1 >6m in height.</p> <p>SIGN-S2 >5 signs per site.</p> <p>SIGN-S3</p>
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