

SUMMARY STATEMENT ON BEHALF OF WAITANGI LIMITED

- 1.1 My name is **Rochelle Jacobs**. I am a Director and Senior Planner at Northland Planning & Development 2020 Limited.
- 1.2 I have prepared evidence on behalf of **Waitangi Limited** on the effects of the Proposed District Plan (as notified) on its management of the Waitangi National Trust Estate. Today I will provide a summary of my assessments that informed that evidence (as it relates to these hearing topics).
- 1.3 The Estate includes the historic Waitangi Treaty Grounds / Te Pitowhenua, which is where Te Tiriti o Waitangi / the Treaty of Waitangi was first signed between Māori and the British Crown on 6 February 1840. It includes a number of other sites that have high significance in terms of New Zealand's history.
- 1.4 In addition to the Treaty Grounds, a wide range of land uses and activities are undertaken at the Estate, including pastoral farming, a hotel, a golf club, other sports facilities, a concert venue, a public boat ramp, and a wharf. The Estate comprises recreational and tourism, coastal, estuarine, and other natural values.

Issues with the Proposed District Plan

- 1.5 The Proposed District Plan seeks to establish 11 different zones and overlays over the Estate. I have found no other site in the whole district that will have a similar number of zones and overlays impact upon it.

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- 1.6 While each of these overlays serves a particular purpose by covering different natural and built environment features and values, in practice the large number of overlays that impact the Treaty Grounds will result in complicated planning assessments, and minor activities will trigger the need for resource consent.
- 1.7 Examples include:
 - (a) Undertaking repair and maintenance of scheduled buildings. This activity is offered as a permitted activity in Rule HH-R1; however, once the mapping error is fixed in regard to Sites of Cultural Significance to Māori, because 'Repair and Maintenance' is not a

listed activity in the chapter, the activity would default to a Discretionary activity in accordance with Rule SASM-R3.

- (b) Another example is installing any new structure, such as an outdoor bench seat. As it is not ancillary to farming (CE-R1 and NFL-R1), is within an Outstanding Natural Landscape (NFL-R1), and is not being sought by the requesting party (SASM-R1), this would also trigger the need for resource consent. I acknowledge that some of the changes detailed in the section 42A reports that remove the ancillary to farming requirement will assist with the Coastal Environment and Outstanding Natural Landscape triggers for this particular example; however, this activity would still trigger the need for resource consent.
- (c) One other example to consider is whether the planting of a dignitary tree is considered to meet the definition of earthworks, as if this were the case, this would also trigger the need for resource consent under SASM-R1.

1.8 These are some of the more perverse outcomes that Waitangi Limited is seeking to avoid by developing a bespoke framework that applies specifically to Waitangi.

Proposed Waitangi Special Purpose Zone

1.9 Waitangi Limited's primary relief is to develop a Special Purpose Zone that covers the whole Estate. The special zoning will better provide for the various uses, activities, and values of different parts of the Estate (referred to above), and bespoke rules will be included to provide the protections sought by the various overlays.

1.10 It is proposed that these rules will, in most cases, take precedence over the many overlays that apply to the site, meaning that when assessing a proposal at the Estate, you would look at the Special Purpose chapter rather than all of the various zone and overlay chapters in the Proposed District Plan.

1.11 Special Purpose objectives and policies would also apply to the Estate. These objectives and policies will provide the site with the mana and acknowledgement it deserves, while balancing the need for operational activities in less sensitive areas of the Estate. These tailored rules and

framework ensure future development need not be considered through the lens of a production zone (the majority of the Estate is currently mapped in the Rural Production Zone). These objectives and policies would reference the purpose stated in the Waitangi National Trust Board Act, which sets the scene for Waitangi and how it operates now and into the future.

- 1.12 Across the Estate, there are quite different areas of development and historical significance. As a result, Waitangi Limited intends to seek that the Special Purpose Zone includes subzones to best differentiate between these areas. While this matter will be discussed at length at Hearing 19 later next year, it is necessary to set the scene as our primary relief does, and will continue to, impact upon the various topic hearings being heard throughout this process.

Secondary relief for this hearing

- 1.13 In regard to Waitangi Limited's secondary relief, in most cases I am in agreement with the recommendations made by the section 42A reports, as this provides some relief for those rules, which, as currently drafted, capture some of the minor activities that I have discussed that would apply to the Estate.
- 1.14 I refer to the table **appended** to this statement, which summarises the relevant issues and Waitangi Limited's responses to the recommendations in the section 42A reports.
- 1.15 I note a couple of instances where I have recommended further changes:
- (a) For clarification, I recommend that the colour scheme standard be updated by splitting out item (i) into two categories such that natural materials don't need to have a reflectance value of no more than 30% as it could be interpreted in this way.
 - (b) Also, for clarification, I've sought to include reference to the Outstanding Natural Feature categories in the schedule (as this is referenced in the rule proposed in the section 42A report).
 - (c) I have also included reasoning for the proposed inclusions I had originally sought to the setback from MHWS standard CE-S4.
 - (d) I also comment on the work that has been done specifically for Waitangi in terms of sensitivity ratings where built development

could have lower thresholds in specific areas. Rather than seeking changes to the District wide rules to accommodate this, the inclusion of rules specifically for the Estate would be a better outcome.

1.16 I am happy to discuss any of these proposals with the Hearings Panel in terms of detail and my thought process.

Date: 5 August 2024

Rochelle Jacobs

APPENDIX: HEARING 4 – KEY ISSUES

Hearing 4 – Key Issues

Submission #	Issue	S42A recommendation	Recommendation	Comments
S503.043	Renaming Natural Character chapter	Agree	No change to s42A	National Template
S503.044	NATC-R2 - Additions to repair and maintenance rule list.	Agree	No change to s42A.	Rule deleted, but as NATC-R3 had ref to this rule some items we sought have been included.
S503.045	Amend note within NATC-S2	Agree	No change to s42A.	Note deleted.
S503.020	NFL-R1 - Ancillary to farming	Agree	No change to s42A.	Ref to farming deleted and building area increased to 50m2.
S503.021	NFL-R2 - Repair and Maintenance	Agree	No change to s42A.	Delete rule.
S503.022	NFL-R6 - Farming activity requires consent	Agree	No change to s42A.	Delete rule.
S503.023	NFL-S2 - Colour Scheme	Agree in part	Minor wording amendment.	Split item 1 to provide clarification, added or Equivalent on the BS5252 range.
	Colour chart error			
S503.024	NFL-S3 - Earthworks and Veg Clearance within ONL	Agree in part	That if reference is made to Categories of ONFs that the appropriate category	We are seeking one earthworks and vegetation clearance rule across the estate with

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			be referenced within Schedule 6.	variations within the sub zone areas. This takes into account archaeology. Relies on commentary from Simon.
S503.014	CE-R1 - Building sizes in the Coastal Environment	Agree in part	If SPZ not accepted then we would accept the 50m2 and 100m2 new building requirements.	Sensitivity ratings by Simon
S503.015	CE- R2 - Repair and Maintenance	Agree	No change to s42A.	Delete rule.
S503.016	CE-S1 - Building Height in CE	Agree in part	Include landscape sensitivity ratings for Waitangi from Simons report.	5m high/moderate 8m low. Cophthorne (no restriction, however, may be subject to change.)
S503.017	CE-S2 - Colour Scheme	Agree in part	Minor wording amendment.	Split item 1 to provide clarification, added or Equivalent on the BS5252 range.
	Colour chart error.			
S503.018	CE-S3 - Earthworks and Veg clearance	Agree in part	Accept for wider district.	We are seeking one earthworks and vegetation clearance rule across the estate with

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				variations within the sub zone areas. This takes into account archaeology. Relies on commentary from Simon.
S503.035 & S503.036	RPROZ-S4 & MUZ-S4 - Buildings within setback from MHWS	Disagree	Seeking changes based on reasoning detailed in evidence.	Various list of additions.