

Waitangi Estate Special Purpose Zone (WEZ)

Overview

The Waitangi Estate Special Purpose Zone (WEZ) is located at Waitangi, near Paihia. The zone contains the nationally significant historic Waitangi Treaty Grounds / Te Pitowhenua and surrounding land that together comprise the Waitangi Estate. The Waitangi Estate land is administered by the Waitangi National Trust Board established under the Waitangi National Trust Board Act 1932. The Waitangi Treaty Grounds / Te Pitowhenua is where Te Tiriti o Waitangi was first signed in 1840 and is fundamental to New Zealand's cultural identity and origin as a modern bicultural nation. The grounds contain the scheduled historic Treaty House (Busby's House), the Flagstaff, Te Whare Runanga, Hobson's Memorial and the Whare Waka – Te Korowai o Maikuku. It also contains He Turu o Maikuku / Maikuku's seat, and significant plantings and trees. Together with the land these features comprise Te Pitowhenua, which is a national landmark established under the Heritage New Zealand Pouhere Taonga Act 2014. The surrounding land within the Waitangi Estate contains a mix of recreational and visitor accommodation activities, reserve land, coastal estuarine walkways, the Waitangi golf club, as well as open pastoral and bush-clad land. In recognition of its significance, the purpose of the WEZ is to preserve and further enable the lands within the Waitangi Estate to be utilised as a national place of historic interest, recreation, enjoyment, and benefit for all New Zealanders. The Estate is largely self-sustaining and relies on revenue generated from activities within its boundaries to support operational costs.

The majority of the Waitangi Estate is within the coastal environment, which has identified landscape and natural character values.

The development of the zone is controlled by rules applying to four sub-zone 'environments'. The sub-zone rules also reflect the various Plan overlays to ensure that landuse and subdivision controls continue to protect the historic heritage of the Waitangi Treaty Grounds / Te Pitowhenua and the values of the wider Waitangi Estate. The sub zone environments are:

- Te Pitowhenua (Treaty Grounds) sub-zone (Lot 1 DP 326610 – in part)
- Papa Rehia (Recreation) sub-zone (Lots 2 and 3 DP 326610)
- Whakanga (Tourism) sub-zone (Lot 1 and Lot 2 DP 152502)
- 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.

The subzones enable existing and future activities that retain and respect the historic character, together with the natural features and landscape character values of the Waitangi Estate. They are located within the mapped coastal environment and some areas are mapped as containing an Outstanding Natural Landscape, Outstanding Natural Feature, High Natural Character, Sites and Areas of Significance to Maori or Heritage items.

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 Maori 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 <u>effects</u> 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.

Rules

Notes:

1. There may be other rules in Part 2 – District-wide Matters of the District Plan that apply to a proposed activity, in addition to the rules in this zone chapter, including but not limited to Coastal Environment, Outstanding Natural Landscape and Features, Historic Heritage, Sites and Areas of Significance to Maori, Transport, Natural Hazards and Risks, Hazardous Substances, Noise, Light and Signage chapters. These District-Wide rules may be more stringent than the rules in this chapter. Ensure that relevant District-Wide Matters chapters are also referred to in addition to this chapter, to determine whether resource consent is required under other rules in the District Plan. Refer to *how the plan works* chapter to determine the activity status of a proposed activity where resource consent is required under multiple rules.

2. This chapter does not contain rules relating to setback to waterbodies for building and structures or setbacks to waterbodies for earthworks and indigenous vegetation clearance. The Natural Character and Natural Features and Landscape chapters contains rules for activities within wetland, lake and river margins. The Natural Character section of the Proposed District Plan applies to this zone.
3. The Historic Heritage chapter applies to the scheduled heritage resources.
4. The Sites and areas of significance to Māori chapter applies to the mapped feature within Te Pitowhenua (Treaty Grounds) sub zone.
5. None of the rules in the table below apply to activities that are regulated under the Resource Management (National Environmental Standards for Commercial Forestry) Regulations 2017.

WEZ-R1	New buildings or structures, and extensions or alterations to existing buildings or structures	
Waitangi Estate Special Purpose zone	<p>Activity Status: Permitted</p> <p>Where:</p> <p>PER 1: The new <u>building or structure</u>, or extension or alteration to an existing <u>building or structure</u>, will accommodate a permitted activity.</p> <p>PER 2: Any new extension or alteration to an existing <u>building or structure</u> may be extended to a maximum of 20% of the <u>GFA</u> and must not exceed the <u>height</u> of the existing <u>building or structure</u>.</p> <p>PER 3: Any new <u>building or structure</u>, or extension, alteration to, or relocation of any existing <u>building or structure</u> complies with standard: WEZ-S1 <u>Buildings or structures</u>.</p> <p>PER-4: Any new <u>building or structure</u>, or extension, alteration to, or relocation of any existing <u>building or structure</u> complies with standard: WEZ-S2 Setback (excluding MHWS, or wetland, lake and river margins)</p>	<p>Activity status where compliance is not achieved with PER-1, PER-2 & PER-3 (outside Te Pitowhenua (Treaty Grounds) sub-zone: Restricted Discretionary</p> <p>The matters of discretion are:</p> <ol style="list-style-type: none"> a. the location, scale and design of buildings, and associated accessways, carparking and infrastructure, having regard to their visual prominence; b. The means of integrating the building, structure or activity into the landscape, including through planting; c. The need for and location of earthworks or indigenous vegetation clearance and proposed mitigation measures; d. The height of retaining walls, their colour and whether planting is necessary to mitigate their visual effects;

	<p>WEZ-S3 Landscaping</p> <p>Note: Building rules within the Coastal Environment, Natural Features and Landscapes sections of the plan are also applicable.</p>	<p>e. Measures to mitigate effects on the characteristics, qualities and values of the coastal environment, and as a landscape setting for Te Pitowhenua;</p> <p>f. Any adverse effect on historical spiritual or cultural association with the land held by tangata whenua, with regard to the matters set out in Policy TW-P6;</p> <p>g. The degree of landscape sensitivity as mapped on Figure 7: Landscape Sensitivity of the Waitangi Estate Special Purpose zone Assessment of Landscape Effects report prepared by Simon cocker Landscape Architect; and</p> <p>h. The extent to which the size and scale of the proposed building and its intended purpose contributes to the stated purpose of the Waitangi Estate; and</p> <p>i. Positive effects</p> <p>Activity status where compliance not achieved with PER-1, PER-2 and PER-3 and located within the Te Pitowhenua sub-zone: Discretionary Activity</p> <p>Activity status where compliance not achieved with PER-4: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <p>a. the matters of discretion of any infringed standard</p>
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WEZ-R2	Visitor Accommodation	
Waitangi Estate Special Purpose Zone: Whakanga (Tourism) sub-zone	Activity status: Permitted 	Activity status where compliance is not achieved with PER-1: Discretionary
Papa Rehia (Recreation) sub-zone Ahuwhenua (General) Activities sub-zone	PER-1 <u>New visitor accommodation on land or within any new or existing building where the occupancy does not exceed 10 guests per night.</u>	
WEZ-R3	Residential Activity	
Waitangi Estate Special Purpose Zone: Ahuwhenua (General Activities) sub-zone	Activity status: Permitted Where: PER-1 The <u>site</u> area per residential unit is at least 40 hectares. PER-2 The number of <u>residential units</u> on a <u>site</u> does not exceed ten. PER-1 does not apply to: a single residential unit located on a site less than 40ha.	Activity status where compliance is not achieved with PER-1, and PER-2: Discretionary
WEZ-R4	Commercial Activity	

<p>Waitangi Estate Special Purpose Zone:</p> <p>Te Pitowhenua (Treaty Grounds) sub-zone</p>	<p>Activity Status: Permitted</p> <p>Where:</p> <p>PER-1: New Commercial activities are for the purpose of:</p> <ol style="list-style-type: none"> 1. Events; 2. Eating and dining facilities; 3. Ancillary retail or tourism activities associated with the historic Waitangi Treaty Grounds. 	<p>Activity status where compliance not achieved with PER-1 and PER-2: Discretionary</p>
<p>Whakanga (Tourism) sub-zone</p> <p>Papa Rehia (Recreation) sub-zone</p> <p>Ahuwhenua (General Activities) sub-zone</p>	<p>PER-2 New Commercial activities are for the purpose of:</p> <ol style="list-style-type: none"> 1. Providing historic interest, recreation and enjoyment of the Waitangi Estate; or 2. Providing revenue support for the ongoing maintenance, operation and promotion of historic heritage and culture, and recreation, tourism and other ancillary activities; and 3. The activity does not exceed GBA of 100m² and is set back a minimum of 30m from any external Estate site boundary excluding MHWS. 	
<p>WEZ-R5</p>	<p>Education Facility</p>	
<p>Waitangi Estate Special Purpose zone</p>	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The education facility is for the purpose of furthering knowledge and understanding of the history of the Waitangi Estate, its natural environment and the Maori cultural values associated with the site. Or</p> <p>PER – 2 The education activity is located within an lawfully established building or structure.</p>	<p>Activity status where compliance is not achieved with PER-1 or PER-2: Discretionary</p>

WEZ-R6	Impermeable Surfaces	
<p>Waitangi Estate Special Purpose zone:</p> <p>Te Pitowhenua (Treaty Grounds) sub-zone</p> <p>Papa Rehia (Recreation sub-zone)</p> <p>Ahuwhenua (General Activities) sub-zone</p> <p>All sub-zones</p>	<p>Activity Status: Permitted</p> <p>Where:</p> <p>PER 1</p> <p>The <u>impermeable surface</u> coverage of any <u>site</u> is no more than 15%.</p>	<p>Activity status where compliance not achieved with PER-1:</p> <p>Restricted Discretionary</p> <p>Matters of discretion are limited to:</p> <ul style="list-style-type: none"> a. the extent to which <u>landscaping</u> or vegetation may reduce adverse <u>effects</u> of run-off, b. the effectiveness of the proposed method for controlling <u>stormwater</u> on <u>site</u>; c. the availability of <u>land</u> for disposal of effluent and <u>stormwater</u> on the <u>site</u> without adverse <u>effects</u> on adjoining <u>waterbodies</u> (including <u>groundwater</u> and <u>aquifers</u>) or on adjoining <u>sites</u> or downstream sites ; d. whether low impact design methods and use of green spaces can be used; e. any cumulative <u>effects</u> on total catchment impermeability; and f. <u>natural hazard</u> mitigation and <u>site</u> constraints. g. extent of potential adverse effects on cultural, spiritual, heritage and/or amenity values of any affected waterbodies; and h. The location and design of associated vehicle access, manoeuvring and parking area; i. The degree to which the landscape will retain its

		open character and visual value; j. The matters of discretion of any infringed standard.
Whakanga (Tourism) sub-zone	Activity Status: Permitted Where: PER-2 1. At least 10% of the <u>site</u> shall be planted in grass, vegetation or landscaped with permeable material; and 2. The <u>stormwater</u> collection system is designed in accordance with Far North District Council Engineering Standards April 2022.	Activity status where compliance not achieved with PER-2: Discretionary
WEZ-R7	<u>Recreation activity</u>	
Waitangi Estate Special Purpose zone:	Activity Status: Permitted Where: PER-1 The Recreation activity does not involve a motorsport activity.	Activity status where compliance not achieved with PER-1 and PER-2: Discretionary
WEZ-R8	Farming	
Waitangi Estate Special Purpose Zone: Ahuwhenua (General Activities) sub-zone		Activity status where compliance not achieved: Not applicable.
WS-R9	Helicopter landing area	
Waitangi Estate Special Purpose Zone	Activity status: Permitted Where: PER-1	Activity status where compliance not achieved with PER-1: Discretionary

	Any helicopter landing area complies with standard <u>NOISE-S4 Helicopter landing areas.</u>	
WEZ-R10	<u>Conservation Activity</u>	
Waitangi Estate Special Purpose Zone	Activity Status: Permitted	Activity status where compliance not achieved: Not applicable
WEZ-R11	<u>Customary Activity</u>	
Waitangi Estate Special Purpose Zone	Activity status: Permitted	Activity status where compliance not achieved: Not applicable
WEZ-R12	Activities not otherwise listed in this chapter	
Waitangi Estate Special Purpose Zone	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable
Standards		
WEZ-S1	Buildings or structures	
Waitangi Estate Special Purpose zone: Te Pitowhenua (Treaty Grounds) sub-zone	<ol style="list-style-type: none"> 1. The maximum gross floor area of any new <u>building</u> or <u>structure</u> is 30m² and is located outside any <u>high natural character area</u> 2. The maximum height of a new <u>building</u> or <u>structure</u>, or extension to an existing <u>building</u> or <u>structure</u> above ground level is 5m. 3. The building or structure, or extension or alteration to an existing building or structure must be contained within a building envelope defined by the following recession planes measured inwards from any external Estate boundary: <ol style="list-style-type: none"> a. 55 degrees at 2m above ground level at the northern boundary of the site; and b. 45 degrees at 2m above ground level at the eastern and western 	Where the standard is not met, matters of discretion are restricted to: Not applicable

	<p>boundaries of the site; and</p> <p>c. 35 degrees at 2m above ground level at the southern boundary of the site.</p> <p>4. The exterior surfaces of new buildings and structures shall be:</p> <p>a. Constructed of natural materials and/or finished to achieve a reflectance value no greater than 30%; and</p> <p>b. If the exterior surface is painted, have an exterior finish within Groups A, B or C as defined within the BS5252 standard colour palette.</p> <p>WEZ-S1 (1), (2) & (3) above do not apply to:</p> <p>i. Telecommunication facilities</p> <p>ii. pou haki provided that they do not exceed the height limit by more than 1m;</p> <p>iii. solar and water heating components provided these do not exceed the height by more than 0.5m on any elevation;</p> <p>iv. Chimney structures not exceeding 1.2m in width and 1m in height on any elevation;</p> <p>v. satellite dishes and aerials that do not exceed 1m in height and/or diameter on any elevation; and</p> <p>vi. Architectural features (e.g.koruru, finials, spires) that do not exceed 1m in height on any elevation.</p>	
Waitangi Estate Special Purpose zone:	1. The maximum gross floor area of any new <u>building</u> or <u>structure</u> is 400m ² .	Where the standard is not met, matters of discretion are restricted to: Not applicable

<p>Whakanga (Tourism) sub-zone</p>	<p>2. The maximum height of a building or structure, is 10m above <u>ground level</u>.</p> <p>3. The building or structure, or extension or alteration to an existing building or structure must be contained within a building envelope defined by the following recession planes measured inwards from any boundary:</p> <ul style="list-style-type: none"> a. 35 degrees at 2m above ground level at the northern boundary of Lot 1 DP 152502. b. 45 degrees at 2m above ground level at the eastern and western boundaries of Lot 1 DP 152502. c. 35 degrees at 2m above ground level at the southern boundary of the site. <p>4. The exterior surfaces of new buildings shall:</p> <ul style="list-style-type: none"> a. be constructed of natural materials or finished to achieve a reflectance value no greater than 30%; and b. if the exterior surface is painted, have an exterior finish within Groups A, B or C as defined within the BS5252 standard colour palette. <p>WEZ-S1 (1), (2) & (3) above do not apply to:</p> <ul style="list-style-type: none"> i. Telecommunication facilities ii. pou haki provided that they do not exceed the height limit by more than 1m; iii. solar and water heating components provided these do not exceed the height by 	
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	<p>more than 0.5m on any elevation;</p> <p>iv. Chimney structures not exceeding 1.2m in width and 1m in height on any elevation;</p> <p>v. satellite dishes and aerials that do not exceed 1m in height and/or diameter on any elevation; and</p> <p>vi. Architectural features (e.g. koruru, finials, spires) that do not exceed 1m in height on any elevation.</p>	
<p>Waitangi Estate Special Purpose zone:</p> <p>Papa Rehia (Recreation) sub-zone</p>	<ol style="list-style-type: none"> 1. The maximum gross floor area of any new <u>building</u> or <u>structure</u> is: <ol style="list-style-type: none"> a. 50m² if it is within a High Natural Character area ; or b. 100m² in all other areas. 2. The <u>building</u> or <u>structure</u>, or addition or alteration to an existing <u>building</u> or <u>structure</u>, or addition or alteration to an existing <u>building</u> or <u>structure</u> must be ancillary to a recreation activity. 3. The maximum height of a new <u>building</u> or <u>structure</u>, or extension to an existing <u>building</u> or <u>structure</u> above ground level is 5m. 4. The building or structure, or extension or alteration to an existing building or structure must be contained within a building envelope defined by the following recession planes measured inwards from any boundary: <ol style="list-style-type: none"> a. 55 degrees at 2m above ground level at the northern boundary of the site; and b. 45 degrees at 2m above ground level at the eastern 	<p>Where the standard is not met, matters of discretion are restricted to: Not applicable</p>

	<p>and western boundaries of the site; and</p> <p>c. 35 degrees at 2m above ground level at the southern boundary of the site.</p> <p>5. The exterior surfaces of new buildings shall:</p> <p>a. be constructed of natural materials or finished to achieve a reflectance value no greater than 30%; and</p> <p>b. if the exterior surface is painted, have an exterior finish within Groups A, B or C as defined within the BS5252 colour palette.</p> <p>WEZ-S1 (1), (2) & (3) above do not apply to:</p> <p>i. Telecommunication facilities</p> <p>ii. pou haki provided that they do not exceed the height limit by more than 1m;</p> <p>iii. solar and water heating components provided these do not exceed the height by more than 0.5m on any elevation;</p> <p>iv. Chimney structures not exceeding 1.2m in width and 1m in height on any elevation;</p> <p>v. satellite dishes and aerials that do not exceed 1m in height and/or diameter on any elevation; and</p> <p>vi. Architectural features (e.g.koruru, finials, spires) that do not exceed 1m in height on any elevation.</p>	
<p>Waitangi Estate Special Purpose zone:</p> <p>Ahuwhenua (General Activities) sub-zone</p>	<p>1. The maximum gross floor area of any new <u>building</u> or <u>structure</u> is:</p> <p>a. 50m² if it is within a High Natural Character area ; or</p> <p>b. 100m² in all other areas.</p>	<p>Where the standard is not met, matters of discretion are restricted to: Not applicable</p>

	<p>2. The maximum height of any new <u>building</u> or <u>structure</u>, or extension to an existing <u>building</u> or <u>structure</u> above ground level is 5m.</p> <p>3. The building, or structure, or alteration to an existing building or structure must be contained within a building envelope defined by the following recession planes measured inwards from the external Estate boundary:</p> <ul style="list-style-type: none"> a. 55 degrees at 2m above ground level at the northern boundary of the site; and b. 45 degrees at 2m above ground level at the eastern and western boundaries of the site; and c. 35 degrees at 2m above ground level at the southern boundary of the site. <p>5. The exterior surfaces of new buildings shall be:</p> <ul style="list-style-type: none"> a. Constructed of natural materials or finished to achieve a reflectance value no greater than 30%; and b. If the exterior surface is painted, have a exterior finish within Groups A, B or C as defined within the BS5252 standard colour palette. <p>WEZ-S1 (1), (2) & (3) above do not apply to:</p> <ul style="list-style-type: none"> i. Telecommunication facilities ii. pou haki provided that they do not exceed the height limit by more than 1m; 	
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	<ul style="list-style-type: none"> iii. solar and water heating components provided these do not exceed the height by more than 0.5m on any elevation; iv. Chimney structures not exceeding 1.2m in width and 1m in height on any elevation; v. satellite dishes and aerials that do not exceed 1m in height and/or diameter on any elevation; and vi. Architectural features (e.g.koruru, finials, spires) that do not exceed 1m in height on any elevation. 	
WEZ-S2	Setback (excluding from MHWS or wetland, lake and river margin)	
Te Pitowhenua (Treaty Grounds) sub-zone Papa Rehia (Recreation) sub-zone Ahuwhenua (General Activities) sub-zone	<ol style="list-style-type: none"> 1. The new building or structure, or extension or alteration to an existing building or structure must be setback at least 10m from all site boundaries, except: <ul style="list-style-type: none"> a. On sites less than 5,000m² accessory buildings can be setback to a minimum of 3m for boundaries that do not adjoin a road; or b. Habitable buildings must be setback at least 20m from the boundary of an unsealed road; and c. Habitable buildings must be set back 30m from the boundary of a site containing a commercial forest <p>This standard does not apply to:</p> <ul style="list-style-type: none"> i. Fences or walls no more than 2m in height above ground level; ii. uncovered decks less than 1m in height above ground level; or iii. Underground wastewater infrastructure; or iv. Water tanks less than 2.7m in height above ground level. 	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. the character and amenity of the surrounding area; b. screening, planting and landscaping on the site; c. the design and siting of the building or structure with respect to privacy and shading; d. natural hazard mitigation and site constraints; e. the effectiveness of the proposed method for controlling stormwater; f. the safety and efficiency of the current or future access, egress on site and the roading network; and g. the impacts on existing and planned public walkways, reserves and esplanades; h. the health and amenity impacts of dust from unsealed roads on habitable buildings; i. avoiding adverse effects on areas containing historic heritage and sites of significance to Maori
Whakanga (Tourism) sub-zone	<ol style="list-style-type: none"> 1. The new building or structure, or extension or alteration to an existing building or structure 	

	<p>must be setback at least 3m from all site boundaries.</p> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> i. Fences or walls no more than 2m in height above ground level; ii. uncovered decks less than 1m in height above ground level; or iii. Underground wastewater infrastructure; or iv. Water tanks less than 2.7m in height above ground level. 	
WEZ-S34	Landscaping	
Whakanga (Tourism) sub-zone	<ul style="list-style-type: none"> 1. Where Lot 1 DP 152502 adjoins Te Kauwhata Parade, at least 50% of that road boundary not occupied by buildings or driveways shall be landscaped with plants or trees; and 2. The landscaping shall be a minimum height of 1m at installation and shall achieve a continuous screen of 1.8m in height and 1.5m in width within 5 years. 	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. The character and significance of the road frontage appearance at the main road entrance to the Waitangi Estate. b. Topographical or other site constraints making compliance with this standard impractical; and c. Health and safety implications for pedestrians and the existing road environment. d. avoiding adverse effects on areas containing historic heritage and sites of significance to Maori.

Consequential amendments to rules in other chapters

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

Interpretation

Definitions

Waitangi Estate	<u>The Waitangi Estate includes all land administered by the Waitangi National Trust and includes all land zoned as the Waitangi Estate Special Purpose zone.</u>
Wetland, Lake and River Margins	<p>In the Light Industrial and Heavy Industrial zones means the area of land within 20 metres of a:</p> <ul style="list-style-type: none"> a. wetland; b. lake; or c. river greater than 3m average width <p>In the General Residential, Russell Township, Quail Ridge or Mixed Use zones <u>or in the Waitangi Estate Special Purpose Whakanga (Tourism) sub-zone</u> means the area of land within 26 metres of a:</p> <ul style="list-style-type: none"> a. wetland; b. lake; or c. river greater than 3m average width <p>In all other zones means the area of land within 30 metres of a:</p> <ul style="list-style-type: none"> a. wetland; b. lake; or c. river greater than 3m average width <p>Where a river is smaller than 3m average width means 10m of a river.</p> <p>Note: The width is measured in relation to the bed of the waterbody</p>

Energy, Infrastructure, and Transport

Renewable electricity generation

REG-R5	Free standing small scale renewable electricity generation activity (new and upgrading)	
Rural Production zone	Activity status: Permitted Where: PER-1	Activity status where compliance not achieved with PER-1, PER-2, PER-3, PER-4, PER-5 or PER-6: Restricted Discretionary

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

REG-R6	Solar energy large scale or community scale renewable electricity generation activity (new and upgrading)	
<p>Rural Production zone</p> <p>Rural Lifestyle zone</p> <p>Māori Purpose zone</p> <p>Rural Residential zone</p> <p>Waitangi Estate Special Purpose Zone – Ahuwhenua (General Activities) Sub-zone</p>	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 No structure or device, including any attachments, exceeds a maximum height above ground level of 20m.</p> <p>PER-2 All devices and supporting structures attached to land, including solar panels, cover a total area of no more than 5,000m².</p> <p>PER-3 Any structure is setback at least three times the height of the structure (including supporting structures) from the boundary of any other site and is not within the notional boundary of any other site.</p> <p>PER-4 The setback of any structure from a road, is at least three times the height of structure or 20m, whichever is the greatest distance.</p> <p>PER-5 Written notice is provided to Council at least 1 month prior to the installation of the structures, or the upgrade of any existing structure. The written notice shall detail the location and function of the activity, details of ownership and management responsibilities, and where the electricity will be supplied to.</p>	<p>Activity status where compliance not achieved with PER-1, PER-2, PER-3, PER-4, or PER 5 : Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. location, scale and size of the activity; b. adverse <u>effects</u> on any area with historical or cultural values, natural environment values or coastal environment values; c. <u>shadow flicker</u> and glare on surrounding <u>sites</u>, <u>waterbodies</u> and private and public <u>roads</u>; d. character, level, duration of <u>noise</u> received at the <u>boundary</u> or notional <u>boundary</u> of another <u>site</u>; e. <u>effects</u> on migratory birds using any identified and scientifically established flight path; f. function and <u>operational need</u> to be in that location; g. alternative design options for the <u>structure</u>; and h. colour scheme of <u>structure(s)</u>, screening and <u>landscaping</u>.
REG-RY	Solar energy large scale or community scale renewable electricity generation activity (new and upgrading)	
Rural Production	<p>Activity status: Permitted</p> <p>Where:</p>	<p>Activity status where compliance not achieved with PER-1, PER-2,</p>

<p>Zone</p> <p>Māori Purpose Zone</p> <p>Open Space Zone</p> <p><u>Waitangi Estate Special Purpose Zone – Ahuwhenua (General Activities) Sub-zone</u></p>	<p>PER-1 No structure or device, including any attachments or turbine blades, exceeds a maximum height above ground level of 20m.</p> <p>PER-2 All devices and supporting structures attached to land, including solar panels, cover a total area of no more than 5,000m².</p> <p>PER-3 Any structure is setback at least three times the height of the structure (including supporting structures) from the boundary of any other site and is not within the notional boundary of any other site.</p> <p>PER-4 The setback of any structure from a road, is at least three times the height of structure or 20m, whichever is the greatest distance.</p> <p>PER-5 Compliance is achieved with NZS 6808:2010 Acoustics - Wind farm noise for any proposal involving wind generation.</p> <p>PER-6 Written notice is provided to Council at least 1 month prior to the installation of the structures, or the upgrade of any existing structure. The written notice shall detail the location and function of the activity, details of ownership and management responsibilities, and where the electricity will be supplied to.</p>	<p>PER-3, PER-4, PER-5 or PER-6: Discretionary</p>
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Historical and Cultural Values

Historic Heritage

HH-R4	New buildings or structures, extension or alterations to existing buildings or structures	
<p>All zones except for the Waitangi Estate Special Purpose Zone</p> <p>Outside of Heritage Area overlays</p>	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1</p> <p>Any new buildings or structures, additions or alterations are not located within a site containing a scheduled Heritage Resource.</p>	<p>Activity status where compliance not achieved with PER-1 & PER-2: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <p>a. whether a scheduled Heritage Resource will be adversely affected by the proposed works occurring within 20m;</p> <p>b. location, scale, design of the proposed works;</p> <p>c. any adverse effects on any archaeological site;</p> <p>d. any assessments or advice from a suitably qualified and experienced heritage expert;</p> <p>e. any landscaping or fencing to maintain heritage boundary treatments and curtilage;</p> <p>f. the location and relationship of the works in relation to adjoining sites and the road; and</p> <p>g. any assessments or advice from a suitably qualified and experienced heritage or cultural expert (where provided); and</p> <p>h. any consultation with Heritage New Zealand Pouhere Taonga, Department of Conservation and tangata whenua (where provided).</p>
<p>Waitangi Estate Special Purpose Zone</p>	<p>PER-2</p> <p><u>Any new buildings or structures, additions or alterations are setback a minimum of 20m from a scheduled Heritage Resource.</u></p>	
HH-R6	Infrastructure within a site containing a scheduled Heritage Resource	
<p>All zones except for the Waitangi Estate Special Purpose Zone</p> <p>Outside of Heritage Area overlays</p>	<p>Activity status: Discretionary</p> <p>This rule shall not apply to</p> <ol style="list-style-type: none"> 1. Maintenance, repair or upgrading of any existing above ground infrastructure that is located within 1m either 	<p>Activity status where compliance not achieved: Not applicable</p>

	<p>side of the original location; or</p> <p>2. connections to buildings or structures for network utilities.</p>	
<u>Waitangi Estate Special Purpose Zone</u>	<p><u>Activity status: Discretionary</u></p> <p><u>Where:</u> <u>The works are located on the Waitangi Estate and the infrastructure will be located less than 20m from a scheduled Heritage Resource.</u></p> <p><u>This rule shall not apply to</u></p> <p>1. <u>Maintenance, repair or upgrading of any existing above ground infrastructure that is located within 1m either side of the original location; or</u></p> <p>2. <u>connections to buildings or structures for network utilities.</u></p>	

Sites of Cultural Significance to Māori

SASM-R1	New buildings or structures, relocated buildings or extensions or alterations to existing buildings or structures, earthworks or indigenous vegetation clearance	
Scheduled sites and areas of significance to Maori – <u>except for the Waitangi Estate Special Purpose Zone</u>	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER 1: The activity is undertaken by the requesting party listed in Schedule 3.</p> <p>PER 2: Any indigenous vegetation clearance is for customary purposes.</p>	<p>Activity status where compliance not achieved with PER 1, PER 2, PER 3 and PER 4: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <p>a. whether the requesting party listed in Schedule 3, the relevant <u>iwi</u> authority, or Heritage New Zealand Pouhere Taonga, have been consulted, the outcome of that consultation, and the extent to which the proposal responds to, or incorporates the outcomes of that consultation;</p>
<u>Waitangi Estate Special Purpose Zone</u>	<p><u>PER 3:</u> <u>The activity is undertaken by one of the requesting parties listed in Schedule 3.</u></p> <p><u>PER 4:</u></p>	

	Any indigenous vegetation clearance is for customary purposes.	<p>b. whether a cultural impact assessment has been undertaken and the extent to which the proposal responds to or incorporates the recommendations in that assessment;</p> <p>c. the extent to which the activity may adversely affect cultural and spiritual values;</p> <p>d. whether the activity will have an adverse effect on the site and area of significance to Māori; and</p> <p>e. the means by which any adverse effects on cultural, spiritual and heritage values can be avoided, remedied or mitigated.</p>
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Natural Environment Values

Ecosystems and indigenous biodiversity

IB-R3	Indigenous vegetation clearance and any associated land disturbance	
All zones	<p>Activity status: Permitted Where:</p> <p>PER-1</p> <p>1. It does not occur in a remnant forest; and</p> <p>2. It does not exceed the following amounts per site over a calendar year</p> <p>i. Māori Purpose zone and Treaty Settlement Land Overlay – 1,500m²</p> <p>ii. Rural Production and Horticulture Zone - 500m²</p> <p> i. Rural Lifestyle zone</p> <p> ii. All other zones – 100m²</p>	<p>Activity status where compliance not achieved with PER-1: Discretionary</p>

Note: No changes are sought to this rule. It is included as part of the suite of rules to note with removing the site from Rural Production that the standards will be impacted.

Natural Character

NATC-R1	New buildings or structures, and extensions or alterations to existing buildings or structures	
Natural Character	<p>Activity status: Permitted Where:</p> <p>PER-1 The building or structure, or extension or alteration to an existing building or structure on wetland, lake and river margins is:</p> <ol style="list-style-type: none"> 1. for restoration and enhancement purposes; or 2. for natural hazard mitigation undertaken by, or on behalf of, the local authority; or 3. for park management activity in the Open Space, Sport and Active Recreation zones <u>or in the Waitangi Estate SPZ - Te Pitowhenua (Treaty Grounds) or Papa Rehia (Recreation) sub-zones</u>; or 4. a post and wire fence for the purpose of protection from farm stock.; or 5. a river crossing, including but not limited to, fords, bridges, stock crossings and culverts; or 6. related to the construction of a river crossing; 7. a pumphouses utilized for the drawing of water provided they cover less than 25m² in area, or 8. infrastructure less than 10m high within a road corridor provided any pole: <ol style="list-style-type: none"> a. is a single pole (monopole), and b. is not a pi-pole or a steel-lattice tower, or 9. a lighting pole by, or on behalf of the local authority, or 10. a footpath and or paving no greater than 2m wide, or 11. an upgrade of an existing above ground network utility, provided it: <ol style="list-style-type: none"> a. is no greater than 10m high or the height of the existing structure; and 	<p>Activity status where compliance not achieved with PER-1, PER-2 and PER-3: Restricted Discretionary Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. effects on the characteristics, qualities and values of natural character b. the matters in NATC-P6 c. the positive effects of the activity

	<p>b. is no greater than 20% of the GFA of the existing lawfully established building or structure; and</p> <p>c. does not involve replacing a pole with a pi pole.</p> <p>PER-2 The building or structure on wetland, lake and river margins is no greater than 300m².</p> <p>PER-3 The building or structure, or extension or alteration to an existing building or structure on wetland, lake and river margins complies with standard NATC-S1 Maximum height.</p>	
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Natural features and landscapes

NFL-R1		
New buildings or structures, and extensions or alterations to existing buildings or structures		
Within ONL and ONF	<p>Activity status: Permitted</p> <p>PER-1 Any new building or structure if it is:</p> <ol style="list-style-type: none"> 1. not used for a residential activity, and 2. complies with NFL-S1 and NFL-S2, and 3. no greater than: <ol style="list-style-type: none"> a. 50m² in ONL in the coastal environment, and b. 100m² in ONL outside the coastal environment, and c. 50m² in category 'A' ONF in the coastal environment, and d. 100m² in category 'A' ONF outside the coastal environment e. 25m² in ONF (excluding category 'A' ONF) 	<p>Activity status when compliance not achieved with PER-1: Controlled</p> <p>CON-1 The building is a residential unit on a defined building platform, where the defined building platform has been identified through an expert landscape assessment and approved as part of an existing subdivision consent.</p> <p>The matters of control are:</p> <ol style="list-style-type: none"> a. effects on the characteristics, qualities and values of ONL and ONF b. the matters in NFL-P8.

	<p>PER-2 Any extension or alteration to a lawfully established building or structure:</p> <ol style="list-style-type: none"> 1. is no greater than 20% of the GFA of the existing lawfully established building or structure, and 2. complies with NFL-S1. <p>PER-3 Any new building or structure, and extension or alteration to an existing building or structure not provided for by PER-1 or PER-2 and is:</p> <ol style="list-style-type: none"> 1. a stock fence, or 2. infrastructure less than 10m high within a road corridor provided any pole: <ol style="list-style-type: none"> a. is a single pole (monopole), and b. is not a pi-pole or a steel-lattice tower, or, 3. an upgrade of existing electricity network utilities: <ol style="list-style-type: none"> a. outside the coastal environment, b. in a ONL or category 'A' ONF, c. no greater than 10m high or the height of the existing structure d. no greater than 20% of the GFA of the existing lawfully established building or structure, and e. not replacing a pole with a pi pole. 	<p>Activity status when compliance not achieved with CON-1, PER-2, and PER-3 outside the coastal environment: Restricted discretionary</p> <p>The matters of discretion are:</p> <ol style="list-style-type: none"> a. effects on the characteristics, qualities and values that make ONL and ONF outstanding b. the matters in NFL-P8. c. the positive effects of the activity.
		<p>Activity status when compliance not achieved with CON-1 or PER-2 within the coastal environment: Waitangi Estate SPZ – Te Pitowhenua (Treaty Grounds) Sub Zone: Discretionary</p> <p>All other zones: Non-complying</p>

Subdivision

SUB-R1	Boundary Adjustments	
<u>All zones (except Open Space zones, Motorua Island zone, and Airport zone)</u>	<p>Activity status: Controlled</p> <p>Where:</p> <p>CON-1</p> <ol style="list-style-type: none"> 1. The <u>boundary adjustment</u> complies with standards: <u>SUB-S1 Minimum allotment sizes</u> for controlled activities, except where an existing <u>allotment</u> size is already non-compliant, the degree of 	<p>Activity status where compliance not achieved with CON-1: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. matters of any infringed standard; and b. any relevant matters of control.

	<p>non-compliance shall not be increased; <u>SUB-S2 Requirements for building platforms for each allotment;</u> <u>SUB-S3 Water supply;</u> <u>SUB-S4 Stormwater management;</u> <u>SUB-S5 Wastewater disposal;</u> <u>SUB-S6 Telecommunications and power supply;</u> and <u>SUB-S7 Easements for any purpose;</u></p> <p>CON-2 1. the <u>boundary adjustment</u> does not alter: i. the ability of existing activities to continue to be permitted under the rules and standards in this District Plan; ii. the degree of non compliance with zone or district wide standards; iii. the number and location of any access; and iv. the number of certificates of title.</p> <p>CON-3 1. The <u>boundary adjustment</u> complies with standard: <u>SUB -S8 Esplanades.</u></p> <p>Matters of control are limited to:</p> <ol style="list-style-type: none"> the design and layout of <u>allotments</u>, and the ability to accommodate permitted and/or intended land uses; the provision of easements or registration of an instrument for the purpose of public access and reserves; the <u>effects</u> of development phase works on the surrounding area; 	<p>Activity status where compliance not achieved with CON-2 and CON-3: Discretionary</p>
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	<p>d. extent of potential <u>effects</u> on sites and areas of significance to Māori, ancestral lands, <u>water</u>, <u>site</u>, <u>wāhi tapu</u> and other <u>taonga</u>;</p> <p>e. adverse <u>effects</u> on areas with <u>historic heritage</u> and cultural values, natural features and landscapes, <u>wetland</u>, <u>lake and river margins</u>, natural character or indigenous biodiversity values including indigenous taxa that are listed as threatened or at risk in the New Zealand Threat Classification system lists;</p> <p>f. <u>natural hazards</u> or geotechnical constraints;</p> <p>g. where relevant compliance with Far North District Council Engineering Standards April 2022; and</p> <p>h. adverse <u>effects</u> arising from land use incompatibility including but not limited to <u>noise</u>, vibration, smell, smoke, <u>dust</u> and spray.</p> <p>NOTE: If a resource consent application is made under this rule on <u>land</u> that is within 500m of the airport zone, the airport operator will likely be considered an affected person for any activity where the adverse <u>effects</u> are considered to be minor or more than minor.</p>	
<p>Natural Open Space zone</p> <p>Open Space zone</p>	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable

Sport and Active Recreation zone		
Motorua Island zone		
Airport zone		
Sub-R3	Subdivision of land to create a new allotment	
Maori Purpose zone	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable
Ngawha Innovation and Enterprise Park		
Waitangi Estate Special Purpose Zone		

General District-Wide Matters

Coastal Environment

CE-R1	New buildings or structures, and extensions or alterations to existing building or structures	
Coastal Environment	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 If a new building or structure is located in the General Residential Zone, Mixed Use Zone, Light Industrial Zone, Russell / Kororareka Special Purpose Zone, Māori Purpose Zone – Urban, Orongo Bay Zone, Hospital Zone, Kauri Cliff SPZ - Golf Living Sub-Zone, <u>or Waitangi Estate SPZ – Whakanga (Tourism) Sub Zone</u> it:</p> <ol style="list-style-type: none"> 1. is no greater than 300m²; and 2. is located outside high or outstanding natural character areas; and 3. complies with: <ol style="list-style-type: none"> a. CE-S1 Maximum height; b. CE-S2 Colour and materials; and c. CE-S4 Setbacks from MHWS. 	<p>Activity status where compliance not achieved with PER-1 and PER-2: Controlled</p> <p>CON-1 The building is a residential unit on a defined building platform, where the defined building platform has been identified through a professional landscape assessment and approved as part of an existing subdivision consent.</p> <p>The matters of control are: a. the matters in CE-P10.</p> <p>Activity status where compliance not achieved with CON-1, PER-3 and PER-4: (outside an outstanding natural character area) and outstanding a high natural character area): Restricted Discretionary</p> <p>The matters of discretion are: a. the matters in CE-P10; and b. positive effects.</p>

	<p>PER-1(1) does not apply to: the Mixed-Use Zone, Light Industrial Zone, Māori Purpose Zone – Urban, Hospital Zone <u>and Waitangi Estate SPZ – Whakanga (Tourism) Sub-zone</u> within the following settlements: Coopers Beach, Mangonui, Opuā, Paihia <u>and Waitangi</u>, Rawene, and Russell / Kororareka.</p> <p>PER-2 If a new building or structure is not located within any of the zones referred to in PER-1 it:</p> <ul style="list-style-type: none"> a. is not used for a residential activity; b. is no greater than: <ul style="list-style-type: none"> a. 25m² within an outstanding natural character area; b. 50m² within a high natural character area; and c. 100m² in all other areas of the coastal environment; and d. complies with: <ul style="list-style-type: none"> a. CE-S1 Maximum height; b. CE-S2 Colour and materials; and c. CE-S4 Setbacks from MHWS. <p>PER-3 Any extension or alternation to a lawfully established building or structure is:</p> <ul style="list-style-type: none"> 1. no greater than 20% of the GFA of the existing lawfully established building or structure; and 2. complies with CE-S1 Maximum height. <p>PER-4 Any new building or structure or an extension or alteration to an existing building or structure not provided for by PER-1, PER-2 or PER-3, where it is:</p>	<p>Activity status where compliance not achieved with CON-1, PER-3 or PER-4:</p> <ul style="list-style-type: none"> a. Discretionary (in a high natural character area); or b. Non-complying (in an outstanding natural character area).
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	<ul style="list-style-type: none"> a. fencing for the purposes of stock exclusion; b. an upgrade of an existing network utility where this is: <ul style="list-style-type: none"> i. outside high or outstanding natural character areas; ii. permitted by I-R3; iii. no greater than 10m high or the height of the existing structure (whichever is the greatest); iv. no greater than 20% of the GFA of the existing lawfully established building or structure; and v. not replacing a pole with a pi pole. 	
CE-S1	Maximum Height	
Coastal Environment	<p>1. The maximum height of any new building or structure above ground level is 5m; and</p> <p>2. Any extension to a building or structure must not exceed the height of the existing building above ground level.</p> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> i. Telecommunication facilities; ii. The Orongo Bay zone , the Kororāreka Russell Township zone <u>and the Waitangi Estate SPZ – Whakanga (Tourism) Sub-zone.</u> iii. The Mixed-Use Zone, Light Industrial Zone, Māori Purpose Zone – Urban, and Hospital Zone within the following settlements: <ul style="list-style-type: none"> a. Coopers Beach; b. Mangonui; c. Opuā; d. Paihia <u>& Waitangi</u>; and e. Rawene. 	

CE-S4	Setbacks from MHWS		
Coastal Environment	<p>New buildings and structures and or extension or alteration to an existing building or structure must be setback at least:</p> <p>a. 30m from MHWS in the Rural Production, Rural Lifestyle, Rural Residential, Horticulture and Horticulture Processing Facilities zones and the following Waitangi Estate Special Purpose sub zones – Te Pitowhenua (Treaty Grounds), Papa Rehia (Recreation) and Ahuwhenua (General Activities); or</p> <p>b. 26m in all other zones.</p> <p>This standard does not apply:</p> <ol style="list-style-type: none"> 1. where there is a legally formed and maintained road between the property and MHWS. 2. <u>Within the Waitangi Estate where those buildings and structures:</u> <ol style="list-style-type: none"> a. <u>do not exceed 2m in height or 5m² in area; or</u> b. <u>Are associated with a permitted or authorised temporary event.</u> 		<p>Where the standard is not met, matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. the natural character of the coastal environment; b. screening, planting and landscaping on the site; c. the design and siting of the building or structure with respect to dominance on adjoining public space; d. natural hazard mitigation and site constraints; e. the effectiveness of the proposed method for controlling stormwater; and f. the impacts on existing and planned roads, public walkways, reserves and esplanades.

Earthworks

EW-S1	Maximum earthworks thresholds			
All zones, except Moturoa Island, Orongo Bay	The following maximum volumes and area thresholds must not be exceeded for all earthworks undertaken on a site within a single calendar year: Zone	Volume (m³)	Area (m²)	Where the standard is not met, matters of discretion are restricted to: refer EW-R1
	General Residential, Mixed Use, Light Industrial, Heavy Industrial, Hospital, Horticulture Processing Facility, Carrington,	200	2,500	

Kororāreka Russell Township, Hospital, Māori Purpose -Urban, Waitangi Estate Special Purpose Zone – Whakanga (Tourism) & Te Pitowhenua (Treaty Grounds) sub zone.		
Natural Open Space, Open Space, Sport and Active Recreation, Rural Residential, Settlement, Quail Ridge, Airport, Waitangi Estate Special Purpose Zone – Papa Rehia (Recreation) sub Zone	300	2,500
Rural Lifestyle	1000	2,500
Rural Production, Horticulture, Kauri Cliffs, Ngawha Innovation Park, Māori Purpose -- Rural, Waitangi Estate Special Purpose Zone – Ahuwhenua (General Activities) sub Zone	5000	2,500

This standard does not apply to:

- a. earthworks for septic tanks and associated drainage fields;
- b. earthworks for the maintenance of existing walking tracks, farm tracks, driveways, roads and accessways
- c. earthworks for the operation, maintenance and repair of existing infrastructure; and
- c.d. earthworks for the maintenance of drains

Light

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

Light Industrial zone	<p>from the <u>boundary</u> of any <u>receiving site</u>, or where any part of the <u>building</u> located within a <u>receiving site</u> is within 2m of the <u>boundary</u> of that <u>site</u>, when measured at the exterior surface of any window of any <u>habitable room</u>, must not exceed:</p> <ol style="list-style-type: none"> 1. 10 lux (in both the horizontal and vertical planes) within any General Residential, Rural Residential, Settlement, and Quail Ridge zones; and 2. 20 lux (in both the horizontal and vertical planes) within the Mixed Use, Light Industrial, Heavy Industrial, Horticulture Processing, Orongo Bay, Open Space, and Sport and Active Recreation zones, <u>and within the Waitangi Estate Special Purpose Papa Rehia (Recreation) Sub Zone and Whakanga (Tourism) sub-zone.</u> 	<ol style="list-style-type: none"> a. whether artificial lighting is for operation or functional purposes; b. whether timing, duration, direction, intensity, focus, design, <u>height</u>, or type of lighting contributes to avoidable or unnecessary <u>light spill</u>; c. adverse <u>effects</u> on the predominant character and amenity of the surrounding area; d. adverse <u>effects</u> on the health, safety and wellbeing of people and communities in the surrounding area, including the transport network; and e. the extent to which <u>light spill</u> or glare affects residential properties, including <u>outdoor living space</u> and/or has the potential to result in sleep disturbance. f. The extent to which artificial lighting affects the natural behaviour of indigenous fauna, including reference to best practice guidance where relevant.
Heavy Industrial zone		
Horticulture Processing zone		
Orongo Bay zone		
Quail Ridge zone		
General Residential zone		
Kororāreka Russell Township		
Settlement zone		
Rural Residential zone		
Open Space zone		
Sport and Active Recreation zone		
Hospital zone		
Ngawha Innovation and Enterprise Park zone		
Airport zone		
<u>Waitangi Estate Special Purpose Zone</u>		

<p>Papa Rehia (Recreation) Sub Zone and Whakanga (Tourism) sub-zone.</p>		
<p>Rural Production zone</p> <p>Rural Lifestyle zone</p> <p>Horticulture zone</p> <p>Māori Purpose zone</p> <p>Kauri Cliffs zone</p> <p>Natural Open Space zone</p> <p><u>Waitangi Estate Special Purpose Zone – Te Pitowhenua (Treaty Grounds) sub-zone and Anuwhenua (General Activities) Sub Zone.</u></p>	<p><u>The maximum level of light spill measured at the notional boundary of any habitable building located within the Rural production, Rural Lifestyle, Horticulture zone, Māori Purpose, Kauri Cliffs or Natural Open Space zones must not exceed:</u></p> <ol style="list-style-type: none"> 1. <u>10 lux (in both vertical and horizontal planes).</u> 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. whether artificial lighting is for operational or functional purposes; b. whether timing, duration, direction, intensity, focus, design, height, or type of lighting contributes to avoidable or unnecessary <u>light spill</u>; c. adverse <u>effects</u> on the predominant character and amenity of the surrounding area, including views and enjoyment of the night sky; d. adverse <u>effects</u> on the health, safety and wellbeing of people and communities in the surrounding area, including the transport network; and e. the extent to which <u>light spill</u> or glare affects residential properties, including <u>outdoor living space</u> and/or has the potential to result in sleep disturbance. f. The extent to which artificial lighting affects the natural behaviour of

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

Noise-S1	General noise rules applying to noise emitted from all zones and overlays (unless provided for by a specific standard elsewhere)	
Receiving zone General Residential Māori Purpose - Urban Kororareka Russell Township Hospital Natural Open Space Waitangi Estate Special Purpose Zone – Te Pitowhenua (Treaty Grounds)	<p>Noise rule</p> <p>a) Noise generated in all zones, other than the zones in b) and c) below:</p> <p>Noise shall not exceed the following rating noise levels at any point within the received property boundary:</p> <p>7.00 am to 10.00 pm (daytime) - 50 dB L_{Aeq}; 10.00 pm to 7.00 am (night-time) - 40 dB L_{Aeq}; and - 70 dB L_{AFmax}.</p> <p>b) Noise generated in Mixed Use, Light Industrial, Horticultural Processing facilities, Ngawha Innovation and Enterprise Park, Orongo Bay, Waitangi Estate Special Purpose Zone –Whakanga (Tourism), Papa Rehia (Recreation) or Ahuwhenua (General Activities) sub zones, or from non-aircraft operation activity within an Airport Zone:</p> <p>Noise shall not exceed the following rating noise levels at any point within the receiving property boundary:</p> <p>7.00 am to 10.00pm (daytime): 55dBL_{Aeq}</p> <p>10.00pm to 7.00am (night-time): 40 dB L_{Aeq} and 75 dB L_{AFmax}</p> <p>c) Noise generated in the Hospital or Heavy Industrial zones or Mineral Extraction Overlays:</p>	<p>Matters of discretion if compliance not achieved:</p> <p>a. ambient noise levels and any special character noise from any existing activities, the nature and character of any changes to the sound received at any receiving site and the degree to which such sounds are compatible with the surrounding activities;</p> <p>b. type, scale and location of the activity in relation to any noise sensitive activities;</p> <p>c. hours of operation and duration of activity;</p> <p>d. the temporary or permanent nature of any adverse effects;</p> <p>e. the ability to internalise and/or minimise any conflict with adjacent activities; and</p> <p>f. any mitigation proposed, in accordance with the best practicable option approach (e.g. site layout and design, design and</p>

	Noise shall not exceed the following rating noise levels at any point within the receiving property boundary: 7.00am to 10.00pm (daytime): 55 dB LAeq 10.00pm to 7.00am (night-time): 46 dB LAeq and 75 dB LAFmax	location of structures, buildings and equipment and the timing of operation).
Receiving Zone Rural Production Rural Lifestyle Maori Purpose – Rural Horticulture Moturoa Island Kauri Cliffs Ngawha Innovation and Enterprise Park Settlement <u>Waitangi Estate Special Purpose Zone – Ahuwhenua (General Activities) sub zone</u>	<p>Noise Rule</p> <p>d) Noise generated in all zones, other than the zones in e) and f) below: Noise shall not exceed the following rating noise levels within the notional boundary of any noise sensitive activity within the receiving property:</p> <p>7.00 am to 10.00 pm – (daytime): 55 dB LAeq; 10.00 pm to 7.00 am – (night-time) 40 dB LAeq; and 70 dB LAFmax.</p> <p>e) Noise generated in Mixed Use, Light Industrial, Horticultural Processing Facilities, Ngawha Innovation and Enterprise Park or Orongo Bay Zones, or from non-aircraft operation activity within an Airport zone:</p> <p>Noise shall not exceed the following rating noise levels within the notional boundary of any noise sensitive activity within the receiving property:</p> <p>7.00am to 10.00pm (daytime): 55dB LAeq 10.00pm to 7.00am (night-time): 40 dB LAeq and 75 dB LAFmax</p> <p>f) Noise generated in the Hospital or Heavy Industrial zones or in Mineral Extraction Overlays:</p> <p>Noise shall not exceed the following rating noise levels within the notional boundary of any noise sensitive activity within the receiving property:</p>	<p>Matters of discretion if compliance not achieved:</p> <p>a. ambient noise levels and any special character noise from any existing activities, the nature and character of any changes to the sound received at any receiving site and the degree to which such sounds are compatible with the surrounding activities;</p> <p>b. type, scale and location of the activity in relation to any noise sensitive activities;</p> <p>c. hours of operation and duration of activity;</p> <p>d. the temporary or permanent nature of any adverse effects;</p> <p>e. the ability to internalise and/or minimise any conflict with adjacent activities;</p> <p>f. any mitigation proposed, in accordance with the best practicable option approach (e.g. site layout and design, and location of structures,</p>

	7.00am to 10.00pm (daytime): 55 dB LAeq and 75 dB LAFmax	buildings and equipment and the timing of operation);
Receiving Zone Rural Residential Carrington Estate	<p>Noise Rule</p> <p>g) Noise generated in all zones, other than the zones in h) and i) below:</p> <p>Noise shall not exceed the following rating noise levels within the notional boundary of any noise sensitive activity within the receiving property:</p> <p>7.00 am to 10.00 pm – (daytime): 50 dB LAeq; 10.00 pm to 7.00 am – (night-time) 40 dB LAeq; and 70 dB LAFmax.</p> <p>h) Noise generated in Mixed Use, Light Industrial, Horticultural Processing Facilities, Ngawha Innovation and Enterprise Park or Orongo Bay zones, or from non-aircraft operation activity within an Airport zone:</p> <p>Noise shall not exceed the following rating noise levels within the notional boundary of any noise sensitive activity within the property:</p> <p>7.00am to 10.00 pm (daytime): 55d B LAeq 10.00pm to 7.00 am (night-time): 40dB LAeq and 75 dB LAFmax</p> <p>i) Noise generated in the Hospital or Heavy Industrial zones or in Mineral Extraction Overlays:</p> <p>Noise shall not exceed the following rating noise levels within the notional boundary of any noise sensitive activity within the receiving property:</p> <p>7.00am to 10.00 pm (daytime): 55d B LAeq 10.00pm to 7.00 am (night-time): 45dB LAeq and 75 dB LAFmax</p>	<p>Matters of discretion if compliance not achieved:</p> <p>a. ambient noise levels and any special character noise from any existing activities, the nature and character of any changes to the sound received at any receiving site and the degree to which such sounds are compatible with the surrounding activities;</p> <p>b. type, scale and location of the activity in relation to any noise sensitive activities;</p> <p>c. hours of operation and duration of activity;</p> <p>d. the temporary or permanent nature of any adverse effects;</p> <p>e. the ability to internalise and/or minimise any conflict with adjacent activities;</p> <p>f. any mitigation proposed, in accordance with the best practicable option approach (e.g. site layout and design, design and location of structures, buildings and equipment and the timing of operation); and</p>

Receiving zone Open Space Sport and Active Recreation <u>Waitangi Estate Special Purpose Zone – Papa Rehia (Recreation) sub-zone</u>	Noise rule j) Noise generated in all zones. Noise shall not exceed the following rating noise levels at any point within <u>the</u> receiving property boundary: All times: 55dB LAeq	Matters of discretion if compliance not achieved: a. ambient noise levels and any special character noise from any existing activities, the nature and character of any changes to the sound received at any receiving site and the degree to which such sounds are compatible with the surrounding activities; b. type, scale and location of the activity in relation to outdoor activities within the zone; c. hours of operation and duration of activity; d. the temporary or permanent nature of any adverse effects; e. the ability to internalise and/or minimise any conflict with adjacent activities; f. any mitigation proposed, in accordance with the best practicable option approach (e.g. site layout and design, design and location of structures, buildings and equipment and the timing of operation);
Receiving Zone Mixed Use <u>Waitangi Estate Special Purpose</u>	Noise rule k) Noise generated in all zones:	Matters of discretion if compliance not achieved: a. ambient noise levels and any

<p>Zone –Whakanga (Tourism) sub zones</p>	<p>Noise shall not exceed the following rating noise levels at any point with the receiving property boundary:</p> <p>Sunday to Thursday 7.00 am to 10.00 pm –(daytime) 60 dB LAeq; b. 10.00 pm to 7.00 am –(night-time) 55 dB LAeq; and 80 dB LAFmax.</p> <p>Friday and Saturday 7.00 am to midnight – (daytime) 60 dB LAeq; midnight to 7.00 am - 55 dB LAeq; and 80 dB LAFmax</p>	<p>special character noise from any existing activities, the nature and character of any changes to the sound received at any receiving site and the degree to which such sounds are compatible with the surrounding activities;</p> <p>b. any existing noise generating activities and the level of noise that will be received within any noise sensitive building;</p> <p>c. the primary purpose and the frequency of use of the activity;</p> <p>d. the ability to design and construct buildings accommodating noise sensitive activities with sound insulation and/or other mitigation measures to ensure the level of noise received within the building is minimised particularly at night;</p> <p>e. any mitigation proposed, in accordance with the best practicable option approach (e.g. site layout and design, design and location of structures, buildings and equipment and the timing of operation); and</p> <p>f. the effects on any existing noise</p>
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		sensitive activities
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Signs

SIGN-R2	Community Signs	
All zones – except for the Waitangi Estate Special Purpose Zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The sign must comply with the height, height in relation to boundary, and setback standards for the zone, except for the road boundary setback.</p> <p>PER-2 The sign complies with standards: SIGN-S1 Maximum area; SIGN-S2 Maximum height; SIGN-S4 Traffic safety; and SIGN-S5 Sign design and content.</p> <p>PER-3 Community signs are limited to one per site.</p>	<p>Activity status where compliance not achieved with PER-1 & PER-4: Restricted Discretionary</p> <p>Matters of discretion are restricted to: a. the matters of discretion for the zone standard.</p> <p>Activity status where compliance not achieved with PER-2 & PER 5: Restricted Discretionary</p> <p>Matters of discretion are restricted to: a. the matters of discretion of any infringed standard.</p>
Waitangi Estate Special Purpose Zone	<p>PER-4 <u>The sign must comply with the height, height in relation to boundary, and setback standards for the zone, except for the road boundary setback.</u></p> <p>PER-5 <u>The sign complies with standards: SIGN-S1 Maximum area; SIGN-S2 Maximum height; SIGN-S4 Traffic safety; and SIGN-S5 Sign design and content.</u></p>	<p>Activity status where compliance not achieved with PER-3: Discretionary</p>
Sign-R15	Signs in Waitangi Estate	
Waitangi Estate Special Purpose Zone	<p>Activity status: Permitted</p> <p>PER-1 <u>Signs relate to the activity occurring on the Waitangi Estate;</u></p> <p>PER-2 <u>The sign complies with</u></p>	<p>Activity status where compliance not achieved with PER-1 or PER-2: Discretionary</p>

	<p><u>standards:</u> <u>SIGN-S1 Maximum area;</u> <u>SIGN-S2 Maximum height;</u> <u>SIGN-S3 Maximum number;</u> <u>SIGN-S4 Traffic safety; and</u> <u>SIGN-S5 Sign design and content.</u></p> <p><u>Note: Rules relating to Sites of Cultural Significance to Maori are applicable for all signs within the Te Pitowhenua (Treaty Grounds) Sub-zone.</u></p>	
Sign-S1	Maximum sign area per site	
ONFs ONLs Heritage Areas Scheduled Heritage Resource	<p>1. The maximum total sign area within an ONF, ONL or Heritage Area must not exceed 0.5m²;</p> <p>2. The maximum total sign area on a scheduled historic resource must not exceed 0.25m².</p> <p>Except that: Within the Waitangi Estate, any sign within an ONL, <u>ONF, Site of Cultural Significance to Māori or other scheduled heritage resource must</u> not exceed 1m².</p> <p>Note: This standard only has immediate legal effect for signs on or attached to a scheduled heritage resource or heritage area (Rules SIGNR9 and SIGN-R10)</p>	<p>Matters of discretion are restricted to:</p> <p>a. whether the sign contributes to the characteristics and qualities of the feature, landscape, or precinct;</p> <p>b. impact on the character and amenity of the surrounding area;</p> <p>c. whether the sign is compatible with the built form on the site;</p> <p>d. whether sign contributes to visual clutter; and</p> <p>e. any adverse cumulative effects</p>
<u>Waitangi Estate Special Purpose Zone</u>	<p>1. <u>Any new sign within the Te Pitowhenua (Treaty Grounds) sub-zone must not exceed 1m².</u></p>	<p>Matters of discretion are restricted to:</p> <p><u>a. If located within a Feature, Landscape or area of mapped heritage whether the sign contributes to the</u></p>

	<p>2. <u>Any new sign within the Papa Rehia (Recreation) Sub-zone must not exceed 3m². Where a sign is double sided, the maximum sign area is calculated as the area of one side of the sign.</u></p> <p>3. <u>Any new sign within the Whakanga (Tourism) sub-zone must be less than 6m².</u></p> <p>4. <u>Any new sign within the Ahuwhenua (General Activities) sub-zone must not exceed 3m².</u></p>	<p><u>characteristics and qualities of the overlay;</u></p> <p><u>b. impact on the character and amenity of the surrounding area; and specifically on Te Pitowhenua and its Heritage buildings and objects;</u></p> <p><u>c. whether the sign is compatible with the built form on the site;</u></p> <p><u>d. whether the sign contributes to visual clutter;</u></p> <p><u>e. whether the sign can be seen from a public place; and</u></p> <p><u>e. any adverse cumulative effects</u></p>
Sign-S2	Maximum height of signage	
<u>Waitangi Estate Special Purpose Zone</u>	<p>1. <u>Within the Te Pitowhenua (Treaty Grounds) sub-zone the maximum height of any sign, including the support structure must not exceed 3m in height.</u></p> <p>2. <u>Within the Papa Rehia (Recreation) Sub-zone and the Ahuwhenua (General Activities) sub-zone the maximum height of any sign, including the support structure must not exceed 4m in height.</u></p> <p>3. <u>Within the Whakanga (Tourism) sub-zone:</u></p> <p>(a) <u>Freestanding signs must not exceed 6m in height from ground level, and</u></p> <p>(b) <u>Signs attached to a building must not protrude above the highest point of the building.</u></p>	<p><u>Matters of discretion are restricted to:</u></p> <p><u>a. impacts on the character and amenity of the surrounding area, and specifically on Te Pitowhenua and its Heritage buildings and objects;</u></p> <p><u>b. whether the sign is compatible with the built form on the site;</u></p> <p><u>c. whether the sign contributes to visual clutter; and</u></p> <p><u>d. any adverse cumulative effects.</u></p>

Sign-S3	Maximum number of signs	
Waitangi Estate Special Purpose Zone	<u>There shall be no more than two signs per activity visible beyond the Waitangi Estate.</u>	Matters of discretion are restricted to: a. <u>impact on the character and amenity of the surrounding area, and specifically on Te Pitowhenua and its Heritage buildings and objects;</u> b. <u>whether the sign contributes to visual clutter; and</u> c. <u>any adverse cumulative effects.</u>
Sign-S5	Sign design and content	
All zones	<p>A <u>sign</u> must not:</p> <ol style="list-style-type: none"> 1. Display explicit or lewd words or images; and 2. Be animated, use reflective materials or illuminated through intermittent or flashing light sources. <p>Note: (2) above does not apply to signs in the Mixed Use zone or Light Industrial zones.</p> <p>Note: This standard only has immediate legal effect for signs on or attached to a <u>scheduled heritage resource or heritage area</u> (Rules SIGN-R9 and SIGN-R10)</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. <u>sign content;</u> b. the extent of illumination when visible from a public place; c. the frequency and intensity of flashing and/or image change; d. the character and amenity of the surrounding area; and e. any nuisance caused for adjoining properties

Note: No changes are sought to this standard, however it is noted that the exemption to the Mixed use zone will no longer be available to the Copthorne site.

Temporary Activities

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

<p>Rural Residential zone</p> <p><u>Waitangi Estate Special Purpose Zone</u></p>	<p>does not exceed two consecutive days,</p> <p>PER-2 The activity occurs between 6.30am to 10.00pm on each day.</p> <p>PER-3 A maximum of 500 persons on the site, excluding event staff each day.</p> <p>PER-4 Any accessory building or structure is removed within seven days of the temporary activity finishing.</p> <p>PER-5 The temporary activity complies with standard: TA-S1 Road controlling authority approval.</p>	
<p>TA-RX</p>	<p><u>Temporary Activities on the Waitangi Estate</u></p>	
<p><u>Waitangi Estate Special Purpose Zone</u></p>	<p><u>Activity status: Permitted</u></p> <p><u>Where:</u></p> <p><u>PER-1</u></p> <ol style="list-style-type: none"> <u>In the Whakanga (Tourism) sub zone the site is not used for more than two temporary activity events per calendar year.</u> <u>In the Ahuwhenua (General Activities) and the Papa Rehia (Recreational) sub zone the site is not used for more than five temporary activity events per calendar year.</u> <u>In the Te Pitowhenua (Treaty Grounds) sub zone, there is no restriction on temporary</u> 	<p><u>Activity status where compliance not achieved with PER-2, PER-3, or PER-4: Discretionary</u></p>

	<p><u>activity events per calendar year.</u></p> <p>4. <u>In the Whakanga (Tourism), Ahuwhenua (General Activities) and the Papa Rehia (Recreational) sub zones the event does not exceed two consecutive days, with the exception of a week either side of Waitangi Day.</u></p> <p>PER-2 <u>The activity occurs between 5am to 10.00pm on each day.</u></p> <p>PER-3 <u>Any accessory building or structure is removed within seven days of the temporary activity finishing.</u></p> <p>PER-4 <u>The temporary activity complies with standard: TA-S1 Road controlling authority approval.</u></p>	
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Schedules

Sites of Cultural Significance to Māori

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