

**THE ENVIRONMENT COURT OF NEW ZEALAND
AUCKLAND REGISTRY**

**I MUA I TE KOOTI TAIAO O AOTEAROA
TĀMAKI MAKĀURAU**

IN THE MATTER OF the Resource Management Act 1991

AND

IN THE MATTER OF an appeal under clause 14(1) of Schedule 1 of
the Resource Management Act 1991

BETWEEN **WAITANGI LIMITED**

Appellant

AND **FAR NORTH DISTRICT COUNCIL**

Respondent

**NOTICE OF APPEAL AGAINST DECISIONS OF THE FAR NORTH DISTRICT
COUNCIL ON THE FAR NORTH PROPOSED DISTRICT PLAN**

Dated: 12 August 2026

BUDDLE FINDLAY

Barristers and Solicitors
Wellington

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To: The Registrar
 The Environment Court
 Auckland

Waitangi Limited (WL) appeals against parts of the decisions of the Far North District Council (**Council**) in respect of the Far North Proposed District Plan (**PDP**).

Background

1. The Waitangi Treaty Grounds and surrounding estate (**Estate**) are administered by the Waitangi National Trust and Waitangi Limited (**WL**), a wholly-owned subsidiary of the Trust, as a taonga and a place of belonging, a Tūrangawaewae, for all New Zealanders.
2. WL made a submission on the PDP on 12 October 2022 (**Submission**) and a further submission on 4 September 2023 (**Further Submission**).¹
3. WL is not a trade competitor for the purposes of s 308D of the Resource Management Act 1991 (**RMA**).
4. Following hearings, recommendations on the PDP and submissions were made by an Independent Hearing Panel (**IHP**) on behalf of the Far North District Council on 11 June 2026. Public notice of the Decisions Version of the PDP was given on 30 June 2026 (**Decisions**).
5. WL is appealing parts of the Decisions for the reasons given below.

Parts of the Decisions subject to appeal

6. WL's Submission and Further Submission related to the land use zones and spatial overlays applicable to the Estate under the PDP provisions. WL's Submission and Further Submission sought the establishment of a Special Purpose Zone (**SPZ**) to provide appropriate protection and enable development across the Estate.
7. WL is appealing the following parts of the Decisions:
 - (a) Waitangi Estate Special Purpose Zone (**WEZ**) provisions:
 - (i) the inclusion of the Recreation (Papa Rehia) sub-zone (**Recreation Sub-Zone**), and associated policy, rule, and standard references; and

¹ Submitter number 503 and Further Submitter number 284.

- (ii) the permitted maximum building height standard of 5m applying to the **Estate Sub-Zones**, comprising the Recreation Sub-Zone, the Te Pitowhenua (Treaty Grounds) sub-zone, and the Ahuwhenua (General Activities) sub-zone (**General Activities Sub-Zone**).

Reasons for appeal and relief sought

- 8. The general reasons for WL's appeal are that parts of the Decisions:
 - (a) do not provide sufficient flexibility to enable new and expanded activities across the Estate;
 - (b) impose undue constraints on the legitimate activities of the Estate;
 - (c) are contrary to Part 2 of the Resource Management Act 1991 (**RMA**);
 - (d) do not promote the sustainable management of the Far North District and will not achieve the purpose of the RMA; and
 - (e) do not represent the most appropriate means of exercising the Council's statutory functions, having regard to the efficiency and effectiveness of other options under section 32 of the RMA.
- 9. Without limiting the above, the specific reasons for WL's appeal are set out below.
- 10. WL seeks the relief set out in **Appendix A**, or any such alternative relief that resolves the reasons for the appeal set out below.

Recreation Sub-Zone

- 11. The Decisions include the Recreation Sub-Zone within the WEZ. The Recreation Sub-Zone encompasses the Waitangi golf course, the Waitangi sportsgrounds and the Bay of Islands Yacht Club. WEZ-P6 applies to this sub-zone and requires recreation to be the "*predominant activity*" within the sub-zone.
- 12. WL seeks the removal of the Recreation Sub-Zone and associated policies, rules and standards, with the relevant land instead to be added to the General Activities Sub-Zone, for the following reasons:

- (a) The Recreation Sub-Zone's boundaries inadvertently restrict development proposals that involve land crossing multiple sub-zone boundaries.
- (b) The requirement in WEZ-P6 that recreation be the "*predominant activity*" within the sub-zone is unduly limiting and may preclude activities that are ancillary or additional to, rather than subsidiary to, recreation uses of the golf course.
- (c) The Decisions result in the Recreation Sub-Zone and the General Activities Sub-Zone having almost identical permitted activity thresholds and development standards, as well as identical triggers for Discretionary Activity status. There is therefore no planning rationale for retaining separate sub-zones with different policy direction.
- (d) The General Activities Sub-Zone policy (WEZ-P7) is sufficiently enabling of recreation activities and would give effect to WEZ-O4, which broadly seeks that the Estate lands be managed and developed to provide for recreation, tourism or other associated activities that are supportive of, or compatible with, the historic, natural and cultural values of this nationally significant site.
- (e) Deleting the Recreation Sub-Zone and instead applying the General Activities Sub-Zone to that land would simplify the WEZ provisions while retaining the appropriate focus on recognition and protection of the historic Treaty Grounds and the Estate's landscape and coastal environment context.

Building Height Standard

- 13. The Decision retains a permitted maximum building height standard of 5m in each of the Estate Sub-Zones.
- 14. The retention of the 5m maximum building height standard is inappropriate for the following reasons:
 - (a) Following hearings, the IHP accepted that a maximum permitted building height of 5.5m is more appropriate than 5m in the Coastal Environment.
 - (b) The Decisions have amended the permitted building height threshold in the Coastal Environment to 5.5m across the PDP generally. The WEZ-

S1 maximum building height of 5m therefore imposes a more restrictive building height control on new or altered buildings in the WEZ sub-zones than that which applies in comparable coastal locations throughout the district.

- (c) There is no planning rationale for retaining a 5m permitted building height standard in the Estate Sub-Zones that is inconsistent with the IHP decision on the Coastal Environment provisions and more restrictive than the general coastal permitted height.
- (d) A maximum permitted height of 5.5m remains within the realm of single-storey building heights. Any proposals for buildings exceeding the permitted standard would continue to be assessed as a Restricted Discretionary Activity subject to the relevant assessment matters.

Consequential relief

- 15. In addition to the relief sought in **Appendix A**, WL seeks all further or other consequential relief and amendments as may be necessary to fully give effect to the relief sought.

Attachments

- 16. WL attaches the following documents to this notice:
 - (a) the relief sought by WL (**Appendix A**);
 - (b) a copy of its Submission (**Appendix B**);
 - (c) a copy of its Further Submission (**Appendix C**);
 - (d) a copy of the relevant part of the Decisions (**Appendix D**); and
 - (e) a list of the names and addresses of persons to be served with a copy of this notice (**Appendix E**).

17. Related documents, including the PDP, evidence, Council officers' reports and submissions, can be downloaded from the Council's website at [Proposed district plan | Far North District Council](#)

Dated 12 August 2026



D G Randal / A E O'Connor

Counsel for Waitangi Limited

This document is filed by **David Randal** and **Annie O'Connor**, solicitors for the Appellant, whose address for service is at the offices of Buddle Findlay, Level 17, Aon Centre, 1 Willis Street, Wellington 6011. Documents for service on the abovenamed may be left at that address or may be:

1. Posted to the solicitor at PO Box 2694, Wellington 6011; or
2. Left for the solicitor at a document exchange for direction DX SP20201, Wellington; or
3. Emailed to the solicitors at david.randal@buddlefindlay.com and annie.oconnor@buddlefindlay.com.

Advice to recipients of copy of notice

How to become party to proceedings

You may be a party to the appeal if—

- (a) you made a submission on the matter of this appeal; and
- (b) within 15 working days after the period for lodging a notice of appeal ends, you lodge a notice of your wish to be a party to the proceedings (in form 33) with the Environment Court and serve copies of your notice on the relevant local authority and the appellant; and
- (c) within 20 working days after the period for lodging a notice of appeal ends, you serve copies of your notice on all other parties.

Your right to be a party to the proceedings in the court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Resource Management Act 1991.

You may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing requirements (see form 38).

Advice

If you have any questions about this notice, contact the Environment Court in Auckland, Wellington, or Christchurch.

APPENDIX A – DETAILED RELIEF SOUGHT

The below uses the Decisions Version (clean) as base text. Insertions are shown in bold underlined text and deletions are shown in bold strikethrough text.

The "Overview" wording that precedes the provisions under appeal has not been replicated in this document. However, for the avoidance of doubt, consequential changes to the "Overview" section may be required

Chapter	Amend / Delete	Provision and relief sought		
Part 3 – Area specific matters Waitangi Estate zone	<i>Delete Papa Rehia (Recreation) sub-zone</i> <i>Waitangi Estate zone Overview</i>	Development in the Waitangi Estate zone is managed through rules and standards applying to four sub-zones. These sub-zones are mapped on the planning maps as follows: - Te Pitowhenua (Treaty Grounds) sub-zone • Papa Rehia (Recreation) sub-zone - Whakanga (Tourism) sub-zone - Ahuwhenua (General Activities) sub-zone		
	<i>Delete Policy WEZ-P6</i>	<u>Within the Papa Rehia (Recreation) sub-zone, provide for recreation as the predominant activity, including open space associated with the established Waitangi Golf course, the Waitangi sportsgrounds, public boat ramp facilities, pedestrian walking tracks and the Bay of Islands Yacht Club.</u>		
	<i>Amend rule WEZ-R2</i>	WEZ-R2	Visitor Accommodation	
		Waitangi Estate zone: Whakanga (Tourism) sub-zone	Activity status: Permitted	Activity status where compliance not achieved with PER-1: Discretionary
		Waitangi Estate zone:	Activity status: Permitted	

		Papa Rehia (Recreation) sub-zone Ahuwhenua (General) Activities sub- zone		
	<i>Amend Rule WEZ-R4</i>	WEZ-R4	Waitangi Commercial Activities	
		Waitangi Estate zone: Te Pitowhenua (Treaty Grounds) sub- zone	Activity status: Permitted ...	Activity status where compliance not achieved with PER-1 or PER-2: Discretionary
		Waitangi Estate zone: Whakanga (Tourism) sub- zone Papa Rehia (Recreation) sub-zone Ahuwhenua (General)	Activity status: Permitted ...	

		Activities sub-zone		
	<i>Amend Rule</i> <i>WEZ-R6</i>	WEZ-R6	Impermeable Surfaces	
		Waitangi Estate zone Te Pitowhenua (Treaty Grounds) sub-zone Papa Rehia (Recreation) sub-zone Ahuwhenua (General) Activities sub-zone	Activity status: Permitted ...	Activity status where compliance not achieved with PER-1: Restricted discretionary Matters of discretion are limited to: ...
		Waitangi Estate zone: Whakanga (Tourism) sub-zone	Activity Status: Permitted ...	Activity status where compliance not achieved with PER-2: Discretionary
	<i>Amend Standard</i> <i>WEZ-S1</i>	WEZ-S1	Maximum height	
		Waitangi Estate zone	The maximum height of a building or structure, or extension or alteration to an existing building or structure is:	Where the standard is not met, matters of discretion are restricted to:

			1. Te Pitowhenua (Treaty Grounds), Papa-Rehia (Recreation) and Ahuwhenua (General Activities) sub-zones – 5.5m 5m above ground level. 2. Whakanga (Tourism) sub-zone – 10m above ground level. This standard does not apply to: ...	...
	<i>Amend</i>	WEZ-S2	Height in relation to boundary	
	<i>Standard</i> WEZ-S2	Waitangi Estate Zone	The building or structure, relocated building or extension or alteration to an existing building or structure must be contained within a building envelope defined by the following recession planes measured inwards from the respective boundary: 1. Te Pitowhenua (Treaty Grounds) and Ahuwhenua (General Activities) sub-zones - Any external Estate boundary: 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. 2. Papa-Rehia (Recreation) sub-zone – Any boundary: 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	Where the standard is not met, matters of discretion are restricted to: ...

			c. 35 degrees at 2m above ground level at the southern boundary of the site. 3. Whakanga (Tourism) and Papa Rehia (Recreation) sub-zones – Any boundary: a. 35 degrees at 2m above ground level at the northern boundary of the site b. 45 degrees at 2m above ground level at the eastern and western boundaries of the site. c. 35 degrees at 2m above ground level at the southern boundary of the site. ...	
	<i>Amend Standard WEZ-S3</i>	WEZ-S3	Set (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	The new building or structure and relocated building or extension or alteration to an existing building or structure must be setback at least 10m from all site boundaries, except: ...	Where the standard is not met, matters of discretion are restricted to: ...
		WEZ-S4	Building or structure coverage	

	<i>Amend Standard WEZ-S4</i>	Te Pitowhenua (Treaty Grounds) sub- zone Papa Rehia (Recreation) sub-zone Ahuwhenua (General Activities) sub- zone	The building or structure coverage of any site is no more than 15%.	Where the standard is not met, matters of discretion are restricted to: ...
Part 2 – District-wide matters Natural environment values	<i>Amend NATC-R1</i>	NATC-R1	New buildings or structures and relocated buildings or extensions or alterations to existing buildings or structures	
		All zones, except Moturoa Island zone, Orongo Bay zone	Activity status: Permitted Where: PER-1 The new building or structure, and relocated buildings or extension or alteration to an existing building or structure on wetland, lake and river margins where it is: 1. for restoration and enhancement purposes; or 2. for natural hazard mitigation undertaken by, or on behalf of, the local authority; 3. park management activity in the Open Space or Sport and Active Recreation zones or in the Waitangi Estate zone – Te	Activity status where compliance not achieved with PER-1, PER-2 and PER-3: Restricted discretionary

			Pitowhenua (treaty grounds) or Papa Rehia (Recreations) subzones; ...	
Part 2 – District-wide matters General district-wide matters	<i>Amend CE-S4</i>	CE-S4	Setback from MHWS	
		Coastal environment	New buildings and structures and relocated buildings or an extension or alteration to an existing building or structure must be setback at least: 1. 30m from MHWS in the Rural Production, Rural Lifestyle, Rural Residential, and Horticulture Processing Facilities zones and Waitangi Estate sub zones – Te Pitowhenua (Treaty Grounds), Papa Rehia (Recreation) and Ahuwhenua (General Activities) Sub-zone; or 2. 26m in all other zones. ...	Where the standard is not met, matters of discretion are restricted to: 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, planned and potential roads, public walkways, reserves and esplanades.

	Amend EW-S1	EW-S1	Maximum earthworks thresholds		
		All zones except Moturoa Island zone, Orongo Bay zone	The following maximum volumes and area thresholds must not be exceeded for all earthworks undertaken on a site within a single calendar year:		Where the standard is not met, matters of discretion are restricted to: refer EW-R1
			Zone	Volume (m³)	
			General Residential, Medium Density Residential, Mixed Use, Town Centre, Hospital, Horticulture Processing Facility, Carrington, Kororāreka Russell Township, Hospital, Māori Purpose – Urban zones, Waitangi Estate zone – Whakanga (Tourism) and Te Pitowhenua (Treaty Grounds) sub zone	200	2,500
			Natural Open Space, Open Space, Sport and Active Recreation, Rural Residential, Settlement, Quail Ridge, Airport zones, and Waitangi Estate zone – Papa Rehia (Recreation) sub zone	300	2,500

			...	
	<i>Amend LIGHT-S1</i>	LIGHT-S1	Maximum level of light spill	
		Mixed Use zone ... Waitangi Estate zone Papa Rehia (Recreation) Sub-Zone and Whakanga (Tourism) sub-zone	The maximum level of light spill when measured at a distance of 2m or greater from the boundary of any receiving site, or where any part of the building located within a receiving site is within 2m of the boundary of that site, when measured at the exterior surface of any window of any habitable room, must not exceed: 1. 10 lux (in both the horizontal and vertical planes) within any General Residential, Medium Density Residential, Kororāreka Russell Township, Hospital, Rural Residential, Settlement, and Quail Ridge zones; and 2. 20 lux (in both the horizontal and vertical planes) within the Mixed Use, Town Centre, Ngawha Innovation and Enterprise Park, Airport, Light Industrial, Heavy Industrial, Horticulture Processing, Orongo Bay, Open Space, Sport and Active Recreation zones, and Waitangi Estate zone - Papa Rehia (Recreation) Sub-zone and Whakanga (Tourism) Sub zone.	Matters of discretion are restricted to: a. whether artificial lighting is for operational or functional purposes; b. whether timing, duration, direction, intensity, focus, design, height, or type of lighting contributes to avoidable or unnecessary light spill; c. adverse effects on the predominant character and amenity of the surrounding area; d. adverse effects on the health, safety and wellbeing of people and communities in the surrounding area, including the transport network; e. the extent to which light spill or glare affects residential properties,

				including outdoor living space and/or has the potential to result in sleep disturbance; and f. The extent to which artificial lighting affects the natural behaviour of indigenous fauna, including reference to best practice guidance where relevant.
	<i>Amend NOISE-S1</i>	NOISE-S1	General noise rules applying to noise emitted from all zones and overlays (unless provided for by a specific standard elsewhere)	
		... Waitangi Estate – Papa Rehia (Recreation) sub-zone ...	1. Noise generated in all zones, other than the zones and sites in 2) and 3) below: a. Noise shall not exceed the following rating noise levels at any point within the received property boundary: i. 7.00am to 10.00pm (daytime): 50 dB L_{Aeq} ii. 10.00pm to 7.00am (night-time): 40 dB L_{Aeq} and 70 dB L_{AFmax} 2. Noise generated in Mixed Use, Town Centre, Light Industrial, Horticultural Processing Facilities, Ngawha Innovation and Enterprise Park, Orongo Bay zones, Waitangi Estate – Whakanga (Tourism), Papa Rehia	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;

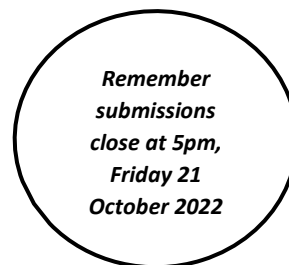
			(Recreation) or Ahuwhenua (General Activities) sub zones, or from non-aircraft operation activity within an Airport zone: ...	b. type, scale and location of the activity in relation to any noise sensitive activities; c. hours of operation and duration of activity; d. the temporary or permanent nature of any adverse effects; e. the ability to internalise and/or minimise any conflict with adjacent activities; and 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).
	<i>Amend SIGN-S1</i>	SIGN-S1	Maximum sign area per site	
		... Waitangi Estate	...	... Matters of discretion are restricted to:

		zone	- Any new sign within the Te Pitowhenua (Treaty Grounds) sub-zone must not exceed 1m2 in ONL – North and 3m2 in ONL – South. 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. - Any new sign within the Whakanga (Tourism) sub-zone must be less than 6m2. - Any new sign within the Ahuwhenua (General Activities) sub-zone must not exceed 3m2. - Any new sign within a ONF must not exceed 1m2.	- If located within a Feature, Landscape or area of mapped heritage whether the sign contributes to the characteristics and qualities of the overlay; - impact on the character and amenity of the surrounding area; and specifically on Te Pitowhenua and its Heritage buildings and objects; - whether the sign is compatible with the built form on the site; - whether the sign contributes to visual clutter; - whether the sign can be seen from a public place; and - any adverse cumulative effects
		SIGN-S2	Maximum height of signage	

	Amend SIGN-S2	... Waitangi Estate zone	... 1. Within the Te Pitowhenua (Treaty Grounds) Sub-zone the maximum height of any sign, including the support structure must not exceed 3m in height. 2. Within the Papa Rehia (Recreation) Sub-zone and the Ahuwhenua (General Activities) Subzone the maximum height of any sign, including the support structure must not exceed 4m in height. 3. Within the Whakanga (Tourism) Sub-zone: a. Freestanding signs must not exceed 6m in height from ground level, and b. Signs attached to a building must not protrude above the highest point of the building.	Matters of discretion are restricted to: a. impacts on the character and amenity of the surrounding area, and specifically on Te Pitowhenua and its Heritage buildings and objects; b. whether the sign is compatible with the built form on the site; c. whether the sign contributes to visual clutter; and d. any adverse cumulative effects.
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Appendix B

Copy of Waitangi Limited's submission



Proposed District Plan submission form

Clause 6 of Schedule 1, Resource Management Act 1991

Feel free to add more pages to your submission to provide a fuller response.

Form 5: Submission on Proposed Far North District Plan

TO: Far North District Council

This is a submission on the Proposed District Plan for the Far North District.

1. Submitter details:

Full Name:	Ralph Johnson		
Company / Organisation Name: (if applicable)	Waitangi Limited		
Contact person (if different):	Rochelle Jacobs – Northland Planning and Development Ltd		
Full Postal Address:	PO Box 526		
	Kaitaia 0441		
Phone contact:	Mobile: 0274498813	Home:	Work: 09 408 1866
Email (please print):	info@northplanner.co.nz		

2. (Please select one of the two options below)

☒

I **could not** gain an advantage in trade competition through this submission

☒

I **could** gain an advantage in trade competition through this submission

If you could gain an advantage in trade competition through this submission, please complete point 3 below

3.

☒

I **am** directly affected by an effect of the subject matter of the submission that:

(A) Adversely affects the environment; and

(B) Does not relate to trade competition or the effect of trade competition

☐

I **am not** directly affected by an effect of the subject matter of the submission that:

(A) Adversely affects the environment; and

(B) Does not relate to trade competition or the effect of trade competition

Note: if you are a person who could gain advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991

The specific provisions of the Plan that my submission relates to are:

(please provide details including the reference number of the specific provision you are submitting on)

Please refer to the attached document.



Confirm your position: ☐ Support ☒ Support In-part ☒ Oppose (please tick relevant box)
My submission is: (Include details and reasons for your position) Refer to the attached document.
I seek the following decision from the Council: (Give precise details. If seeking amendments, how would you like to see the provision amended?) Refer to the attached document.
☒ I wish to be heard in support of my submission ☐ I do not wish to be heard in support of my submission (Please tick relevant box)
If others make a similar submission, I will consider presenting a joint case with them at a hearing ☒ Yes ☐ No
Do you wish to present your submission via Microsoft Teams? ☒ Yes ☐ No
Signature of submitter: (or person authorised to sign on behalf of submitter)  Date: 12/10/2022 (A signature is not required if you are making your submission by electronic means)

Important information:

1. The Council must receive this submission before the closing date and time for submissions (5pm 21 October 2022)
2. Please note that submissions, including your name and contact details are treated as public documents and will be made available on council's website. Your submission will only be used for the purpose of the District Plan Review.
3. Submitters who indicate they wish to speak at the hearing will be emailed a copy of the planning officers report (please ensure you include an email address on this submission form).



Send your submission to:

Post to: Proposed District Plan
Strategic Planning and Policy, Far North District Council
Far North District Council,
Private Bag 752
KAIKOHE 0400

Email to: pdp@fndc.govt.nz

Or you can also deliver this submission form to any Far North District Council service centre or library, from 8am – 5pm Monday to Friday.

Submissions close 5pm, 21 October 2022

Please refer to pdp.fndc.govt.nz for further information and updates.

Please note that original documents will not be returned. Please retain copies for your file.

Note to person making submission

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- It is frivolous or vexatious
- It discloses no reasonable or relevant case
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further
- It contains offensive language
- It is supported only by material that purports to be independent expert evidence but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

SUBMISSION NUMBER

503

Waitangi Limited

1. Intro

- 1.1. Waitangi is one if not the most prominent historic site in Aotearoa. Waitangi Limited is the commercial arm which looks after the daily operations at the Waitangi Treaty Grounds. They have an interest in the Waitangi Estate, which is legally described as Lots 1, 2 & 3 DP 326610, Lots 1 & 2 DP 152502, Lot 3 DP 51155, Sec 6 - 11, 15 & 16 SO 338905, located at Tau Henare Drive and Haruru Falls Road in Waitangi. Waitangi Limited have engaged Northland Planning and Development 2020 Limited to represent them in making a submission upon this particular site.

2. Definitions

- **Maintenance**

In relation to a heritage item, means activities required or undertaken to conserve as nearly, and as long, as possible the condition of the item while compensating for normal wear and tear.

- 2.1. The words maintenance and repair occur in many places within the Proposed District plan. We seek clarification on whether it is the intent that in all instances where the words maintenance and repair are used in this plan that they are restricted to heritage items only. S503.001 & S503.002
- 2.2. In the event that this is not the case, we seek the ability to make a further submission as particular objectives, policies or rules may impact upon operations.

- **Repair**

in relation to a heritage item, means the repairs of materials by patching, piercing in, splicing and consolidating existing materials, and including minor replacement of minor components, such as individual bricks, cut stone, timber sections, tiles and slates, where these have been damaged beyond reasonable repair or are missing. The replacement should be of the original or similar material, colour, texture, form and design as the original it replaces, and the number of components replaced should be substantially less than the existing components.

- 2.3. The words maintenance and repair occur in many places within the plan. We seek clarification on whether it is the intent that in all instances where the words maintenance and repair are used in this plan whether they are restricted to heritage items only. S503.001 & S503.002
- 2.4. In the event that this is not the case, we seek the ability to make a further submission as particular objectives, policies or rules may impact upon operations.
- 2.5. A space has been included between the words 'have' and 'been' which is a typo. S503.002

- **Residential Unit**

means a building(s) or part of a building that is used for a residential activity exclusively by one household, and must include sleeping, cooking, bathing and toilet facilities.

2.6. Confirmation is sought that activities such as motels do not fall under this definition, even if they do include sleeping, cooking, bathing and toilet facilities. S503.003

2.7. In the event activities such as motels are captured, and the definition is unable to be changed as it is a National Template, we seek the relief that all Residential Activity and similar rules exclude motels and similar activities and further that the Visitor Accommodation rule be amended to provide clarity regarding hotels and motels.

- **Rural Tourism Activity**

means the use of [land](#) or [buildings](#) for people to visit and experience ~~the~~ [tourism activities](#) [within the](#) rural environment. It does not include: S503.004

1. *Rural production retail*
2. *Rural production manufacturing*
3. [Visitor accommodation](#)
4. [Home business](#)

2.8. Inserted the words ‘tourism activities within the’ rural environment to make it clear that it is the use of the buildings or land specifically for tourism related activities located within the rural environment, which is the intent of the definition and the accompanying rule. This ensures that tourism activities which rely upon natural, historic or cultural features or areas which are not rural in nature but are located within the rural environment are able to utilize this rule.

2.9. Item 1 Rural production retail. We have assumed that this covers the selling of goods and services generated from nearby production activities as opposed to retail activities directly associated with the tourism activity, i.e. selling souvenirs. If this is not the intent, we seek relief via clarification in this definition that associated tourism retail is covered by the definition of Rural Tourism Activity. S503.004

2.10. The reason for this is that if the site is the only place in which a tourism activity could go based on its natural, historic or cultural significance then the retail activity works in conjunction with the main tourist attraction / activity as opposed to generating any additional effects such as traffic and parking. We have sought further relief with the associated rule.

- **Structure**

has the same meaning as in section 2 of the [RMA](#) (as set out below)

means any [building](#), equipment, device, or other facility, made by people and which is fixed to [land](#); and includes any [raft](#).

2.11. While we acknowledge that this is a National Template Definition clarity is sought on whether this definition now captures items such as fences and stock fences, lighting poles, flag poles, footpaths and paving. S503.005

2.12. If the intent is to capture these structures, then we seek relief that setback from boundary, and setback from water rules exclude fences and stock fences, foot paths and paving and other similar structures which will have similar effects. S503.005

- **Temporary Activities**

means an activity that is temporary and limited in duration. It may include carnivals; concerts; fairs; festivals and events; markets and exhibitions; public meetings; parades; special events; sporting events; filming activities; [temporary military training activities](#); temporary [motorsport activities](#); and emergency response training by ambulances, Civil Defence, Coast Guard New Zealand, Fire and Emergency New Zealand, New Zealand Police, [Land](#) Search and Rescue, or Surf Life Saving New Zealand. It also includes [buildings](#) or [structures](#) accessory to [temporary activities](#), temporary car parking areas, and the [ancillary activities](#) associated with the [temporary activities](#).

2.13. We support this definition.

S503.006

- **Wetland Lake and River Margins**

In the Light Industrial and Heavy Industrial zones means the area of [land](#) within 20 metres of a:

- [wetland](#);
- [lake](#); or
- [river](#) greater than 3m average width

In the General Residential, Russell Township, Quail Ridge or Mixed Use zones means the area of [land](#) within 26 metres of a:

- [wetland](#);
- [lake](#); or
- [river](#) greater than 3m average width

In all other zones means the area of [land](#) within 30 metres of a:

- [wetland](#);
- [lake](#); or
- [river](#) greater than 3m average width

*Where a [river](#) is smaller than 3m average width **the river margin is the area of land within** ~~means~~ 10m of a [river](#).*

S503.007

Note: The width is measured in relation to the bed of the waterbody

2.14. The change is sought to clarify that where a river is less than 3m in width that the applicable margin is only 10m in width.

3. Special Zoning / Precinct

3.1. The Waitangi Treaty Grounds and its surrounding estate is one if not the most prominent historic site in Aotearoa. The Waitangi Estate is managed by the Waitangi National Trust and its board in accordance with the Waitangi National Trust Board Act 1932. The Deed of Trust sets out the objectives for the Estate. These include priorities being given to the repair and restoration of the former residency, which at Lord Bledisloes request, was renamed the Treaty House.

- 3.2. The Waitangi National Trust board is made up of descendants and representatives of people directly associated with the historic site including local Maori, European settlers, people in the North and South Island and the government. The Governor General of NZ also has the right to choose to be patron of the trust.
- 3.3. While the National Trust Board oversees the bigger decision making of the estate, the everyday operational running of the Treaty Grounds is undertaken by Waitangi Limited who have made this submission.
- 3.4. The preamble to the Waitangi National Trust Board Act is as follows -

Preamble

Whereas the Right Honourable Charles, Baron Bledisloe, Governor-General and Commander-in-Chief of the Dominion of New Zealand, and the Right Honourable Alina Kate Elaine, Lady Bledisloe, his wife, are registered as proprietors of an estate in fee simple in the lands described in the deed or declaration of trust set out in [Schedule 1](#), and acquired the same by reason of their interest in and desire to preserve places of historical interest in the Dominion, and with a view to presenting and giving the said land as a place of historic interest, recreation, enjoyment, and benefit in perpetuity to the inhabitants of New Zealand:

And whereas it is desirable that provision should be made for the vesting, management, and control of the said lands and for certain other matters.

- 3.5. As detailed above, the Waitangi Estate was set aside as a place of historic interest, recreation, enjoyment and benefit in perpetuity to the people of New Zealand. Given the high historic value of the site and the Waitangi Trust Board Act which sets out how it the site should be managed and who it should be managed by, we seek that a Special Purpose Zone or Precinct be applied to the Estate. S503.008 to S503.011 (relating to sections 3 and 4 of submission)

The *MfE National Planning Standard Guidance for 12. District Spatial Layers Standard and 8. Zone Framework Standard* provides guidance on when a Precinct or Special Purpose zone should apply. In the case of a Special Purpose Zone there are 3 criteria which must be met. These are expanded upon as follows:

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?*

Waitangi is the most culturally important site in New Zealand. It is considered the birthplace of our nation which makes the activities within the site significant. We consider that this test is therefore satisfied.

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

The Waitangi Estate is a specified area which is governed by the Waitangi National Trust Board Act. It is not found elsewhere in the District or anywhere else in the country. Therefore, this test is satisfied.

b) Are impractical to be managed through another zone

- *Are the provisions required to manage the effects or operation of the activities so highly specific that a zone in the Zone Framework cannot practically enable or manage this?*

The Waitangi Estate is very unique given that it is the birthplace of our nation. Given the high historical importance it has a number of overlays which apply to the site. The assessment undertaken in the rules assessment below indicates that if it was left with the underlying zone and appropriate general overlays that from a planning perspective the rules assessment would be difficult to undertake. As each overlay stipulates that the more restrictive rule set is applicable it would result in very minor activities which are generally enabled being captured and requiring consent. This is considered to be a perverse outcome. Given this specific situation we have an opportunity to tailor make some rules which are specific to the Waitangi Estate and help give effect to the deed established in 1932. A special zone would be the most practical option to cover this off. This test is therefore considered to be met.

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

- *Are you satisfied that none of the other spatial planning tools, either individually or as a package, provide a practical management approach for the activities?*

The MfE guidance details a number of different options for covering specified areas, these are Overlays, Precincts, Specific Controls and Development Areas.

Overlays

The site is already subject to overlays for Sites of Cultural Significance to Maori, Outstanding Landscape and Outstanding Natural Features, Historic Heritage, Natural Character and the Coastal Environment. As there are so many applicable overlays it makes assessment difficult and rules which enable development or specific activities to occur are undermined by more stringent rules in other overlay rules. This is a perverse outcome for the site, and as such we do not consider this option to be viable.

Precincts

Precincts are applied to areas which require management via additional place based provisions to modify and or refine outcomes anticipated in the underlying zones. This means that the underlying zone rules are generally applied to the site with some specific changes which are either more restrictive or more enabling. There is potential for this to be an option for the Waitangi Estate.

The MfE guidance provides additional questions when deciding between a special purpose zone and a precinct.

- *To what extent are the underlying zone provisions relevant?*
 - *If they remain relevant, the high-level policy intent of the zone remains the same or similar, and the introduction of complementary provisions would then enable/restrict the activities of interest, then a precinct is most suitable.*

In our opinion the high-level policy intent of the Rural Production zone which is to ensure availability for primary production activities and its long-term

protection for current and future generations, provide for ancillary activities which support primary production and activities which have a functional need to be located within the rural environment, enable land use which protects highly productive land and primary production without compromising farming activities while not exacerbating natural hazards and being serviced by appropriate infrastructure while maintaining rural character and amenity is not consistent with the Waitangi Estate. The high-level intent of the Waitangi Estate is to give effect to the Waitangi Trust Board Act which is to preserve places of historical interest in the dominion and with a view to presenting and giving the said land as a place of historic interest, recreation, enjoyment, and benefit in perpetuity to the inhabitants of New Zealand.

As a result, there may be times where in giving effect to the deed that there would be a conflict with the higher-level policies of the Rural Production zone. In protecting those historic interests' activities within the wider estate may need to establish such that income from these activities can fund repair and maintenance within the Treaty Grounds. No other zones within the District Plan would cover this specific activity and as such, we believe a special purpose zone is the most appropriate option.

- *If the existing zone's high-level policy intent is contrary to how the activities should be managed, and few or none of the existing zone provisions would apply, and no other spatial layers can apply, then a new special purpose zone is most suitable.*

As detailed above, the existing Rural Production zone may directly conflict with the Waitangi Trust Board Act's preamble which has set aside the site for a specific purpose. Given the conflict with this, the fact that no other zones in the District Plan would be appropriate given the specific nature of this site, and moreover that the other spatial layers would cause undue confusion and perverse outcomes in terms of the activities they would capture, we consider that the use of a special purpose zone is most suitable to this site.

- *What would be the most appropriate zone if the activity was removed, shut down or relocated from the site? For example, if a large rural industry in the middle of a rural environment were to close, or a museum in a commercial area were to relocate, what would be the most appropriate zone to manage the area into the future?*

This site is the birthplace of our nation. It is very site specific and cannot be removed or relocated. As such, no other zone is considered appropriate to manage the area.

- *If the underlying zone would be the same as the adjacent land, and existing use rights and resource consents are not sufficient to manage the activity, then a precinct is most suitable.*

The site is bounded by many different zones. While generally Waitangi does have existing use rights for its current operations buildings are getting older which require more maintenance. Various standards are increasing such as for disabled access which means additional works are required to bring pathways and other structures up to standard. This all requires revenue and there is a fine line in charging the people of New Zealand to visit this historic place. If other activities could be established on the wider estate which may assist in providing much needed revenue to service the treaty grounds, this would be advantageous in meeting the purpose of the estate. For this reason, we believe a Special Purpose zone would still be the most practical option.

Specific Controls

This method is utilized where the matter it is controlling is not of a scale of size to warrant a precinct or an overlay. For example, the Coastal Environment overlay has been utilized in this manner. As this area is very specific and has a range of matters in which control is necessary it is not considered to be a viable option.

Development Areas

The development areas feature is more tailored to a specific area where growth is to occur. It is more of a short-term method to enable a specific development to occur, and then the zone is reverted to a standard underlying zoning. The Waitangi Estate does not fit this category as it is a specific place which requires long term master planning to ensure the goals of its establishment continue to be met.

- 3.6. As per the assessment above, a Special Purpose zone is considered to be the most practical option as it offers a more tailored and targeted management of the Treaty Grounds and the Estate, such that the Estate can continue to meet the purpose of why it was established in the first instance. A more tailored approach will provide clarity as at present the Proposed District Plan seeks to establish multiple rule overlays to the site which makes everyday management and maintenance activities require consent. The multiple layers make any planning assessment difficult as in all cases the most stringent rules in any overlay apply. This means that more enabling rules imposed under certain overlays tailored for a particular activity cannot be utilized which results in almost all activities requiring consent as a Discretionary or Non-Complying activity. A special zoning would be the most appropriate outcome for the site rather than seeking changes to each individual rule to permit enabling works allowed in one chapter which are discouraged by another. A specific set of rules, which relates to the Waitangi Estate would be more straight forward to assess by everyone, which makes confirmation clear on whether consent is required or not, especially for minor activities. Specified rules for the Waitangi Estate could be specifically tailored to the subject site, and take into account its historic value and legal background.
- 3.7. In the event that a Special zone is not accepted, we seek relief that a Precinct be established. Moreover, if Council chooses to not accept either option, we seek that the rules in the sections below be changed to avoid confusion and provide assistance in clarifying when resource consent is required. The following rules assessment and commentary help to

provide additional context about why a special zoning would be more appropriate for this site.

- 3.8. In the event the Special zoning is accepted some changes expressed in the sections below may still be applicable to provide clarity. Consideration of some of these changes should be made regardless of the outcome.

4. Mapping

- 4.1. The Waitangi Estate consists of a Rural Production zoning across the majority of the site, with the exception of the Copthorne and part of the golf course.
- 4.2. We seek that in the event the site is not set aside for special zoning that both Lots 2 & 3 DP 326610 be zoned as Sport and Active Recreation. This is due to both allotments being set aside and operated as a golf club. At present only Lot 2 is zoned as Sport and Active Recreation.

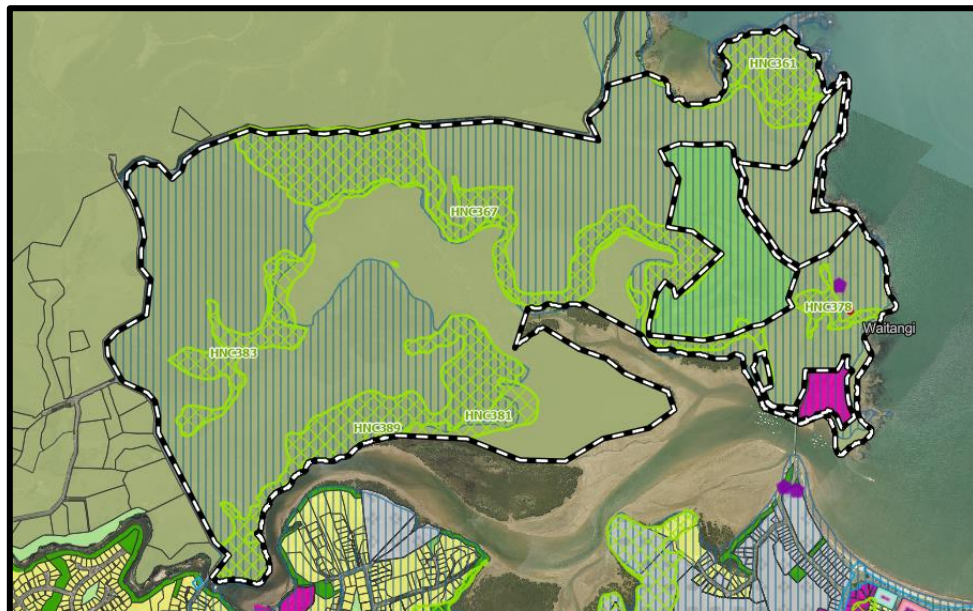


Figure 1 - Proposed zoning of the Waitangi Estate

- 4.3. Historic Site 100 covers the Treaty House, Hobson Memorial, Whare Runanga and Flagpole and is indicated by the purple icon on the above image. While located within the general vicinity of each other, the combination of all items into one record can be confusing and there is potential that a historic building or structure may be missed in assessment. As such we seek that Site 100 is split into 4 separate notations on the map such that it is clear what buildings are considered historic within the planning document. This is consistent with other historic items in the District where there are multiple listings on a site.

S503.012 &
S503.013

5. Coastal Environment

CE-R1 – New buildings or structures, and extensions or alterations to existing buildings or structures

PER-2

If a new [building](#) or [structure](#) is not located within an [urban](#) zone it is:

1. ancillary to farming activities (excluding a residential unit).
2. no greater than 25m².
3. located outside outstanding natural character areas

Changes sought

The following changes to the rule are shown as tracked changes with additions shown as (**bold and underlined**) and deletions shown as (~~strikethrough~~). Reasons for the changes are explained below:

PER-2

If a new building or structure is not located within an urban zone it is:

S503.014

1. ancillary to farming activities **and no greater than 50m²** (excluding a residential unit) **or**
2. **a building not ancillary to farming** no greater than 25m² **and**
3. located outside outstanding natural character areas

- 5.1. PER-2 relates to all rural zones, including rural production, rural lifestyle, rural residential and settlement, as well as the sport and active recreation zone. The coastal environment covers the entirety of the Waitangi Estate. It is considered that provision should be made for buildings which are not ancillary to farming, as PER-2 relates to smaller density rural zones, which do not consist of rural productive activities, such as farming.
- 5.2. The Operative plan allowed for non-habitable buildings under 50m² and habitable buildings under 25m², as a permitted activity, in coastal zones with any buildings over this being a controlled activity, if it was in an approved building envelope or Restricted Discretionary if not.
- 5.3. It is considered provision should be made for buildings no greater than 25m² and not ancillary to farming, such as sheds/garages associated with sport and recreation activities. This generally aligns with the Melean Absolum Limited Landscape Report as buildings which are of such a small size will generally be ancillary to a principal activity such as a sleepout or be of such a small size that the effects are easily mitigated. We note that while the Melean landscape report refers to non-habitable buildings it does not specify if these are ancillary to farming. PER-4 provides additional controls on height and colours and materials, which are to be complied with. With these controls in place, it is considered that buildings no greater than 25m² within sites not zoned urban, will meet the objectives and policies of the coastal environment by ensuring the characteristics and qualities of the natural character of the coastal environment is preserved.
- 5.4. Provision has also been made for buildings or structures ancillary to farming activities, no greater than 50m². The reasoning behind this is that farm buildings less than 50m² are generally less functional as there tends not to be sufficient space to park machinery or sufficiently store hay as an example. Offering a 25m² restriction is unlikely to be utilized especially given that a double garage is at a minimum 36m². Once again, the height, colours and materials of such buildings are controlled by PER-4, such that any building of 50m² or less could be considered to not adversely affect the natural character of the coastal environment. This is also consistent within Policy CE-P6 which seeks to 'enable farming activities within the coastal environment.'
- 5.5. In the event this relief is not accepted, we seek that the above changes apply to the Waitangi Estate only.

CE-R2 – Repair or Maintenance

PER-1

The *repair* or *maintenance* of the following activities where they have been lawfully established and where the size, scale and materials used are like for like:

1. *roads*.
2. *fences*.
3. *network utilities*.
4. *driveways and access*.
5. *walking tracks*.
6. *cycling tracks*.
7. *farming tracks*

Changes sought

The following changes to the rule are shown as tracked changes with additions shown as (**bold and underlined**) and deletions shown as (~~striketrough~~). Reasons for the changes are explained below:

PER-1

The *repair* or *maintenance* of the following activities where they have been lawfully established and where the size, scale and materials used are like for like:

S503.015

1. *roads*.
2. *fences*.
3. *network utilities*.
4. *driveways and access*.
5. *walking tracks*.
6. *cycling tracks*.
7. *farming tracks*
8. **Carparking areas**
9. **Board walks**
10. **Boat ramps**
11. **Buildings or structures**

- 5.6. As per the definition section above, we are unsure whether it is the intent of the plan to cover just historic features or whether this rule seeks to extend wider to other elements which may not be historic. Regardless of this fact we seek that the following features also be added as they are similar in nature to others described within the list. These features are common within the coastal environment and require ongoing repair and maintenance to ensure there are no adverse impacts on the surrounding environment and that they remain in good condition. It is considered unnecessary for additional consent to be required for repair and maintenance of such features, if the size, scale and materials used are like for like.
- 5.7. The same is considered to apply for buildings and structures. The Operative Plan provided for renovation and maintenance of buildings as a permitted activity, with no requirement for scale, size and materials being like for like. It is considered that with the additional control of requiring scale, size and materials to be like for like, this will ensure that any repair and maintenance on buildings and/or structures does not change how the natural character of the coastal environment is perceived. Once again, repair and maintenance of lawfully

established buildings and structures is required on an on-going basis to ensure that the natural character of the coastal environment is preserved and enhanced.

- 5.8. In the event the above relief is not accepted, we seek that the changes be imposed insofar as the Waitangi Estate.

S503.015

CE-S1 – Maximum height

1. The maximum height of any new building or structure above ground level is 5m and must not exceed the height of the nearest ridgeline, headland or peninsula.
2. Any extension to a building or structure must not exceed the height of the existing building above ground level or exceed the height of the nearest ridgeline, headland or peninsula.

This standard does not apply to:

- i. The Orongo Bay zone

Changes sought

The following changes to the rule are shown as tracked changes with additions shown as (**bold and underlined**) and deletions shown as (~~strikethrough~~). Reasons for the changes are explained below:

1. The maximum height of any new building or structure above ground level is ~~5m~~ **8m** and must not exceed the height of the nearest ridgeline, headland or peninsula.
2. Any extension to a building or structure must not exceed the height of the existing building above ground level or exceed the height of the nearest ridgeline, headland or peninsula.

S503.016

This standard does not apply to:

- ii. The Orongo Bay zone

- 5.9. Amendment to the permitted height allowance is requested. Within the underlying Operative zone rules, the minimum permitted height is 8 metres, with the exception of the rural production zone which allows for 12 metres. The coastal zone covers a large area of rural zoned land which has a functional need to establish sheds for machinery and general farm buildings which would easily exceed the 5m threshold. Enabling an 8m height restriction ensures most farm buildings are able to comply with the standard. The additional requirement to not exceed the height of the nearest ridgeline, headland or peninsula provides additional mitigation in comparison to the existing rule set.
- 5.10. We do note that the Melean Landscape Assessment does discuss a 5m height restriction as being acceptable. However, this report provides little justification as to why a 5m height restriction has been utilised. We do note that generally many single-story houses which are constructed exceed a 5m height restriction. In the event that an 8m height restriction is not

accepted we seek further relief that a 6m height restriction be accepted as generally most single story houses would fit within this height restriction.

- 5.11. In the event the above relief is not accepted, we seek that the changes apply insofar as the Waitangi Estate.

S503.016

CE-S2 – Colours and materials

The exterior surfaces of buildings or structures shall:

1. be constructed of materials and/or finished to achieve a reflectance value no greater than 30%.
2. have an exterior finish within Groups A, B or C as defined within the BS5252 standard colour palette

Changes sought

The following changes to the rule are shown as tracked changes with additions shown as (**bold and underlined**) and deletions shown as (~~strikethrough~~). Reasons for the changes are explained below:

The exterior surfaces of buildings or structures shall:

1. be constructed of materials and/or finished to achieve a **light reflectance** value no greater than 30%.
 - ~~2. have an exterior finish within Groups A, B or C as defined within the BS5252 standard colour palette~~
- 5.12. Reference to the BS5252 standard colour range has been removed. Many coloursteel colours, which have an LRV of less than 30% are not listed within the BS5252 standard colour palette. An example of this is Coloursteel Sandstone Grey, which is a very common colour used and has an LRV of 27% but is not listed within the BS5252 colour range. This results in consent being required for a large number of sheds/garages, dwelling roofs, which are constructed of coloursteel materials and have an LRV of less than 30%, but are not stated within the BS5252 standard colour palette range. The Resene BS5252 colour range was created in 2008 and is therefore very outdated. It also gives an unfair trade advantage to Resene where only their products can be utilised. It is considered that with the requirement of an LRV no greater than 30%, the intention of this rule will still be achieved, and will remove the need for consent for coloursteel products which have an LRV of less than 30% (as well as any other products which have the same issue).
- 5.13. Furthermore, by deleting point 2, it enables natural wood products such as cedar to be utilised which are not painted or stained without requiring consent.
- 5.14. In the event this relief is not accepted we ask that Council make the following changes –
- ~~2. If painted~~ have an exterior finish within Groups A, B or C as defined within the BS5252 standard colour palette **or equivalent product**

S503.017

S503.017

CE-S3 – Earthworks or indigenous vegetation clearance

Any earthworks or indigenous vegetation clearance must (where relevant):

1. not occur in outstanding natural character areas.
2. not exceed a total area of 50m² for 10 years from the notification of the District Plan in an area of high natural character.
3. not exceed a total area of 400m² for 10 years from the notification of the District Plan in an area outside high or outstanding natural character areas.
4. not exceed a cut height or fill depth of 1m.
5. screen any exposed faces.

Changes sought

The following changes to the rule are shown as tracked changes with additions shown as (**bold and underlined**) and deletions shown as (~~strikethrough~~). Reasons for the changes are explained below:

Any earthworks or indigenous vegetation clearance must (where relevant):

1. not occur in outstanding natural character areas.
2. not exceed a total area of 50m² for 10 years from the notification of the District Plan in an area of high natural character.
3. **For indigenous vegetation clearance** - not exceed a total area of 400m² for 10 years from the notification of the District Plan **and for earthworks – not exceed a total area of 400m² per calendar year** in an area outside high or outstanding natural character areas.
4. not exceed a cut height or fill depth of 1m.
5. screen any exposed faces.

S503.018

5.15. Changes are sought to the permitted total area of earthworks for a site. As mentioned, the coastal environment covers many rural zones, including large areas of rural productive sites. Currently, the permitted volume of earthworks in a coastal zone is 300m³ in any 12 month period, with 5000m³ being provided for within the Rural production zone.

5.16. Under the Proposed Plan, any site not within the coastal environment overlay, as a permitted activity can undertake earthworks covering an area of 2500m², which is significantly greater than the 400m² provided for over 10 years from the notification of the District Plan.

5.17. It is understood that some controls are needed on indigenous vegetation clearance within the coastal environment, which is why no changes have been proposed to the stated amount. While the 10-year timeframe is easily able to monitor from aerials for vegetation clearance, for earthworks this is not the case. This is especially evident on larger blocks which are farmed where small scale earthworks are undertaken regularly. It is considered more appropriate to allow 400m² of earthworks per calendar year for sites within the coastal environment overlay. This will ensure that earthworks are controlled to a certain degree, whilst still enabling ongoing farming activities as well as establishment of some new buildings or structures, which do not breach the 400m² area. The provision for 400m² of earthworks per calendar year is considered to be a good compromise to ensure that the objectives and policies within the coastal environment overlay are adhered to.

5.18. In the event Council does not accept the relief above, we seek that this applies to Waitangi Estate only.

S503.018

CE-R13 - Building or structures ancillary to farming activities

Coastal hazard area

Where:

PER-1

The accessory building or structure has a footprint that is less than 100m2.

PER-2

The accessory building or structure is not located within a High Risk Coastal Hazard area.

PER-3

The accessory building or structure does not contain a vulnerable activity.

PER 4

The accessory building or structure, including any associated earthworks, does not direct coastal inundation onto other properties.

PER 5

All standards of the relevant rural zone applying to the activity are met.

Changes sought

The following changes to the rule are shown as tracked changes with additions shown as (**bold and underlined**) and deletions shown as (~~strikethrough~~). Reasons for the changes are explained below:

CE-R13 - Building or structures ancillary to farming activities

Coastal hazard area

Where:

PER-1

The accessory building or structure has a footprint that is less than 100m2.

PER-2

The accessory building or structure is not located within a High Risk Coastal Hazard area.

PER-3

The accessory building or structure does not contain a vulnerable activity.

PER 4

The accessory building or structure, including any associated earthworks, does not direct coastal inundation onto other properties.

PER-5

S530.019

~~All standards of the relevant rural zone applying to the activity are met.~~

- 5.19. There is a rule within the operative District plan at Present – Residential Intensity where there is similar wording to PER-5. It has been assessed that if you need consent for any other rule that you also breach this standard. This should be removed in its entirety for this reason as it triggers unnecessary consent.
- 5.20. If similar wording is sought to capture compliance with the rural zone rules while removing the unnecessary consent trigger, we ask that an assessment of the district is completed to ensure that there are no special zones or lifestyle zoning which may lie outside of the Rural environment which would subsequently trigger this rule.

S503.019

6. Natural Features and Landscapes

NFL-R1 – New buildings or structures, and extensions or alterations to existing buildings or structures

PER-1

If a new building or structure is located outside the coastal environment it is:

1. ancillary to farming (excluding a residential unit);
2. no greater than 25m².

PER-2

If a new building or structure is located within the coastal environment it is:

1. ancillary to farming (excluding a residential unit);
2. no greater than 25m².

Changes sought

The following changes to the rule are shown as tracked changes with additions shown as (**bold and underlined**) and deletions shown as (~~striketrough~~). Reasons for the changes are explained below:

S503.020

PER-1

If a new building or structure is located outside the coastal environment it is:

1. ancillary to farming **and no greater than 25m²** (excluding a residential unit) **or**
2. **a non-habitable building not ancillary to farming** no greater than 25m²

PER-2

If a new building or structure is located within the coastal environment it is:

1. ancillary to farming **and no greater than 25m²** (excluding a residential unit) **or**
2. **a non-habitable building not ancillary to farming** no greater than 25m²

- 6.1. The Operative plan allowed for non-habitable buildings under 25m² as a permitted activity, in outstanding landscapes, with any building greater than 25m² (habitable or non-habitable) being assessed as a Restricted Discretionary Activity.
- 6.2. It is considered that provision should be made for buildings no greater than 25m² and not ancillary to farming, such as sheds/garages. PER-4 provides additional controls on height and colours and materials, which are to be complied with. With these controls in place, it is considered that buildings no greater than 25m² within sites with an outstanding landscape overlay, will meet the objectives and policies of the overlay by ensuring the characteristics and qualities of the natural character of the coastal environment is preserved.
- 6.3. Provision has also been made for buildings or structures ancillary to farming activities, no greater than 25m². The reasoning behind this is that the area which is subject to the Outstanding Landscape overlay within the Waitangi Treaty Grounds is not used for farming activities. Therefore, provision is required for non-habitable buildings not associated with farming activities. Once again, the height and colours and materials of such buildings are controlled by PER-4, such that any building of 25m² or less is not considered to adversely affect the characteristics and qualities of the ONL or ONF.
- 6.4. In the event the wider reaching relief if not accepted, we seek that the above relief be applied to the Waitangi Estate only. S503.020

NFL-R2 – Repair or Maintenance

PER-1

The repair or maintenance of the following activities where they have been lawfully established and where the size, scale and materials used are like for like:

1. roads.
2. fences.
3. network utilities.
4. driveways and access.
5. walking tracks.
6. cycling tracks.
7. farming tracks

Changes sought

The following changes to the rule are shown as tracked changes with additions shown as (**bold and underlined**) and deletions shown as (~~strikethrough~~). Reasons for the changes are explained below:

PER-1

The repair or maintenance of the following activities where they have been lawfully established and where the size, scale and materials used are like for like:

1. roads.
2. fences.
3. network utilities.
4. driveways and access.

S503.021

5. *walking tracks.*
6. *cycling tracks.*
7. *farming tracks*
8. **Carparking areas**
9. **Board walks**
10. **Boat ramps**
11. **Buildings or structures**

- 6.5. As per the discussion above, we are unsure whether it is the intent of the plan to cover just historic features or whether this rule seeks to extend wider to other elements which may not be historic. Regardless of this fact we seek that the following features also be added as they are similar in nature to others described within the list. These features are common within the coastal environment and require ongoing repair and maintenance to ensure there are no adverse impacts on the surrounding environment and that they remain in good condition. It is considered unnecessary for additional consent to be required for repair and maintenance of such features, if the size, scale and materials used are like for like.
- 6.6. The same is considered to apply for buildings and structures. The Operative Plan provided for renovation and maintenance of buildings as a permitted activity, with no requirement for scale, size and materials being like for like. It is considered that with the additional control of requiring scale, size and materials to be like for like, this will ensure that any repair and maintenance on buildings and/or structures does not change how the natural character of the coastal environment is perceived. Once again, repair and maintenance of lawfully established buildings and structures is required on an on-going basis to ensure that the natural character of the coastal is preserved and enhanced.
- 6.7. In the event the wider reaching relief if not accepted, we seek that the above relief be applied to the Waitangi Estate only.

S503.021

NFL-R6

DIS-1

The *farming* activity and is located outside the *coastal environment*.

Changes sought

The following changes to the rule are shown as tracked changes with additions shown as **(bold and underlined)** and deletions shown as ~~(strikethrough)~~. Reasons for the changes are explained below:

DIS-1

~~The *farming* activity and is located outside the *coastal environment*.~~

S503.022

- 6.8. Changes are sought to remove the restriction on farming activities with an area of ONL and ONF. Under this rule, if the location is within an ONL or ONF and is located within the coastal environment, then any farming activity will be a non-complying activity. This contradicts Policy NFL-P4 which stipulates providing for farming activities within ONL and ONF where there is no compromise to any identified characteristics and qualities of the ONL or ONF. It is considered that farming activities should be a permitted activity within and outside of the coastal environment.

NFL-S2 – Colours and materials

The exterior surfaces of buildings or structures shall:

1. be constructed of materials and/or finished to achieve a reflectance value no greater than 30%.
2. have an exterior finish within Groups A, B or C as defined within the BS5252 standard colour palette

Changes sought

The following changes to the rule are shown as tracked changes with additions shown as (**bold and underlined**) and deletions shown as (~~strikethrough~~). Reasons for the changes are explained below:

The exterior surfaces of buildings or structures shall:

1. be constructed of materials and/or finished to achieve a **light reflectance** value no greater than 30%. S502.023
 - ~~2. have an exterior finish within Groups A, B or C as defined within the BS5252 standard colour palette~~
- 6.9. Reference to the BS5252 standard colour range has been removed. Many coloursteel colours, which have an LRV of less than 30% are not listed within the BS5252 standard colour palette. An example of this is Coloursteel Sandstone Grey, which is a very common colour used and has an LRV of 27% but is not listed within the BS5252 colour range. This results in consent being required for a large number of sheds/garages, dwelling roofs, which are constructed of coloursteel materials and have an LRV of less than 30%, but are not stated within the BS5252 standard colour palette range. The Resene BS5252 colour range was created in 2008 and is therefore very outdated. It also gives an unfair trade advantage to Resene where only their products can be utilized. It is considered that with the requirement of an LRV no greater than 30%, the intention of this rule will still be achieved, and will remove the need for consent for coloursteel products which have an LRV of less than 30% (as well as any other products which have the same issue).
- 6.10. Furthermore, by deleting point 2, it enables natural wood products such as cedar to be utilized which are not painted or stained without requiring consent.
- 6.11. In the event this relief is not accepted we ask that Council make the following changes – S502.023
2. **If painted** have an exterior finish within Groups A, B or C as defined within the BS5252 standard colour palette **or equivalent product**

NFL-S3 – Earthworks or indigenous vegetation clearance

Any earthworks or indigenous vegetation clearance must (where relevant):

1. Not exceed a total area of 50m² over the life of the District Plan
2. Not exceed a cut height or fill depth of 1m
3. Screen any exposed faces

4. Be for the purpose of access and/or *building* platform

Changes sought

The following changes to the rule are shown as tracked changes with additions shown as (**bold and underlined**) and deletions shown as (~~strikethrough~~). Reasons for the changes are explained below:

Any *earthworks* or indigenous vegetation clearance must (where relevant):

1. Not exceed a total area of ~~50m² over the life of the District Plan~~ **100 m² per calendar year** S503.024
 2. Not exceed a cut *height* or fill depth of 1m
 3. Screen any exposed faces
 4. Be for the purpose of **establishing or maintaining an** access and/or *building* platform, **or undertaking repair and maintenance activities which are not covered by NFL-R2.**
- 6.12. Changes are sought to the permitted total area of earthworks for a site. Currently, the permitted volume of earthworks in an area of ONL is 300m³ in any 12 month period.
- 6.13. Under the Proposed Plan, any site not within the ONL, ONF or coastal environment overlay, as a permitted activity can undertake an earthworks activity over an area of 2500m², which is significantly greater than the 50m² provided for over 10 years from the notification of the District Plan.
- 6.14. 50m² of earthworks over 10 years is very restrictive and with the changes being made to the definition of earthworks likely to trigger consent for a number of activities, including repair and maintenance activities not already covered under NFL-R2. It is considered more appropriate to allow 100m² of earthworks per calendar year for sites within the ONF and ONL overlay. This will ensure that earthworks are controlled to a certain degree, whilst still enabling ongoing activities as well as establishment of some new buildings or structures, which do not breach the 100m² area. The provision for 100m² of earthworks per calendar year is considered to be a good compromise to ensure that the objectives and policies within the ONF and ONL overlay are adhered to.
- 6.15. Again, with repair and maintenance we seek clarification that where mentioned that these activities only relate to historic items as general repair and maintenance activities can generate some small scale earthworks.

7. Sites and areas of Significance to Maori

SASM-R1 – New buildings or structures, extensions or alterations to existing buildings or structures, earthworks or indigenous vegetation clearance

PER-1

The activity is undertaken by the requesting party listed in Schedule 3.

PER-2

Any indigenous vegetation clearance is for customary purposes.

Changes sought

The following changes to the rule are shown as tracked changes with additions shown as (**bold and underlined**) and deletions shown as (~~strikethrough~~). Reasons for the changes are explained below:

PER-1

*The activity is undertaken by the requesting party listed in Schedule 3 **or by another party where written approval has been received from the requesting party for the works.***

S503.025

PER-2

Any indigenous vegetation clearance is for customary purposes.

7.1. Changes have been sought to state that if written approval has been received by the requesting party listed in Schedule 3, then the works are deemed to be a permitted activity. In this case, Heritage NZ Pouhere Taonga are the requesting authority for MS09-49 which is the Waitangi Treaty Grounds. At times minor works such as the trenching of a cable is required or general repair and maintenance activities on the grounds are needed to be undertaken which would trigger a resource consent. In these cases given the very minor nature of some of these activities if the written approval from Heritage NZ has been received a consent process should not be necessary.

7.2. In the event this relief is not accepted, given the wider implications of this change, we would also be satisfied in having this change apply to the Waitangi Estate specifically.

S503.025

8. Historic Heritage

HH-R1 – Maintenance and Repair of scheduled Heritage Resource buildings or structures

PER-1

The exterior facades of all buildings or structures where the existing colour scheme is to be changed, must be finished in accordance with the colour scheme from the following paint ranges or equivalent:

- i. *resene heritage colours;*
- ii. *resene whites and neutrals;*
- iii. *resene colour range BS5252 (A01-C40 range).*

Changes sought

The following changes to the rule are shown as tracked changes with additions shown as (**bold and underlined**) and deletions shown as (~~strikethrough~~). Reasons for the changes are explained below:

PER-1

*The exterior facades of all buildings or structures where the existing colour scheme is to be changed, must **if painted** be finished in accordance with the colour scheme from the following paint ranges or equivalent:*

S503.026

- i. *resene heritage colours;*
- ii. *resene whites and neutrals;*
- iii. *resene colour range BS5252 (A01-C40 range).*

- 8.1. There are times where a fence, or deck which is part of a Heritage Building may be repaired and as part of this it may not be painted, rather it may be left as a natural product or stained. We seek to add in 'if painted' to cover this particular scenario.

HH-R4 – New buildings or structures, extension or alterations to existing buildings or structures

PER-1

Any new [buildings](#) or [structures](#), additions or alterations are [setback](#) a minimum of 20m from a [scheduled Heritage Resource](#).

Changes sought

The following changes to the rule are shown as tracked changes with additions shown as (bold and underlined) and deletions shown as (strikethrough). Reasons for the changes are explained below:

PER-1

Any new [buildings](#) or [structures](#), additions or alterations are [setback](#) a minimum of 20m from a [scheduled Heritage Resource](#) **with the exception of the Waitangi Estate where written approval has been received by Heritage New Zealand Pouhere Taonga.**

S503.027

- 8.2. Heritage New Zealand will be able to determine if any adverse effects will be created on the scheduled heritage resource, such that if written approval is received from them an application through the resource consenting process should not be required. Similar to the examples above, at times there will be very minor structures which will be placed on a site within 20m of a heritage building which will have no adverse impacts. Where this is the case, an option should be made available such that with the approval of the relevant party no consent is required. Obtaining approval from the relevant party will ensure that the pertinent issues within the matters of discretion listed within this rule are adhered to.

HH-R5 – Earthworks

PER-1

Any [earthworks](#) are [setback](#) a minimum of 20m from a [scheduled Heritage Resource](#).

This rule does not apply to [earthworks](#) associated with burials within an existing cemetery.

Changes sought

The following changes to the rule are shown as tracked changes with additions shown as (**bold and underlined**) and deletions shown as (~~strikethrough~~). Reasons for the changes are explained below:

PER-1

Any [earthworks](#) are [setback](#) a minimum of 20m from a [scheduled Heritage Resource](#).

This rule does not apply to [earthworks](#) associated with burials within an existing cemetery or minor earthworks under 50m3 volume with a cut/fill face of less than 0.5 metres.

S503.028

8.3. The definition of earthworks is now all encompassing such that minor works are now defined as earthworks in the plan. Works such as putting in a path or trenching of cables are generally so minor that they should not require consent. Provision has been made for minor earthworks to be undertaken on site without triggering resource consent. A volume of 50m³ has been adapted as anything less than 50m³ doesn't trigger the Control of Earthworks bylaw.

8.4. In the event this relief is not accepted, we seek that the following changes apply –

PER-1

Any earthworks are setback a minimum of 20m from a scheduled Heritage Resource.

This rule does not apply to earthworks associated with burials within an existing cemetery or minor earthworks under 50m³ volume with a cut/fill face of less than 0.5 metres within the Waitangi Estate.

S503.028

9. Notable Trees

9.1. While there are no notable trees currently mapped on the Waitangi Estate we seek the following amendments be applied to the rules to capture any trees which may be included in the future –

NT-R1 Gardening, mowing and cultivation within the rootzone area of a notable tree or trees

Where:

PER-1

It does not:

1. involve mechanical cultivation;
2. include sealing or paving;
3. involve the release, injection or placement of chemicals or toxic substances;
4. involve planting of trees; and
5. involve altering of the existing ground level or the disturbance of land other than to the extent necessary to undertake gardening

Changes sought

The following changes to the rule are shown as tracked changes with additions shown as (**bold and underlined**) and deletions shown as (~~strikethrough~~). Reasons for the changes are explained below:

NT-R1 Gardening, mowing and cultivation within the rootzone area of a notable tree ~~or~~ trees

S503.029

Where:

PER-1

It does not:

1. involve mechanical cultivation;

2. include sealing or paving **of new pathways**;
3. involve the release, injection or placement of chemicals or toxic substances;
4. involve planting of trees **with the exception of the Waitangi Treaty Grounds**; and
5. involve altering of the existing ground level or the disturbance of land other than to the extent necessary to undertake gardening

- 9.2. We have sought the removal of 'or trees' as this rule should only apply to notable trees.
- 9.3. Confirmation is sought regarding existing pathways. Where these are sealed but may have cracked, we seek relief that they can they be resealed or repaved without consent? We have added in the words 'of new pathways' to try and capture the formation of new pathways only.
- 9.4. Within item 4 the Waitangi Treaty Grounds has been excluded as trees which have significance tend to be planted in close proximity to each other and within the root zones of each other.

10. Rural Production

RPROZ-R3 – Residential Activity

PER-1

The site area per residential unit is at least 40ha.

PER-2

The number of residential units on a site does not exceed six.

PER-1 does not apply to: a single residential unit located on a site less than 40ha.

Changes sought

The following changes to the rule are shown as tracked changes with additions shown as (**bold and underlined**) and deletions shown as (~~striketrough~~). Reasons for the changes are explained below:

PER-1

The site area per residential unit is at least 40ha.

~~PER-2~~

~~The number of residential units on a site does not exceed six.~~

- 10.1. In most cases sites generally do not exceed 40ha. However, on larger farming units where the site does exceed 40ha additional housing is required to provide living accommodation for workers. The larger and more diverse the site, the more workers which are required. In the case of the Waitangi Estate there are a number of dwellings which either house staff working at the treaty grounds or staff working at the Copthorne. In the future if any further activities are established on site where affordable workers accommodation is needed this will likely trigger consent. Further restrictions on housing for workers is not considered to assist with the affordable housing shortages in the country. As such, we seek relief that PER-2 is deleted in its entirety.

- 10.2. In the event this is not accepted we seek an exemption be put in place specifically for the Waitangi Estate similar to what has been put in place under rule MPZ-R5 Maori Purpose Zone – Rural for Matauri X. S503.030

RPROZ-R4 – Visitor Accommodation

PER-1

The visitor accommodation is within a residential unit, accessory building or minor residential unit.

PER-2

The occupancy does not exceed 10 guests per night.

PER-3

The site does not share access with another site.

Changes sought

The following changes to the rule are shown as tracked changes with additions shown as (**bold and underlined**) and deletions shown as (~~strikethrough~~). Reasons for the changes are explained below:

S503.031

PER-1

*The visitor accommodation is within a residential unit, accessory building, ~~or~~ minor residential unit, **or marae.***

PER-2

*The occupancy does not exceed 10 guests per night. **With the exception of the Waitangi Estate.***

PER-3

The site does not share access with another site.

- 10.3. The Waitangi Treaty grounds has a marae on site which at times could accommodate more than 10 guests per night. Accommodation is not currently offered however, if it was to be offered, we seek that there be no restrictions be imposed in terms of visitor numbers.

RPROZ-R6 – Educational Facility

PER-1

The educational facility is within a residential unit, accessory building or minor residential unit.

PER-2

Hours of operation are between;

1. 7am-8pm Monday to Friday.

2. 8am-8pm Weekends and public holidays.

PER-3

The number of students attending at one time does not exceed four, excluding those who reside onsite

Changes sought

The following changes to the rule are shown as tracked changes with additions shown as (**bold and underlined**) and deletions shown as (~~strike through~~). Reasons for the changes are explained below:

PER-1

*The educational facility is within a residential unit, accessory building ~~or~~ minor residential unit- **Museum, marae or other similar facility.***

S503.032

PER-2

Hours of operation are between;

1. 7am-8pm Monday to Friday.
2. 8am-8pm Weekends and public holidays.

PER-3

*The number of students attending at one time does not exceed four **within a residential unit, accessory building or minor residential unit,** excluding those who reside onsite*

S503.032

PER-4

The number of students attending at one time does not exceed the number of people for which a museum, marae or other similar facility has been designed for.

S503.032

- 10.4. It appears that a museum, marae, town hall, or community center may not fall under the definition of an accessory building.
- 10.5. Buildings of this nature host educational programs often and should be allowed to continue to do so without triggering consent. We seek relief that provision is made such that museums, maraes and other similar buildings can accommodate an educational facility as a permitted activity.

RPROZ-R22 – Rural Tourism Activity

Activity Status: Restricted Discretionary

Matters of discretionary are restricted to:

- a. the character and appearance of the building(s);
- b. the link between the tourism activity and the rural environment;
- c. the siting of the building(s), decks and outdoor areas including parking relative to adjoining sites;
- d. whether the building(s) are visually dominant and create a loss of privacy for surrounding residential units and their associated outdoor areas;

- e. ability of the supporting roading network to cater for the additional vehicular and if applicable cycling and pedestrian traffic;
- f. servicing requirements and any constraints of the [site](#);
- g. whether the location of the [building\(s\)](#) and [rural tourism activity](#) could create reverse sensitivity [effects](#) on adjacent and surrounding [primary production](#) activities;
- h. whether the development will result in the [site](#) being unable to continue to undertake a [primary production](#) activity or undertake one in the future due to loss of productive [land](#);
- i. whether the layout of the development maintains the existing rural character of the surrounding area;
- j. any lighting or [noise effects](#);
- k. the frequency of the use, hours and days of operation and the number of people it can cater for;
- l. any [natural hazard](#) affecting the [site](#) or surrounding area.

Changes sought

The following changes to the rule are shown as tracked changes with additions shown as **(bold and underlined)** and deletions shown as ~~(strikethrough)~~. Reasons for the changes are explained below:

Matters of discretion are restricted to:

S503.033

- a. the character and appearance of the [building\(s\)](#);
- b. the link between the tourism activity and the rural environment **and/or the site**;
- c. the siting of the [building\(s\)](#), decks and outdoor areas including parking relative to adjoining [sites](#);
- d. whether the [building\(s\)](#) are visually dominant and create a loss of privacy for surrounding [residential units](#) and their associated outdoor areas;
- e. ability of the supporting roading network to cater for the additional vehicular and if applicable cycling and pedestrian traffic;
- f. servicing requirements and any constraints of the [site](#);
- g. whether the location of the [building\(s\)](#) and [rural tourism activity](#) could create reverse sensitivity [effects](#) on adjacent and surrounding [primary production](#) activities;
- h. whether the development will result in the [site](#) being unable to continue to undertake a [primary production](#) activity or undertake one in the future due to loss of productive [land](#);
- i. whether the layout of the development maintains the existing rural character of the surrounding area;
- j. any lighting or [noise effects](#);
- k. the frequency of the use, hours and days of operation and the number of people it can cater for;
- l. any [natural hazard](#) affecting the [site](#) or surrounding area.
- m. Whether the tourism activity could be operated on another site.**

- 10.6. Generally, we support the inclusion of this rule. However, we do seek to add in some minor matters of clarification. Item b we seek to add whether there is a link to that tourism activity being undertaken on that particular site. The Waitangi Treaty Grounds is a site in which both international and domestic travelers come to visit. There is opportunity to provide additional experiences associated with the historic site across the wider estate which could utilize this rule. As Waitangi is a site which cannot be moved or relocated elsewhere similar to other businesses which utilize the natural features, landscapes and historic spaces located on certain sites, it is fitting to include this as a criteria to further enable businesses of this nature.

We have further enabled these particular activities on those specific sites by adding in an additional criteria m.

RPROZ-R24 – Rural Industry

RDIS-1

The rural industry activity does not exceed a GBA of 500m2 per site.

RDIS-2

The number of rural industry activities per site does not exceed one.

Changes sought

The following changes to the rule are shown as tracked changes with additions shown as (**bold and underlined**) and deletions shown as (~~strikethrough~~). Reasons for the changes are explained below:

RDIS-1

The rural industry activity does not exceed a GBA of 500m2 per site.

RDIS-2

~~*The number of rural industry activities per site does not exceed one.*~~

S503.034

- 10.7. On larger sites like the Waitangi Treaty Grounds which are diverse in what they offer there can be multiple rural industries operating on site. As a Rural Industry captures all businesses undertaken in a rural environment which are dependent on primary production it can include things such as the small scale selling of honey, vegetables, flowers or wine just to name a few. If these are run as separate businesses, this would technically require consent. We seek relief that RDIS-2 is deleted in its entirety. If this is not accepted, we seek that RDIS-2 does not apply to the Waitangi Estate.

S503.034

RPROZ-S4 Setbacks from MHWS

The building or structure, or extension or alteration to an existing building or structure must be setback at least 30m from MHWS.

Changes sought

The following changes to the rule are shown as tracked changes with additions shown as (**bold and underlined**) and deletions shown as (~~strikethrough~~). Reasons for the changes are explained below:

PER-1

The building or structure, or extension or alteration to an existing building or structure must be set back at least 30m from MHWS

PER-2

~~**The building or structure, or extension or alteration to an existing building or structure within the 30m setback from MHWS is required for:**~~

S503.035

1. restoration and enhancement purposes; or
2. natural hazard mitigation undertaken by, or on behalf of, the local authority; or
3. a post and wire fence for the purpose of protection from farm stock; or
4. Lighting poles by, or on behalf of, the local authority or NZTA; or
5. Footpaths and or paving no greater than 2m in width; or
6. Boundary fences or walls no more than 2m in height above ground level;

- 6.1. Some consistency is sought with NATC-R1 which covers activities within proximity to a wetland, lake or a river margin. As such the layout of the rule has been changed to reflect this, while at the same time allowing for certain structures to be exempt.
- 6.2. The definition for a Structure includes any building, equipment, device, or other facility, made by people and which is fixed to land; and includes any raft.
- 6.3. There are many structures fixed to land such as stock fences that have a functional requirement to be located within 26m of the MHWS. Exclusion of this is consistent with NATC-R1.
- 6.4. Lighting poles by or on behalf of FNDC have been sought as these are generally within legal road (which assumes the zoning of the neighboring site) or within park areas. In the case of the Waitangi Estate, the site contains a boat ramp and other infrastructure utilized by the general public which may at times require lighting not covered by a designation.
- 6.5. Exclusions have been sought for footpaths and paving for both private and public use. In terms of the Waitangi Estate footpaths and paving convey people from Paihia onto the site and through to the Treaty grounds, and the Haruru Falls walking track among other uses. Generally, these are setback more than 30m from the coast but there are instances on the site where existing shell pathways are within the setback which may at some point require an upgrade. A 2m wide footpath has been sought to enable easy passing by two mobility scooters. The impact of sealing pathways is considered minor.
- 6.6. Boundary fences and walls are also sought to be excluded so long as they are no more than 2m in height. This is because they are now captured under the definition of structure.

7. Mixed Use Zone

MUZ-S4 SETBACK FROM MHWS

The building or structure, or extension or alteration to an existing building or structure must be set back at least 26m from MHWS

Changes sought

The following changes to the rule are shown as tracked changes with additions shown as **(bold and underlined)** and deletions shown as ~~(strikethrough)~~. Reasons for the changes are explained below:

PER-1

S503.036

The building or structure, or extension or alteration to an existing building or structure must be set back at least 30m from MHWS

PER-2

The building or structure, or extension or alteration to an existing building or structure within the 30m setback from MHWS is required for:

S503.036

1. restoration and enhancement purposes; or
2. natural hazard mitigation undertaken by, or on behalf of, the local authority; or
3. a post and wire fence for the purpose of protection from farm stock; or
4. Lighting poles by, or on behalf of, the local authority or NZTA; or
5. Footpaths and or paving no greater than 2m in width; or
6. Boundary fences or walls no more than 2m in height above ground level;

7.1. As per the relief above, the same changes are sought.

8. Transport

TRAN R5 & TRAN-Table 11 – Trip Generation

- 8.1. There are other forms of transport to a site such as via bus, shuttles or ferries. As these options generally carry many people it reduces the number of trips required, and parking spaces needed. For many tourist operations this is how people gain access to the site. We seek relief that other forms of transport such as those listed form part of the rule assessment.

S503.037 &
S503.038

TRAN-R1 – Parking & TRAN-Table 1 – Minimum number of parking spaces

- 8.2. Clarification is sought on how parking is assessed for activities that are not listed within the rule or table. It is noted that in the Operative District Plan there was a category called places of entertainment which captured activities such as museums which is no longer required.
- 8.3. Where an activity does not fit in any one particular category do we utilize the closest activity or does a person need to engage a traffic engineer to determine the number of carparking spaces. Can clarity please be provided on this in the form of a note.

S503.039 &
S503.040

TRAN-S2 – Requirements for Vehicle Crossings & TRAN-Table 6 – Maximum number of vehicle crossings per site

- 8.4. Larger land holdings such as the Waitangi Estate have multiple titles across a large area. As a result, they have and require a large number of vehicle crossings.
- 8.5. We seek clarification on a situation where you have more than one site frontage. Do you receive the allocated number of crossings per frontage or do you add them together. If the latter, what happens when you have two different road classifications?

S503.041 &
S503.042

9. Natural Character

- 9.1. We seek that this chapter be renamed to Wetlands, Lakes and River Margins to make these rules easier to find.

S503.043

NATC-R2 Repair or maintenance

Where:

PER-1

The repair or maintenance within wetland, lake and river margins of the following activities where they have been lawfully established and where the size, scale and materials used are like for like:

1. roads
2. fences
3. network utilities
4. driveways and access
5. walking tracks
6. cycling tracks
7. farming tracks

Changes sought

The following changes to the rule are shown as tracked changes with additions shown as (**bold and underlined**) and deletions shown as (~~strikethrough~~). Reasons for the changes are explained below:

Where

PER-1

The repair or maintenance within wetland, lake and river margins of the following activities where they have been lawfully established and where the size, scale and materials used are like for like:

1. roads.
2. fences.
3. network utilities.
4. driveways and access.
5. walking tracks.
6. cycling tracks.
7. farming tracks
8. **Carparking areas**
9. **Board walks**
10. **Boat ramps**
11. **Buildings or structures**

S503.044

- 9.2. As per the definition section above, we are unsure whether it is the intent of the plan to cover just historic features or whether this rule seeks to extend wider to other elements which may not be historic. Regardless of this fact we seek that the following features also be added as they are similar in nature to others described within the list. These features are common within wetland, lake and river margins and require ongoing repair and maintenance to ensure there are no adverse impacts on the surrounding environment and that they remain in good

condition. It is considered unnecessary for additional consent to be required for repair and maintenance of such features, if the size, scale and materials used are like for like.

- 9.3. The same is considered to apply for buildings and structures. The Operative Plan provided for renovation and maintenance of buildings as a permitted activity, with no requirement for scale, size and materials being like for like. It is considered that with the additional control of requiring scale, size and materials to be like for like, this will ensure that any repair and maintenance on buildings and/or structures does not change how the natural character of the coastal environment is perceived. Once again, repair and maintenance of lawfully established buildings and structures is required on an on-going basis to ensure that the wetland, lake and river margins is preserved and enhanced.

NATC-S2 Earthworks or indigenous vegetation clearance

Any [earthworks](#) or indigenous vegetation on a [site](#) within [wetland, lake and river margins](#) clearance must:

1. not exceed a total area of 400m² for 10 years from the notification of the District Plan, unless a control in 5. below applies;
2. not exceed a cut [height](#) or fill depth of 1m;
3. screen exposed faces; and
4. comply with [Ecosystems and indigenous biodiversity chapter](#), [NFL-S3 Earthworks or indigenous vegetation clearance](#) and [CE-S3 Earthworks or indigenous vegetation clearance](#).

Note: The NESF requires a 10m [setback](#) from any natural [wetland](#) in respect of [earthworks](#) or vegetation clearance and may require consent from the Regional Council.

Changes sought

The following changes to the rule are shown as tracked changes with additions shown as (**bold and underlined**) and deletions shown as (~~strikethrough~~). Reasons for the changes are explained below:

Any [earthworks](#) or indigenous vegetation on a [site](#) within [wetland, lake and river margins](#) clearance must:

1. not exceed a total area of 400m² for 10 years from the notification of the District Plan, unless a control in ~~5.4~~ below applies;
2. not exceed a cut [height](#) or fill depth of 1m;
3. screen exposed faces; and
4. comply with [Ecosystems and indigenous biodiversity chapter](#), [NFL-S3 Earthworks or indigenous vegetation clearance](#) and [CE-S3 Earthworks or indigenous vegetation clearance](#).

Note: ~~The NESF requires a 10m setback from any natural wetland in respect of earthworks or vegetation clearance and may require consent from the Regional Council. Attention is also drawn to the NESF which has additional requirements around works within 100m of a wetland area.~~

- 9.4. We believe the reference to point number 5 is a typo and should be point 4.

- 9.5. The note regarding the NESF is misleading. Generally speaking any activity you undertake within 100m of a wetland area will trigger consent as most activities will divert water in some way. Amended wording has been offered for consideration.

S503.045

10. Signs

SIGN-R3 – Temporary Signs

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](#).

PER-2

The [sign](#) complies with standards:

1. [SIGN-S1 Maximum area](#);
2. [SIGN-S2 Maximum height](#);
3. [SIGN-S4 Traffic safety](#); and
4. [SIGN-S5 Sign design and content](#).

PER-3

The [sign](#) is associated with a permitted temporary event.

PER-4

The [sign](#) is erected for a maximum duration period of 3 months in any calendar year and must be removed within two weeks of the event ending.

Changes sought

The following changes to the rule are shown as tracked changes with additions shown as (**bold and underlined**) and deletions shown as (~~striketrough~~). Reasons for the changes are explained below:

SIGN-R3 – Temporary Signs

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](#).

PER-2

The [sign](#) complies with standards:

1. [SIGN-S1 Maximum area](#) **with the exception of the Waitangi Estate**;
2. [SIGN-S2 Maximum height](#);
3. [SIGN-S4 Traffic safety](#); and
4. [SIGN-S5 Sign design and content](#).

S503.046

PER-3

The [sign](#) is associated with a permitted temporary event.

PER-4

The [sign](#) is erected for a maximum duration period of 3 months in any calendar year and must be removed within two weeks of the event ending.

10.1. Relief is being sought to allow an exception for the Waitangi Estate due to the nature of activities which occur on the property. Under this rule, it is highly likely that any temporary event will require consent due to the maximum area of signs being exceeded. It is considered that due to the nature of these events and the fact that they are temporary, any signs will not have an adverse effect on the surrounding environment.

10.2. We are also happy if this exemption is included within Sign-S1.

S503.046

Sign-R8 Signs located within any overlay other than a Natural Hazard Overlay

Where:

PER-1

The [sign](#) complies with standards:

[SIGN-S1 Maximum area](#);

[SIGN-S2 Maximum height](#);

[SIGN-S3 Maximum number](#);

[SIGN-S4 Traffic safety](#); and

[SIGN-S5 Sign design and content](#).

PER-2

The [sign](#) is an:

1. interpretation [sign](#);
2. [official sign](#);
3. directional [sign](#);
4. health and safety [sign](#); and
5. real estate [sign](#).

Changes sought

The following changes to the rule are shown as tracked changes with additions shown as (**bold and underlined**) and deletions shown as (~~strikethrough~~). Reasons for the changes are explained below:

Where:

PER-1

The [sign](#) complies with standards:

[SIGN-S1 Maximum area](#) **with the exception of the Waitangi Estate where signs are not visible from a public viewing place**;

[SIGN-S2 Maximum height](#);

[SIGN-S3 Maximum number](#) **with the exception of the Waitangi Estate where signs are not visible from a public viewing place**;

[SIGN-S4 Traffic safety](#); and

[SIGN-S5 Sign design and content](#).

PER-2

The [sign](#) is an:

S503.047

1. *interpretation [sign](#);*
2. *[official sign](#);*
3. *directional [sign](#);*
4. *health and safety [sign](#); and*
5. *real estate [sign](#).*

10.3. We have assumed that any overlay includes the coastal environment and all other overlays which apply to the Waitangi Treaty Grounds. Signage is necessary on this site to direct visitors, to inform of upcoming events, and for general information purposes about the site, about the buildings, vegetation or animals present. Given all the overlays the maximum sign area is very limited. The current amount of signage on site is high with many various signage needs. Given that in most cases you would be unable to see any signs from any public places the effect of placing a sign would be negligible on the wider environment. As such the above-mentioned exemptions are considered acceptable.

10.4. We are also happy if this exemption is included within Sign-S1 and Sign-S3.

S503.047

SIGN-S1 – Maximum sign area per site

All Zones

1. Any temporary [sign](#) (excluding real estate and development) or community [sign](#) must not exceed 2m² in the area but may be double-sided. where a [sign](#) is double-sided, the maximum area of the [sign](#) is calculated as the area of one side of the [sign](#); and
2. Any [real estate and development sign](#) must not exceed 1.5m² in area.

ONF's ONLs Heritage Areas, Scheduled Heritage resource

1. The maximum total sign area within an ONF, ONL or Heritage Area must not exceed 0.5m²; and
2. The maximum total sign area on scheduled historic resource must not exceed 0.25m².

Note: This standard only has immediate legal effect for signs on or attached to a scheduled heritage resource or heritage area (Rules SIGN-R9 and SIGN-R10)

Rural Production zone, Horticulture Processing zone, Horticulture zone, Māori Purpose zone, Open Space zone, Sport and Active Recreation zone, Natural Open Space zone, Kauri Cliffs zone

The maximum total of sign area on any site 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.

Changes sought

The following changes to the rule are shown as tracked changes with additions shown as (**bold and underlined**) and deletions shown as (~~strikethrough~~). Reasons for the changes are explained below:

SIGN-S1 – Maximum sign area per site

All Zones

S503.048

1. Any temporary sign (excluding real estate, ~~and~~ development, Directional and Health and Safety) or community sign must not exceed 2m² in the area but may be double-sided. ~~Where~~ Where a sign is double-sided, the maximum area of the sign is calculated as the area of one side of the sign; and
2. Any real estate, and development, Directional and Health and Safety sign must not exceed 1.5m² in area.

ONF's ONLs Heritage Areas, Scheduled Heritage resource

1. The maximum total sign area within an ONF, ONL or Heritage Area must not exceed 0.5m²; and
2. The maximum total sign area on scheduled historic resource must not exceed 0.25m².

Note: This standard only has immediate legal effect for signs on or attached to a scheduled heritage resource or heritage area (Rules SIGN-R9 and SIGN-R10)

Rural Production zone, Horticulture Processing zone, Horticulture zone, Māori Purpose zone, Open Space zone, Sport and Active Recreation zone, Natural Open Space zone, Kauri Cliffs zone

The maximum total of sign area on any site 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.

- 10.5. Under the Operative Plan, Directional and Health and Safety signs are excluded from the maximum area per site thresholds and an allowance is provided for a maximum area per such signs of 1m². We seek to align these with real estate and development signs which are also of a temporary nature. Directional and Health and Safety Signs are necessary to ensure the safety of the public.
- 10.6. In the event this relief is not accepted, we would also be satisfied in having this change apply to the Waitangi Estate specifically.

S503.048

SIGN-S3 – Maximum number of signs

All Zones

There shall be no more than one temporary sign (excluding real estate and development) per site.

Rural Production Zone

There shall be no more than two signs per site.

Changes sought

The following changes to the rule are shown as tracked changes with additions shown as (**bold and underlined**) and deletions shown as (~~strikethrough~~). Reasons for the changes are explained below:

SIGN-S3 – Maximum number of signs

There shall be no more than one temporary sign (excluding real estate, ~~and~~ development, Directional and Health and Safety) per site.

S503.049

- 10.7. Under the Operative Plan, Directional and Health and Safety signs are excluded from maximum number of signs per site thresholds. These signs are considered necessary to ensure the safety of the public. On larger sites especially, more than one sign is necessary to convey important messages to the wider public.
- 10.8. In the event this relief is not accepted, we would also be satisfied in having this change apply to the Waitangi Estate specifically. S503.049

11. Temporary Activities

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

PER-1

The [site](#) is not used for more than two [temporary activity](#) events per calendar year, and the event does not exceed two consecutive days.

PER-2

The activity occurs between 6.30am to 10.00pm on each day.

PER-3

A maximum of 500 persons on the [site](#) each day.

PER-4

Any [accessory building](#) or [structure](#) is removed within seven days of the activity finishing.

PER-5

The activity complies with standards:
[TA-S1 Road controlling authority approval](#).

Changes sought

The following changes to the rule are shown as tracked changes with additions shown as (**bold and underlined**) and deletions shown as (~~strikethrough~~). Reasons for the changes are explained below:

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

PER-1

The [site](#) is not used for more than two [temporary activity](#) events per calendar year, and the event does not exceed two consecutive days **excluding the Waitangi Estate where a maximum of five events are allowed on the Treaty Grounds per calendar year.** S503.050

PER-2

The activity occurs between 6.30am to 10.00pm on each day, **with the exception of the Waitangi Estate within a week either side of Waitangi Day.**

PER-3

A maximum of 500 persons on the [site](#) each day **excluding the Waitangi Day event held at the Waitangi Treaty Grounds.**

PER-4

Any accessory building or structure is removed within seven days of the activity finishing.

PER-5

The activity complies with standards:

TA-S1 Road controlling authority approval.

- 11.1. In regards to PER-1 relief is sought to enable a larger number of events to be held per calendar year, due to the number of events which are held on the site already.
- 11.2. For PER-2 the lead up to Waitangi Day can have activities occurring on site before 6am and finishing after 10pm. Waitangi Day celebrations themselves start in the very early morning. We seek to exclude compliance with the temporary events rule to celebrate our national day at the birthplace of our nation.
- 11.3. Relief is also sought in regards to PER-3 for the Waitangi Day event held at the Waitangi Treaty Grounds. This is a non-ticketed event and therefore attendance is unknown. Restrictions on the number of persons is not considered relevant in this instance, especially considering there are additional controls within this rule which will ensure adverse effects are less than minor.

12. Earthworks

EW-S1 – Maximum Earthworks thresholds

The following maximum volumes and area thresholds for all earthworks undertaken on a site within a single calendar year

Zone	Volume (m³)	Area (m²)
<i>General Residential , Mixed Use, Light Industrial, Heavy Industrial, Hospital, Horticulture Processing Facility, Carrington, Kororāreka Russell Township, Hospital, Māori Purpose - <u>Urban</u></i>	<i>200</i>	<i>2,500</i>
<i>Conservation, Open Space, Sport and Recreation, Rural Residential, Settlement, Quail Ridge, Airport</i>	<i>300</i>	<i>2,500</i>
<i>Rural Lifestyle</i>	<i>1000</i>	<i>2,500</i>
<i>Rural Production, Horticulture, Kauri Cliffs, Ngawha Innovation Park, Māori Purpose - Rural</i>	<i>5000</i>	<i>2,500</i>

Changes sought

The following changes to the rule are shown as tracked changes with additions shown as (**bold and underlined**) and deletions shown as (~~strikethrough~~). Reasons for the changes are explained below:

The following maximum volumes and area thresholds for all earthworks undertaken on a site within a single calendar year, excluding any excavation works associated with fence lines, posts, piles, trenching of drains or cables, dam maintenance, normal rural practices, such as maintenance of farm drains, service connections, excavations for building foundations, septic tanks and associated drainage fields.

Zone	Volume (m³)	Area (m²)
General Residential , Mixed Use, Light Industrial, Heavy Industrial, Hospital, Horticulture Processing Facility, Carrington, Kororāreka Russell Township, Hospital, Māori Purpose - Urban	200	2,500
Conservation, Open Space, Sport and Recreation, Rural Residential, Settlement, Quail Ridge, Airport	300	2,500
Rural Lifestyle	1000	2,500
Rural Production, Horticulture, Kauri Cliffs, Ngawha Innovation Park, Māori Purpose - Rural	5000	2,500

- 12.1. Provision has been made for the exclusion of certain activities due to the nature of the works. The activities stated to be excluded are normal practices which are not considered to create adverse effects on the environment. For example, the installation of a septic tank is required in most rural areas, where a new build is occurring. Due to the nature of the excavations and the fact that they are temporary, noting that once the septic tank is installed, the open ground is filled over, it is considered this should be exempt from the maximum earthworks thresholds. Similar comments are made for maintenance of farm drains. Although sites greater than 8 hectares do not have to account for this rule for farming activities, sites less than 8 hectares, which provide productive activities (such as orchards), will have to take this into account. These simple activities will increase the total amount of earthworks on sites exponentially although effects are not considered to be adverse due to the nature of the earthworks.
- 12.2. As such, it is requested that these activities are excluded from this rule.

Appendix C

Copy of Waitangi Limited's further submission

Online Further Submission

Further Submitters Name	Waitangi Limited
Further Submitter Number	FS284
Wish to be heard	Yes
FS qualifier	a person who has an interest in the proposal that is greater than the interest the general public has (e.g. land owner, resource user)
FS qualifier reason	Leaseholders of the Waitangi Estate
Joint presentation	Yes
Attention:	Mrs. Rochelle Jacobs
Contact organisation	Northland Planning and Development 2020 Limited
Address for service	112 Commerce Street Kaitaia, Northland
Telephone	
Mobile	
Email	info@northplanner.co.nz
Online further submitter?	Yes
Date raw FS lodged	04/09/2023 2:26pm

FS284

FS284.001

Further submission points

Raw FS number	Original submitter	Related Submission Point	Plan section	Provision	OS Decision Requested	SupportOppose	FS Decision requested	Reasons
FS284.1	Jane E Johnston	S560.008	General	General / Process	Insert new Specific Purpose Zone applicable to the tourist resort townships around the Bay which applies specific provisions to allow for tourism related activities and facilities and acknowledges the significant investment in communal maritime facilities around the Bay.	Support in part	Allow in part	We agree that Waitangi needs its own special zone, as detailed within our original submission.

FS284.2	Heritage New Zealand Pouhere Taonga	S409.049	Planning maps	Heritage Area	Insert new heritage areas (including associated mapping, overview, objectives, policies and rules) as indicated in submission	Oppose	Disallow in part	Rather than just the Waitangi Treaty Grounds being mapped with another overlay, we seek to establish a special zone across the whole estate which would incorporate those particular matters that relate to the treaty grounds as a sub zone. This ensures that there is only one set of rules to look at rather than a standardized zone and about 6 different overlays which is complicated and contradictory. The special zoning across the whole estate means that we can also have consideration to heritage matters which may lie outside of the treaty grounds. Overall, special zoning is much more effective and can achieve the same outcome as a precinct.
FS284.5	Doug's Opua Boatyard	S185.001	Planning maps	Rural Production Zone	Amend the zoning of the Trust land of the Waitangi National Trust Board, Waitangi - as a minimum, land that was designated Conservation in the ODP should be maintained and/or reinstated as "Natural Open Space" and/or even be extended to the treaty coastal grounds boundary along the golf course to the north and/or even further along the coastal margin of the golf course to wherever that land adjoins private land.	Oppose	Disallow	A special zone has been requested which seeks to give better effect to the Waitangi Trust deed. The special zoning will continue to protect public access rights and recreation as was originally intended by the Waitangi Trust Board Act 1932. The resolution to utilize "Natural Open Space" zoning is not considered appropriate for this site.

Appendix D

Copy of the decision on the relevant points subject to this appeal¹

¹ The full decision can be found at [Proposed District Plan - Far North Proposed District Plan - Decisions Version](#)

30/06/2026

Public Notice

Decisions on Submissions

Far North Proposed District Plan

Te Kaitiaki
o Te Hiku o Te Ika
Far North District Council

**Proposed
District
Plan**
Decisions
version



Pursuant to Clauses 10 and 11 of Schedule 1 of the Resource Management Act 1991 (RMA), Far North District Council advises that decisions on submissions and further submissions to the Proposed District Plan have been released.

The decisions include amendments to a range of plan provisions and planning maps in response to submissions received.

From 30 June 2026, a copy of the **Decision Version of the Proposed District Plan**, along with the **Panel Recommendation Reports, Council's Decision**, and guidance material, can be viewed online at pdp.fndc.govt.nz

From 30 June 2026, hard copies of the Decision Version of the Proposed District Plan can also be inspected at the below Council service centres:

- Kaikohe, Head Office, 5 Memorial Drive
- Kaitiāia, Te Ahu, Corner Matthews Avenue and South Road
- Kerikeri, Procter Library, 6 Cobham Road

Visit the following libraries to view the relevant information online:

- Kaeo Library, 30 Leigh Street, Old Post Office Building
- Kaikohe Library, Marino Place
- Kaitiāia Library, Te Ahu, Corner Matthews Avenue & South Road
- Kawakawa Library, 56 Gillies Street
- Paihia Library, 6 Williams Road
- Procter Library (Kerikeri), 6 Cobham Road

Right of Appeal

Under Clause 14 of Schedule 1 of the RMA, submitters may lodge an appeal with the Environment Court within **30 working days** of receiving this notice, by **12 August 2026**.

Details on how to make an appeal are available at pdp.fndc.govt.nz

Dated 30 June 2026

Kate Ivicheva

Group Manager – Planning and Policy

For more information go to
pdp.fndc.govt.nz, email pdp@fndc.govt.nz
or phone 0800 920 029 and ask for the
District Plan Team

Part 3 - Area-specific matters

Waitangi Estate zone

Overview

The Waitangi Estate zone is a Special Purpose zone. The Waitangi Estate zone is located at Waitangi, near Paihia. The zone contains the nationally significant historic Waitangi Treaty Grounds / Te Pitowhenua and surrounding land that together comprise the Waitangi Estate. The Waitangi Estate land is administered by the Waitangi National Trust Board established under the Waitangi National Trust Board Act 1932. Known in pre-treaty times as a place where rangatira (chiefs) gathered to discuss matters of common interest, the Waitangi Treaty Grounds / Te Pitowhenua is where Te Tiriti o Waitangi was first signed in 1840 and is fundamental to New Zealand's cultural identity and origin as a modern bicultural nation. The grounds contain the following scheduled historic buildings and structures (Treaty House (Busby's House), the Flagstaff, Te Whare Rūnanga, and Hobson's Memorial). The site also contains the Whare Waka — Te Korowai o Maikuku which houses Ngātokimatawharua, 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 zone contains a mix of recreational and visitor accommodation activities, reserve land, coastal estuarine walkways, the Waitangi golf club, as well as open pastoral and bush-clad land. In recognition of its significance, the purpose of the WEZ is to preserve and further enable the lands within the Waitangi Estate to be utilised as a national place of historic interest, recreation, enjoyment, and benefit for all New Zealanders. The majority of the Waitangi Estate is located within the mapped coastal environment and some areas are mapped as containing Outstanding Natural Landscapes, Outstanding Natural Features, areas of High Natural Character, Sites and Areas of Significance to Māori or scheduled Heritage Resources. The rules and standards associated with these overlays also apply in the WEZ to ensure that the natural features and landscape values, historic heritage and cultural values of the Waitangi Estate are protected.

Development in the Waitangi Estate zone is managed through rules and standards applying to four sub-zones. These sub-zones are mapped on the planning maps as follows:

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

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

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

Policies	
WEZ-P1	Provide for land use activities and subdivision at the Waitangi Estate where it maintains or enhances the historic, natural and cultural values of the Estate as a nationally significant historic site.
WEZ-P2	Enable commercial activities within the Waitangi Estate that are compatible with its historic, natural, and cultural values to support its management as a nationally significant historic site, while ensuring that any adverse effects of such activities are avoided, remedied or mitigated.
WEZ-P3	Enable the use of the Waitangi Estate as the national venue for commemorations associated with Waitangi Day and other significant cultural and heritage events held throughout the calendar year.
WEZ-P4	Recognise and protect Te Pitowhenua (the Waitangi Treaty Grounds) as the central historic and cultural focus of the Waitangi Estate Special Purpose zone.
WEZ-P5	Within the Whakanga (Tourism) sub-zone, enable the ongoing use and appropriate expansion, or

	redevelopment of established visitor accommodation and associated staff housing activities.
WEZ-P6	Within the Papa Rehia (Recreation) sub-zone, provide for recreation as the predominant activity, including open space associated with the established Waitangi Golf course, the Waitangi sportsgrounds, public boat ramp facilities, pedestrian walking tracks and the Bay of Islands Yacht Club.
WEZ-P7	Within the Ahuwhenua (General Activities) sub-zone, enable recreation and tourism activities that allow people to enjoy the Estate where: - The scale, character and design avoids significant adverse effects on the historic and cultural values of Te Pitowhenua; - Historic heritage resources are protected; - The values of the coastal environment, High Natural Character and Outstanding Natural Landscapes and Features are recognised and protected; and - There is appropriate infrastructure to support development.
WEZ-P8	Ensure that the siting of buildings and structures and associated infrastructure in the Waitangi Estate Special Purpose zone minimises any adverse effects on historic, natural and cultural values. This includes the provision for adequate infrastructure servicing.

Rules

Notes:

- There may be other rules in Part 2 — District-wide Matters of the District Plan that apply to a proposed activity, in addition to the rules in this zone chapter. These District-Wide rules may be more stringent than the rules in this chapter. Ensure that relevant District-Wide Matters chapters are also referred to in addition to this chapter, to determine whether resource consent is required under other rules in the District Plan. Refer to how the plan works chapter to determine the activity status of a proposed activity where resource consent is required under multiple rules.
- This zone chapter does not contain rules relating to setback to waterbodies and MHWS for building and structures or setbacks to waterbodies and MHWS for earthworks and indigenous vegetation clearance. The Natural Character contains rules for activities within wetland, lake and river margins and the Coastal Environment chapter contains rules for activities within the coastal environment. The Natural Character chapter and the Coastal Environment chapter should be referred to in addition to this zone chapter.
- 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 relocated buildings and or extensions or alterations to existing buildings or structures	
Waitangi Estate zone	Activity Status: Permitted Where: PER 1: The new building or structure and relocated building or extension or alteration to an existing building or structure, will accommodate a permitted, controlled or restricted discretionary activity. PER 2: Any new building or structure and relocated building or extension, alteration to an existing building or structure complies with standards: WEZ-S1- Maximum height; WEZ-S2 — Height in relation to boundary; WEZ-S3 — Setback (excluding from MHWS or wetland, lake and river margins); WEZ-S4 — Building or Structure coverage WEZ-S5 - Landscaping	Activity status where compliance not achieved with PER-2: Restricted discretionary Matters of discretion are restricted to: a. The matters of discretion of any infringed standard.
		Activity status where compliance not achieved with PER-1: Discretionary
WEZ-R2	Visitor Accommodation	
Waitangi Estate zone: Whakanga (Tourism)	Activity status: Permitted	Activity status where compliance not achieved with PER-1: Discretionary

sub-zone		
Waitangi Estate zone:	Activity status: Permitted Where:	
Papa Rehia (Recreation) sub-zone	PER-1 The occupancy does not exceed 10 guests per night.	
Ahuwhenua (General) Activities sub-zone		
WEZ-R3	Residential Activity	
Waitangi Estate zone:	Activity status: Permitted Where:	Activity status where compliance not achieved with PER-1 and PER-2: Discretionary
Ahuwhenua (General) Activities sub-zone	PER-1 The site area per residential unit is at least 40 hectares. PER-2 The number of residential units on a site does not exceed ten. PER-1 does not apply to: A single residential unit located on a site less than 40ha.	
WEZ-R4	Waitangi Commercial Activities	
Waitangi Estate zone:	Activity status: Permitted Where:	Activity status where compliance not achieved with PER-1 or PER-2: Discretionary
Te Pitowhenua (Treaty Grounds) sub-zone	PER-1 The activity is either: 1. Restaurants/cafes; 2. Ancillary retail or tourism activities associated with the historic Waitangi Treaty Grounds; 3. Artisan galleries, artisan workshops, exhibitions and ancillary retail; 4. Gift / souvenir shops; and 5. Functions and conferences.	
Whakanga (Tourism) sub-zone	Activity Status: Permitted Where:	
Papa Rehia (Recreation) sub-zone	PER-2 The GBA associated with an activity: 1. does not exceed 100m ² ; and 2. is set back a minimum of 30m from any external Estate site boundary, excluding MHWS.	
Ahuwhenua (General) Activities sub-zone		
WEZ-R5	Educational facility	
Waitangi Estate zone	Activity status: Permitted Where: PER-1 The educational facility is for the purpose of furthering knowledge and understanding of the history of the	Activity status where compliance is not achieved with PER-1: Discretionary

	Waitangi Estate, its natural environment and the Māori cultural values associated with the Estate.	
WEZ-R6	Impermeable Surfaces	
Waitangi Estate zone: Te Pitowhenua (Treaty Grounds) sub-zone Papa Rehia (Recreation) sub-zone Ahuwhenua (General Activities) sub-zone	Activity status: Permitted Where: PER 1 The impermeable surface coverage of any site is no more than 15%.	Activity status where compliance not achieved with PER-1: Restricted discretionary Matters of discretion are limited to: - the extent to which landscaping or vegetation may reduce adverse effects of run-off, - the effectiveness of the proposed method for controlling stormwater on site; - the availability of land for disposal of effluent and stormwater on the site without adverse effects on adjoining waterbodies (including groundwater and aquifers) or on adjoining sites or downstream sites; - whether water sensitive design methods and use of green spaces can be used; - any cumulative effects on total catchment impermeability; and - natural hazard mitigation and site constraints. - extent of potential adverse effects on cultural, spiritual, heritage and/or amenity values of any affected waterbodies; and - The location and design of associated vehicle access, manoeuvring and parking area; - The degree to which the landscape will retain its open character and visual value; - The matters of discretion of any infringed standard.
Whakanga (Tourism) sub-zone	Activity Status: Permitted Where: PER-2 - At least 10% of the site must be planted in grass, vegetation or be landscaped with permeable material. - Where a connection to Council's reticulated stormwater system is not available the stormwater must be disposed of within the site An engineering / site suitability report is required to determine compliance with these standards	Activity status where compliance not achieved with PER-2: Discretionary
WEZ-R7	Recreation activity	
Waitangi Estate 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: Discretionary
WEZ-R8	Farming	
Waitangi	Activity status: Permitted	Activity status where compliance not

Estate zone: Ahuwhenua (General Activities) sub-zone		achieved: Not applicable
WEZ-R9	Helicopter landing area	
Waitangi Estate zone	Activity status: Permitted Where: PER-1 Noise generated from the operation of helicopters using the helicopter landing area complies with standard NOISE-S4 Helicopter landing areas.	Activity status where compliance not achieved with PER-1: Discretionary
WEZ-R10	Conservation Activity	
Waitangi Estate zone	Activity status: Permitted	Activity status where compliance not achieved: Not applicable
WEZ-R11	Customary Activity	
Waitangi Estate zone	Activity status: Permitted	Activity status where compliance not achieved: Not applicable
WEZ-R12	Activities not otherwise listed in this chapter	
Waitangi Estate zone	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable
WEZ-R13	Industrial activity	
Waitangi Estate zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
WEZ-R14	Community corrections activity	
Waitangi Estate zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
WEZ-R15	Offensive Trade	
Waitangi Estate zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
WEZ-R16	Landfill, including managed fill	
Waitangi Estate zone	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable

Standards		
WEZ-S1	Maximum height	
Waitangi Estate zone	The maximum height of a building or structure, or extension or alteration to an existing building or structure is: 1. Te Pitowhenua (Treaty Grounds), Papa Rehia (Recreation) and Ahuwhenua (General Activities) sub-zones — 5m above ground level. 2. Whakanga (Tourism) sub-zone — 10m above ground level. This standard does not apply to: a. pou, pou haki and carvings, provided that they do not exceed the height limit by more than 1m; b. solar and water heating components provided	Where the standard is not met, matters of discretion are restricted to: a. the extent to which the height of the proposed building is compatible with the historic, natural and cultural values of the Waitangi Estate; b. measures to mitigate effects on the characteristics, qualities and values of the coastal environment, and the landscape setting of Te Pitowhenua (Treaty Grounds) subzone; c. dominance in relation to the road and adjoining sites;

	these do not exceed the building height by more than 0.5m on any elevation; c. chimney structures not exceeding 1.2m in width and 1m in height on any elevation; d. satellite dishes and aerials that do not exceed 1m in height and/or diameter on any elevation; and e. architectural features (e.g. koruru, finials, spires) that do not exceed 1m in height on any elevation.	d. loss of privacy to adjoining sites; e. shading and loss of access to sunlight on adjoining sites; f. natural hazard mitigation and site constraints; and g. where the building or structure is located within the coastal environment, the relevant matters outlined in CE-P9.
WEZ-S2	Height in relation to boundary	
Waitangi Estate zone	The building or structure, relocated building or extension or alteration to an existing building or structure must be contained within a building envelope defined by the following recession planes measured inwards from the respective boundary: 1. Te Pitowhenua (Treaty Grounds) and Ahuwhenua (General Activities) sub-zones - Any external Estate boundary: 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. 2. Papa Rehia (Recreation) sub-zone - Any boundary: 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. 3. Whakanga (Tourism) and Papa Rehia (Recreation) sub-zones — Any boundary: a. 35 degrees at 2m above ground level at the northern boundary of the site b. 45 degrees at 2m above ground level at the eastern and western boundaries of the site. c. 35 degrees at 2m above ground level at the southern boundary of the site. This standard does not apply to: a. pou, pou haki and carvings provided that they do not exceed the height limit by more than 1m; b. solar and water heating components provided these do not exceed the building height by more than 0.5m on any elevation; c. chimney structures not exceeding 1.2m in width and 1m in height on any elevation; d. satellite dishes and aerials that do not exceed 1m in height and/or diameter on any elevation; and e. architectural features (e.g. koruru, finials, spires) that do not exceed 1m in height on any elevation.	Where the standard is not met, matters of discretion are restricted to: a. loss of privacy to adjoining sites, including potential loss in relation to vacant sites; b. shading and loss of access to sunlight on adjoining sites, including buildings and outdoor areas; c. natural hazard mitigation and site constraints; and d. measures to mitigate the effects of a development on Te Pitowhenua (Treaty Grounds) sub-zone or adjacent Outstanding Natural Landscape.
WEZ-S3	Setback (excluding from MHWS or wetland, lake and river margin)	
Te	The new building or structure and relocated building or	Where the standard is not met, matters

Pitowhenua (Treaty Grounds) sub-zone	extension or alteration to an existing building or structure must be setback at least 10m from all site boundaries, except: 1. 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 2. Habitable buildings must be setback at least 20m from the boundary of an unsealed road; and 3. Habitable buildings must be set back 30m from the boundary of a site containing a commercial forest.	of discretion are restricted to: a. the character and amenity values 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; 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. the potential for adverse effects on areas containing historic heritage and sites of significance to Māori.
Papa Rehia (Recreation) sub-zone	This standard does not apply to: a. fences or walls no more than 2m in height above ground level; b. uncovered decks less than 1m in height above ground level; or c. underground wastewater infrastructure; or d. water tanks less than 2.7m in height above ground level.	
Ahuwhenua (General Activities) sub-zone	This standard does not apply to: a. fences or walls no more than 2m in height above ground level; b. uncovered decks less than 1m in height above ground level; or c. underground wastewater infrastructure; or d. water tanks less than 2.7m in height above ground level.	
Whakanga (Tourism) sub-zone	The new building or structure and relocated buildings or extension or alteration to an existing building or structure must be setback at least 3m from all site boundaries. This standard does not apply to: a. fences or walls no more than 2m in height above ground level; b. uncovered decks less than 1m in height above ground level; or c. underground wastewater infrastructure; or d. water tanks less than 2.7m in height above ground level.	
WEZ-S4	Building or structure coverage	
Te Pitowhenua (Treaty Grounds) sub-zone	The building or structure coverage of any site is no more than 15%.	Where the standard is not met, matters of discretion are restricted to: a. the character and amenity values of the surrounding area; b. any landscaping, planting or screening to mitigate any adverse effects; c. the extent to which the siting, setback and design mitigate visual dominance on adjacent sites, Te Pitowhenua (Treaty Grounds) sub-zone and the surrounding environment; and d. natural hazard mitigation and site constraints.
Papa Rehia (Recreation) sub-zone		
Ahuwhenua (General Activities) sub-zone		
WEZ-S5	Landscaping	
Whakanga (Tourism) sub-zone	1. Where the site adjoins Te Karuwha Parade, at least 50% of the Eastern Road frontage of Te Karuwha Parade shall be landscaped with plants or trees; and 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.	Where the standard is not met, matters of discretion are restricted to: a. the character and amenity of the streetscape and surrounding area; b. the character and significance of the road frontage appearance at the main road entrance to the Waitangi Estate; c. topographical or other site constraints making compliance with this standard impractical; and d. health and safety implications for pedestrians and the transport network.

Figure WEZ-1 - Waitangi Estate Special Purpose zone



Part 2 - District-Wide matters

Natural environment values

	f. the need for and location of earthworks or indigenous vegetation clearance and proposed mitigation measures; g. the operational or functional need of any infrastructure to be sited in the particular location; h. any viable alternative locations for the activity or development; i. any historical, spiritual or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6; j. the likelihood of the activity exacerbating natural hazards; k. the opportunity to enhance public access and recreation; l. the ability to improve the overall water quality; m. effects on the indigenous biodiversity values of riparian areas, including linkages with other habitats and ecosystems; and n. any positive contribution the development has on the characteristics, qualities and values of natural character.
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Rules

Notes:

1. There may be rules in other District-Wide Matters and the underlying zone in Part 3 - Area Specific Matters that apply to a proposed activity, in addition to the rules in this chapter. These other rules may be more stringent than the rules in this chapter. Ensure that the underlying zone chapter and other 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 the *how the plan works* chapter to determine the activity status of a proposed activity where resource consent is required under multiple rules.
2. The Earthworks and Ecosystems and Indigenous Biodiversity chapter rules apply 'in addition' to the earthworks and indigenous vegetation clearance rules in this chapter, not instead of.
3. Earthworks and indigenous vegetation clearance in the margins of wetlands are controlled by the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (NES-F). Rule NATC-R2 does not apply to earthworks and indigenous vegetation clearance regulated by the NES-F.
4. Earthworks and indigenous vegetation clearance associated with commercial forestry are controlled by the National Environmental Standards for Commercial Forestry 2017 (NES-CF). Rule NATC-R2 does not apply earthworks and indigenous vegetation clearance regulated by the NES-CF.

NATC-R1	New buildings or structures and relocated buildings or extensions or alterations to existing buildings or structures	
Natural character	Activity status: Permitted Where: PER-1 The new building or structure, and relocated buildings or extension or alteration to an existing building or structure on wetland, lake and river margins where it is: 1. for restoration and enhancement purposes; or 2. for natural hazard mitigation undertaken by, or on behalf of, the local authority; 3. park management activity in the Open Space or Sport and Active Recreation zones or in the Waitangi Estate zone — Te Pitowhenua (treaty grounds) or Papa Rehia (Recreations) subzones; 4. a post and wire fence for the purpose of protection from farm stock; 5. a river-crossing, including but not limited to, fords, bridges, stock-crossings and culverts; 6. related to the construction of a river crossing; 7. a pumphouses utilised for the drawing of water provided they cover less than 25m² in area, 8. infrastructure less than 10m high within a road corridor provided any pole: a. is a single pole (monopole); and b. is not a pi-pole or a steel-lattice tower; 9. a lighting pole by, or on behalf of the local authority, 10. an upgrade of an existing above ground network utility, provided:	Activity status where compliance not achieved with PER-1, PER-2 and PER-3: Restricted discretionary Matters of discretion are restricted to: a. effects on the characteristics, qualities and values of natural character b. the matters in NATC-P6 c. the positive effects of the activity

	a. it is no greater than 12.5m high; b. if it is a building, the upgraded building is no greater than 20% of the GFA of the existing lawfully established building; and c. it does not involve replacing a pole with a pi pole; 11. a maimai not exceeding 10m²; or 12. the harvesting of indigenous timber approved under the Forests Act 1949 via either a registered sustainable forest management plan, a registered sustainable forest management permit or a personal use approval for the harvesting and milling of indigenous timber from the Ministry of Primary Industries. PER-2 The new building or structure and relocated building on wetland, lake and river margins is no greater than 300m². PER-3 The new building or structure and relocated building or extension or alteration to an existing building or structure on wetland, lake and river margins complies with standard NATC-S1 Maximum height.	
NATC-R2	Earthworks or indigenous vegetation clearance	
Natural character	Activity status: Permitted Where: PER-1 The earthworks or indigenous vegetation clearance within wetland, lake and river margins and is the minimum necessary: 1. for the operation, repair or maintenance of existing lawfully established: a. fences b. network utilities c. tracks, driveways, roads and access ways, d. formed carparks, e. board walks, f. boat ramps, 2. required to provide for safe and reasonable clearance for existing overhead power lines; 3. to address an immediate risk to the health and safety of the public; 4. clearance for the control pests when necessary for biosecurity reasons and to control unwanted organisms as a response to directions of a person authorised under the Biosecurity Act 1993; 5. for the sustainable non-commercial harvest of plant material for rongoā Māori; 6. to maintain firebreaks to manage fire risk; 7. to remove vegetation as directed by Fire and Emergency New Zealand due to fire risk, 8. to maintain a 20m setback from a building used for a vulnerable activity (excluding accessory buildings) to the edge of the indigenous vegetation area, 9. for the upgrading of existing above ground network utilities permitted by NATC-R1, or 10. for establishing, operating, maintaining and repairing infrastructure in a road corridor. PER-2 Earthworks or indigenous vegetation clearance not	Activity status when compliance not achieved with PER-1 and PER-2: Restricted discretionary Matters of discretion are restricted to: a. effects on the characteristics and quality of natural character b. the matters in NATC-P6 c. the positive effects of the activity

Coastal environment

	i. Solar and water heating components not exceeding 0.5m in height on any elevation; ii. Chimney structures not exceeding 1.2m in width and 1m in height on any elevation; iii. Satellite dishes and aerials not exceeding 1m in height and/or diameter on any elevation; or iv. Architectural features (e.g. finials, spires) not exceeding 0.5m in height on any elevation.	
CE-S2	Colours and materials	
Coastal environment	The exterior surfaces of new buildings shall: 1. be constructed of natural materials; or 2. be finished to achieve a reflectance value no greater than 30%; and 3. if the exterior surface is painted, have an exterior finish within Groups A, B or C as defined within the BS5252 standard colour palette in Appendix 6 or equivalent. This standard does not apply to: a. The Orongo Bay zone; and b. the: Kohukohu, Mangōnui, Paihia, Rawene and Kororāreka Russell Heritage Area Overlays.	Where the standard is not met, matters of discretion are restricted to: Not applicable
CE-S3	Earthworks or indigenous vegetation clearance	
Coastal environment	Any earthworks must (where relevant): 1. not occur in outstanding natural character areas; 2. not exceed a total area of: a. 50m² within a calendar year in an area of high natural character; b. 100m² within a calendar year in an area outside high or outstanding natural character areas; 3. not exceed a cut height or fill depth of 1m, or 1.5 where this relates to telecommunication facilities; and 4. screen any exposed faces visible from a public place. Any indigenous vegetation clearance must: 1. not occur in outstanding natural character areas; 2. not exceed a total area of: a. 50m² within any 10-year period in an area of high natural character; b. 400m² within any 10-year period outside high or outstanding natural character areas.	Where the standard is not met, matters of discretion are restricted to: Not applicable
CE-S4	Setbacks from MHWS	
Coastal environment	New buildings and structures and relocated buildings or an extension or alteration to an existing building or structure must be setback at least: 1. 30m from MHWS in the Rural Production, Rural Lifestyle, Rural Residential, and Horticulture Processing Facilities zones and Waitangi Estate sub zones — Te Pitowhenua (Treaty Grounds), Papa Rehia (Recreation) and Ahuwhenua (General Activities) Sub-zone; or 2. 26m in all other zones. This standard does not apply: a. where there is a legally formed and maintained road between the property and MHWS; b. To buildings and structures within Tapueatahi	Where the standard is not met, matters of discretion are restricted to: 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, planned and potential roads, public walkways,

	Precinct Area A where a 10 metre setback from MHWS is provided. c. to fencing for the purposes of controlling pests and excluding stock; d. to structures associated with pest control; e. to hard protection structures that are approved by a resource consent under the Northland Regional Plan; and f. to lighting poles that are established by, or on behalf of, Far North District Council; and g. to boundary fences less than 2m high that are setback at least 20m from MHWS. h. to buildings and structures within Tapueatahi Precinct Area A where a 10 metre setback from MHWS is provided.	reserves and esplanades.
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Rules in coastal hazard areas

Note:

The mapping of hazard areas in the District Plan maps is based on the most-up-to date Northland Regional Council mapping when the District Plan was notified. A person may provide a more detailed site-specific assessment prepared by a suitably qualified and experienced engineer to confirm the extent, depth and flow characteristics of the river flood hazard and may also refer to any more recent mapping undertaken by the Northland Regional Council.

Notes:

1. A land use activity or subdivision may be subject to more than one hazard. Where this occurs, the most stringent activity status applies. Rules relating to other natural hazards, are located in the Natural Hazards chapter.
2. Any application for a resource consent in relation to an area that is potentially affected by natural hazards must be accompanied by a report prepared by a suitably qualified and experienced engineer or technical expert that addresses the matters identified in the relevant performance standards and matters of control/discretion.
3. A land use activity or subdivision undertaken within a coastal hazard area may also be subject to other rules in the Coastal Environment chapter. When this occurs, the most stringent activity status applies and a site specific assessment of matters relating to the coastal environment and coastal hazard areas are required.

CE-R8	Extensions and alterations to existing buildings and structures (excluding infrastructure)	
Coastal hazard area	Activity status: Permitted Where: PER-1 There is no increase to the GFA of the building or footprint of the structure that results in the building or structure exceeding the limits for new buildings or structures and relocated buildings in CE-R10 PER-1 or for new buildings or structures ancillary to farming activities in CE-R11 PER-1. PER-2 The external alteration, including any associated earthworks, does not direct coastal inundation onto other properties.	Activity status where compliance not achieved with PER-1 or PER-2: Restricted discretionary refer to Rule CE-R12 Matters of discretion are restricted to: a. the matters outlined in Rule CE-R12.
CE-R9	Maintenance, repair or upgrading of infrastructure, including structural mitigation assets	
Coastal hazard area	Activity status: Permitted Where: PER-1	Activity status where compliance not achieved with PER-1, PER-2 or PER-3: Restricted discretionary where it meets Rule CE-R14.

Earthworks

- drainage function.
- g. The extent to which the proposal supports the efficient and effective operation of the wider land drainage scheme.

Standards				
EW-S1	Maximum earthworks thresholds			
All zones, except Moturoa Island zone, Orongo Bay zone	The following maximum volumes and area thresholds must not be exceeded for all earthworks undertaken on a site within a single calendar year:		Where the standard is not met, matters of discretion are restricted to: refer EW-R1	
	Zone	Volume (m³)		Area (m²)
	General Residential, Medium Density Residential, Mixed Use, Town Centre, Hospital, Horticulture Processing Facility, Carrington, Kororāreka Russell Township, Hospital, Māori Purpose — Urban zones, Waitangi Estate zone — Whakanga (Tourism) and Te Pitowhenua (Treaty Grounds) sub zone	200		2,500
	Natural Open Space, Open Space, Sport and Active Recreation, Rural Residential, Settlement, Quail Ridge, Airport zones, and Waitangi Estate zone — Papa Rehia (Recreation) sub zone	300		2,500
	Light Industrial, Heavy Industrial zones	500		2,500
	Rural Lifestyle zone	1000		2,500
	Rural Production, Mineral Extraction, Corrections, Kauri Cliffs, Ngawha Innovation and Enterprise Park, Māori Purpose — Rural zones, and Waitangi Estate 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 d. earthworks for the maintenance of drains.			
EW-S2	Maximum depth			
All zones	The maximum depth of any cut or height of any fill shall not exceed: 1. 1.5m, i.e. maximum permitted cut and fill height may be 3m; or		Where the standard is not met, matters of discretion are restricted to: refer EW-R1	

Light

LIGHT-R1 Emission of artificial light		
All zones	Activity status: Permitted	Activity status where compliance not achieved with PER-1 and PER-2: Restricted discretionary
	Where: PER-1 Artificial light emitted from a site complies with AS/NZS 4282:2019 - Control of the Obtrusive Effects of Outdoor Lighting. PER-2 Artificial lighting emitted complies with standard: LIGHT-S1 Maximum level of light spill.	

Standards		
LIGHT-S1 Maximum level of light spill		
Mixed Use zone Light Industrial zone Heavy Industrial zone Horticulture Processing zone Orongo Bay zone Quail Ridge zone General Residential zone Medium Density Residential zone Town Centre zone Kororāreka Russell Township zone Settlement zone Rural Residential zone Open	The maximum level of light spill when measured at a distance of 2m or greater from the boundary of any receiving site, or where any part of the building located within a receiving site is within 2m of the boundary of that site, when measured at the exterior surface of any window of any habitable room, must not exceed: 1. 10 lux (in both the horizontal and vertical planes) within any General Residential, Medium Density Residential, Kororāreka Russell Township, Hospital, Rural Residential, Settlement, and Quail Ridge zones; and 2. 20 lux (in both the horizontal and vertical planes) within the Mixed Use, Town Centre, Ngawha Innovation and Enterprise Park, Airport, Light Industrial, Heavy Industrial, Horticulture Processing, Orongo Bay, Open Space, Sport and Active Recreation zones, and Waitangi Estate zone - Papa Rehia (Recreation) Sub zone and Whakanga (Tourism) Sub zone.	Matters of discretion are restricted to: - whether artificial lighting is for operational or functional purposes; - whether timing, duration, direction, intensity, focus, design, height, or type of lighting contributes to avoidable or unnecessary light spill; - adverse effects on the predominant character and amenity of the surrounding area; - adverse effects on the health, safety and wellbeing of people and communities in the surrounding area, including the transport network; - the extent to which light spill or glare affects residential properties, including outdoor living space and/or has the potential to result in sleep disturbance; and - The extent to which artificial lighting affects the natural behaviour of indigenous fauna, including reference to best practice guidance where relevant.

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

Noise

All zones	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable
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Standards		
NOISE-S1	General noise rules applying to noise emitted from all zones and overlays (unless provided for by a specific standard elsewhere)	
Receiving zone General Residential zone Medium Density Residential zone Waitangi Estate — Te Pitowhenua (Treaty Grounds) sub zone Māori Purpose — Urban zone Kororāreka Russell Township zone Hospital zone Quail Ridge zone	- Noise generated in all zones, other than the zones and sites in 2) and 3) below: - Noise shall not exceed the following rating noise levels at any point within the received property boundary: 7.00am to 10.00pm (daytime): 50 dB L_{Aeq} 10.00pm to 7.00am (night-time): 40 dB L_{Aeq} and 70 dB L_{AFmax} - Noise generated in Mixed Use, Town Centre, Light Industrial, Horticultural Processing Facilities, Ngawha Innovation and Enterprise Park, Orongo Bay zones, Waitangi Estate — Whakanga (Tourism), Papa Rehia (Recreation) or Ahuwhenua (General Activities) sub zones, or from non-aircraft operation activity within an Airport zone: - 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 L_{Aeq} 10.00pm to 7.00am (night-time): 40 dB L_{Aeq} and 75 dB L_{AFmax} - Noise generated in the Hospital, Mineral Extraction or Heavy Industrial zones or within any site used for substation activities which is owned and operated by a requiring authority within any zone: - 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 L_{Aeq} 10.00pm to 7.00am (night-time): 45 dB L_{Aeq} and 75 dB L_{AFmax}	Matters of discretion if compliance not achieved: - ambient noise levels and any special character noise from any existing activities, the nature and character of any changes to the sound received at any receiving site and the degree to which such sounds are compatible with the surrounding activities; - type, scale and location of the activity in relation to any noise sensitive activities; - hours of operation and duration of activity; - the temporary or permanent nature of any adverse effects; - the ability to internalise and/or minimise any conflict with adjacent activities; and - any mitigation proposed, in accordance with the best practicable option approach (e.g. site layout and design, design and location of structures, buildings and equipment and the timing of operation).
Receiving	4. Noise generated in all zones, other than the zones	Matters of discretion if compliance not

zone	and sites in 5), 6) and 7) below:	achieved:
Rural Production zone	a. Noise shall not exceed the following rating noise levels within the notional boundary of any noise sensitive activity within the receiving property:	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;
Mineral Extraction zone	i. 7.00am to 10.00pm (daytime): 55 dB L_{Aeq}	b. type, scale and location of the activity in relation to any noise sensitive activities;
Corrections zone	ii. 10.00pm to 7.00 am (night-time) 40 dB L_{Aeq} and 70 dB L_{AFmax}	c. hours of operation and duration of activity;
Rural Lifestyle zone	5. Noise generated in Mixed Use, Town Centre, Light Industrial, Horticultural Processing Facilities, Ngawha Innovation and Enterprise Park or Orongo Bay zones, or from non-aircraft operation activity within an Airport zone:	d. the temporary or permanent nature of any adverse effects;
Māori Purpose - Rural zone	a. Noise shall not exceed the following rating noise levels within the notional boundary of any noise sensitive activity within the receiving property:	e. the ability to internalise and/or minimise any conflict with adjacent activities;
Moturoa Island zone	i. 7.00am to 10.00pm (daytime): 55 dB L_{Aeq}	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)
Kauri Cliffs zone	ii. 10.00pm to 7.00am (night-time): 40 dB L_{Aeq} and 75 dB L_{AFmax}	
Ngawha Innovation and Enterprise Park zone	6. Noise generated in the Hospital, Mineral Extraction or Heavy Industrial zones:	
Settlement zone	a. Noise shall not exceed the following rating noise levels within the notional boundary of any noise sensitive activity within the receiving property:	
Waitangi Estate — Ahuwhenua (General Activities) sub zone	i. 7.00am to 10.00pm (daytime): 55 dB L_{Aeq}	
	ii. 10.00pm to 7.00am (night-time): 45 dB L_{Aeq} and 75 dB L_{AFmax}	
	7. Noise generated within any site used for substation activities which is owned and operated by a requiring authority within any zone:	
	a. Noise shall not exceed the following rating noise levels within the notional boundary of any noise sensitive activity within the receiving property:	
	i. 7.00am to 10.00pm (daytime): 55 dB L_{Aeq}	
	ii. 10.00pm to 7.00am (night-time): 45 dB L_{Aeq} and 75 dB L_{AFmax}	
Receiving	8. Noise generated in all zones, other than the zones	Matters of discretion if compliance not

zone Rural Residential zone Carrington Estate zone	and sites in 9) and 10) below: a. Noise shall not exceed the following rating noise levels within the notional boundary of any noise sensitive activity within the receiving property: i. 7.00am to 10.00pm (daytime): 50 dB L_{Aeq} ii. 10.00pm to 7.00am (night-time): 40 dB L_{Aeq} and 70 dB L_{AFmax} 9. Noise generated in Mixed Use, Town Centre, Light Industrial, Horticultural Processing Facilities, Ngawha Innovation and Enterprise Park or Orongo Bay zones, or from non-aircraft operation activity within an Airport zone: a. Noise shall not exceed the following rating noise levels within the notional boundary of any noise sensitive activity within the receiving property: i. 7.00am to 10.00pm (daytime): 55 dB L_{Aeq} ii. 10.00pm to 7.00am (night-time): 40 dB L_{Aeq} and 75 dB L_{AFmax} 10. Noise generated in the Hospital, Mineral Extraction or Heavy Industrial zones or within any site used for substation activities which is owned and operated by a requiring authority within any zone: a. Noise shall not exceed the following rating noise levels within the notional boundary of any noise sensitive activity within the receiving property: i. 7.00am to 10.00pm (daytime): 55 dB L_{Aeq} ii. 10.00pm to 7.00am (night-time): 45 dB L_{Aeq} and 75 dB L_{AFmax}	achieved: a. ambient noise levels and any special character noise from any existing activities, the nature and character of any changes to the sound received at any receiving site and the degree to which such sounds are compatible with the surrounding activities; b. type, scale and location of the activity in relation to any noise sensitive activities; c. hours of operation and duration of activity; 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); and g. 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 Open Space zone Sport and Active Recreation zone Natural Open Space zone Waitangi Estate — Papa Rehia (Recreation) sub-zone	11. Noise generated in all zones, except Heavy and Light Industrial, Horticultural Processing and Orongo Bay zones: a. Noise shall not exceed the following rating noise levels at any point within the receiving property boundary: i. Open Space and Sport and Active Recreation: i. All times: 55dB L_{Aeq} ii. Natural Open Space: i. 7.00am to 10.00pm (daytime): 55 dB L_{Aeq} ii. 10.00pm to 7.00am (night-time): 45 dB L_{Aeq}	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	12. Noise generated in all zones:	Matters of discretion if compliance not

zone Mixed Use zone Town Centre zone Waitangi Estate — Whakanga (Tourism) sub zone	a. Noise shall not exceed the following rating noise levels at any point with the receiving property boundary: Sunday to Thursday a. 7.00am to 10.00pm (daytime): 60 dB L_{Aeq} b. 10.00pm to 7.00am (night-time): 55 dB L_{Aeq} and 80 dB L_{AFmax} Friday and Saturday a. 7.00am to midnight (daytime): 60 dB L_{Aeq} b. midnight to 7.00am: - 55 dB L_{Aeq} and 80 dB L_{AFmax}	achieved: a. ambient noise levels and any special character noise from any existing activities, the nature and character of any changes to the sound received at any receiving site and the degree to which such sounds are compatible with the surrounding activities; b. any existing noise generating activities and the level of noise that will be received within any noise sensitive building; c. the primary purpose and the frequency of use of the activity; d. the ability to design and construct buildings accommodating noise sensitive activities with sound insulation and/or other mitigation measures to ensure the level of noise received within the building is minimised particularly at night; e. any mitigation proposed, in accordance with the best practicable option approach (e.g. site layout and design, design and location of structures, buildings and equipment and the timing of operation); and f. the effects on any existing noise sensitive activities.
Receiving zone Light Industrial zone Orongo Bay zone	13. Noise generated in all zones: a. Noise shall not exceed the following rating noise levels at any point with the receiving property boundary: i. 7.00am to 10.00pm (daytime): 65 dB L_{Aeq} ii. 10.00pm to 7.00am (night-time): 60 dB L_{Aeq} and 80 dB L_{AFmax}	Matters of discretion if compliance not achieved: a. ambient noise levels and any special character noise from any existing activities, the nature and character of any changes to the sound received at any receiving site and the degree to which such sounds are compatible with the surrounding activities; b. type, scale and location of the activity in relation to any noise sensitive activities; c. hours of operation and duration of activity; 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); and g. the effects on any existing noise sensitive activities.
Receiving zone Heavy Industrial zone Horticulture Processing zone	14. Noise generated in all zones: a. Noise shall not exceed the following rating noise level at any point within the receiving property boundary: i. All times: 75 dB L_{Aeq}	Matters of discretion if compliance not achieved: a. ambient noise levels and any special character noise from any existing activities, the nature and character of any changes to the sound received at any receiving site and the degree to which such sounds are compatible with the surrounding activities; b. type, scale and location of the activity in relation to any noise sensitive activities; c. hours of operation and duration of

		activity; 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)
Applies to aircraft operation and engine testing within the Airport zone	Within the Airport zone: 15. Aircraft operation associated with the Airport zone is excluded from compliance with the NOISE-S1 zone standards, provided it complies with the following rules: 16. Noise generated from aircraft operations at the Bay of Islands Airport, Kaitiāia Airport and Kaikohe Airport over any 90 continuous days, measured in accordance with NZS 6805:1992 Airport Noise Management and Land Use Planning, shall not exceed: a. 55 dB L_{dn} at or beyond the outer control boundary shown on the planning maps; and b. 65 dB L_{dn} at or beyond the air noise boundary shown on the planning maps. 17. Noise levels from aircraft engine testing measured in accordance with NZS 6801:2008 Acoustics - Measurements of Environmental Sound and assessed in accordance with NZS 6802:2008 Acoustics - Environmental Noise at any point within the notional boundary of a noise sensitive activity on another site shall not exceed: a. 7.00am to 10.00pm 55 dB L_{Aeq} (15 hour); and b. 10.00pm to 7.00am: 45dB L_{Aeq} (9 hours) and 75 dB L_{Amax}, with the exception that on any 12 nights between hours of 10.00pm to 7.00am in any calendar year, the noise levels from aircraft engine testing shall not exceed 50 dB L_{Aeq} (9 hour) and 75 dB L_{Amax}.	Matters of discretion if compliance not achieved: a. All potential aircraft noise matters
NOISE-S2	Temporary activities standards	
All zones	1. The noise generated from any temporary activities	Matters of discretion if compliance not

Signs

Light Industrial zone	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable
SIGN-R18	Digital signs	
All zones (except Mixed Use zone and Town Centre zone)	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
SIGN-R19	Third-party signs	
All zones	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable

Standards		
SIGN-S1	Maximum sign area per site	
All zones	- Any temporary sign (excluding real estate and development) or community sign must not exceed 2m² in area but may be double-sided. Where a sign is double-sided, the maximum area of the sign is calculated as the area of one side of the sign; and - Any real estate and development sign must not exceed 1.5m² in area. Except that: This standard does not apply to temporary signs within the Waitangi Estate zone.	Matters of discretion are restricted to: - impact on the character and amenity values of the surrounding area; - whether the sign contributes to visual clutter; and - any adverse cumulative effects.
ONFs ONLs Heritage Areas Scheduled heritage resource	- The maximum total sign area within an ONF, ONL or Heritage Area must not exceed 0.5m²; - The maximum total sign area on a scheduled heritage resource must not exceed 0.25m². Except that: This standard does not apply to signs within the Waitangi Estate zone.	Matters of discretion are restricted to: - whether the sign contributes to the characteristics and qualities of the feature, landscape, or precinct; - impact on the character and amenity of the surrounding area; - whether the sign is compatible with the built form on the site; - whether sign contributes to visual clutter; and - any adverse cumulative effects.
Mixed Use zone Town Centre zone Light Industrial zone Heavy Industrial zone Hospital zone Ngawha Innovation	The maximum total sign area on any site: - For each road frontage: - Less than 24m width: 6m² ; or - Greater than 24m width: 0.25m² for every 1m of road frontage, up to a maximum area of 12m².	Matters of discretion are restricted to: - impact on the character and amenity of the surrounding area; - whether the sign is compatible with the built form on the site; - whether sign contributes to visual clutter; and - any adverse cumulative effects.

and Enterprise Park zone		
Airport zone		
General Residential zone	The maximum total of sign area on any site must not exceed 0.5m ² . Where a sign is double-sided, the maximum sign area is calculated as the area of one side of the sign.	Matters of discretion are restricted to: a. impact on the character and amenity of the surrounding area; b. whether sign contributes to visual clutter; and c. any adverse cumulative effects.
Medium Density Residential zone		
Kororāreka Russell Township zone		
Quail Ridge zone		
Settlement zone	The maximum total of sign area on any site must not exceed 1.5m ² . Where a sign is double-sided, the maximum sign area is calculated as the area of one side of the sign.	Matters of discretion are restricted to: a. impact on the character and amenity of the surrounding area; b. whether the sign is compatible with the built form on the site; c. whether the sign contributes to visual clutter; and d. any adverse cumulative effects.
Rural Residential zone		
Rural Lifestyle zone		
Rural Production zone	The maximum total of sign area on any site must not exceed 3m ² . Where a sign is double-sided, the maximum sign area is calculated as the area of one side of the sign.	Matters of discretion are restricted to: a. impact on the character and amenity of the surrounding area; b. whether the sign is compatible with the built form on the site; c. whether the sign contributes to visual clutter; and d. any adverse cumulative effects.
Mineral Extraction zone		
Corrections zone		
Horticulture Processing zone		
Māori Purpose zone		
Open Space zone		
Sport and Active Recreation zone		
Natural Open Space zone		

Kauri Cliffs zone		
Orongo Bay zone	The maximum total of sign area for the zone must not exceed 18m ² . Where a sign is double-sided, the maximum sign area is calculated as the area of one side of the sign.	Matters of discretion are restricted to: - impact on the character and amenity of the surrounding area; - whether the sign is compatible with the built form on the site; - whether sign contributes to visual clutter; and - any adverse cumulative effects.
Waitangi Estate zone	- Any new sign within the Te Pitowhenua (Treaty Grounds) sub-zone must not exceed 1m² in ONL — North and 3m² in ONL — South. - 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. - Any new sign within the Whakanga (Tourism) sub-zone must be less than 6m². - Any new sign within the Ahuwhenua (General Activities) sub-zone must not exceed 3m². - Any new sign within a ONF must not exceed 1m².	Matters of discretion are restricted to: - If located within a Feature, Landscape or area of mapped heritage whether the sign contributes to the characteristics and qualities of the overlay; - impact on the character and amenity of the surrounding area; and specifically on Te Pitowhenua and its Heritage buildings and objects; - whether the sign is compatible with the built form on the site; - whether the sign contributes to visual clutter; - whether the sign can be seen from a public place; and - any adverse cumulative effects
SIGN-S2	Maximum height of signage	
All zones	All temporary signs, including support structures, (excluding real estate and development) must not exceed 3m in height, measured from ground level.	Matters of discretion are restricted to: - impacts on the character and amenity of the surrounding area; - whether the sign contributes to visual clutter; and - any adverse cumulative effects.
Mixed Use zone Town Centre zone Light Industrial zone Heavy Industrial zone Hospital zone Ngawha Innovation and Enterprise Park zone Airport zone	Freestanding signs must not exceed 6m in height from ground level;	Matters of discretion are restricted to: - impacts on the character and amenity of the surrounding area; - whether the sign is compatible with the built form on the site; - whether the sign contributes to visual clutter; and - any adverse cumulative effects.
All zones	The maximum height of any sign, including support	Matters of discretion are restricted to:

excluding: Mixed Use zone Town Centre zone Light Industrial zone Heavy Industrial zone Hospital zone Ngawha Innovation and Enterprise Park zone Airport zone Waitangi Estate zone	structure, must not exceed 4m in height, measured from ground level.	a. impacts on the character and amenity of the surrounding area; b. whether the sign is compatible with the built form on the site; c. whether the sign contributes to visual clutter; and d. any adverse cumulative effects.
Waitangi Estate zone	1. Within the Te Pitowhenua (Treaty Grounds) Sub-zone the maximum height of any sign, including the support structure must not exceed 3m in height. 2. Within the Papa Rehia (Recreation) Sub-zone and the Ahuwhenua (General Activities) Subzone the maximum height of any sign, including the support structure must not exceed 4m in height. 3. Within the Whakanga (Tourism) Sub-zone: a. Freestanding signs must not exceed 6m in height from ground level, and b. Signs attached to a building must not protrude above the highest point of the building.	Matters of discretion are restricted to: a. impacts on the character and amenity of the surrounding area, and specifically on Te Pitowhenua and its Heritage buildings and objects; b. whether the sign is compatible with the built form on the site; c. whether the sign contributes to visual clutter; and d. any adverse cumulative effects.
SIGN-S3	Maximum number of signs	
All zones	There shall be no more than one temporary sign (excluding real estate and development) per site.	Matters of discretion are restricted to: a. impact on the character and amenity of the surrounding area; b. whether the sign contributes to visual clutter; and c. any adverse cumulative effects.
Mixed Use zone Town Centre zone Light Industrial zone Heavy	There shall be no more than five signs per site. Except that: This standard does not apply to the Waitangi Estate.	Matters of discretion are restricted to: a. impact on the character and amenity of the surrounding area; b. whether the sign contributes to visual clutter; and c. any adverse cumulative effects.

Appendix E**Names and Addresses For Service**

Doug's Opua Backyard	Douglas Craig Shmuck	totarahill@extra.co.nz	1 Richardson Street, Opua, 0200
Heritage New Zealand Pouhere Taonga	Sherry Reynolds	info@northland.heritage.org.nz	Northland Area Office, PO Box 836, Kerikeri 0245