

SECTION 42A REPORT

Report on submissions and further submissions

Topic: Chapter 51 – Māori Purpose Zone

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Dated: 7 June 2024

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List of submitters and further submitters addressed in this report

Submission No	Submitter
13	Sheryl Paekau
16	Fire and Emergency New Zealand
10	Waikato Regional Council
17	Waka Kotahi
24	Ministry of Education
35	Te Ruunanga o Ngaati Mahuta ki te Hauaauru
36	Kāinga Ora
38	Wayne Jensen and TTRMC (TT Whare) and Iwi Liaison Role
45	Marama Henare-Waho
50	Te Nehenehenui Trust
55	Kura Stafford
FS08	Graymont Ltd
FS20	Sheryl Paekau
FS23	Te Nehenehenui

1 Introduction

1.1 Qualifications and Experience

1. My name is Carolyn Wratt. I am a Principal Policy Planner and Director of the consultancy firm Wratt Resource Management Planning Ltd. I am contracted by Waitomo District Council (**WDC**) to assist with the Proposed Waitomo District Plan
2. I hold the degrees of Bachelor of Science (Geography and Resource Management) (1997) and Masters of Science (Hons) in Coastal Geomorphology and Resource Management (1999), both from the University of Auckland. I am a full member of the New Zealand Planning Institute and an accredited Resource Management Commissioner under the Ministry for the Environment programme Making Good Decisions.
3. I have over 25 years experience in planning – both regulatory and policy, including working primarily for local and regional authorities around New Zealand. In my capacity as both a consultant and council planner, I have provided policy advice to a number of clients. Of most relevance I have assisted various councils with their district plan reviews including Hamilton City Council, Auckland Council, Kapiti Coast District Council, Selwyn District Council, Taupo District Council, Kaipara District Council and Christchurch City Council. Most recently I have been involved in all of the processes associated with the Proposed Waikato District Council, which has now progressed to the stage of working through appeals.

1.2 Code of Conduct

4. I confirm that I have read the Code of Conduct for Expert Witness in the Environment Court Practice Note 2014 and that I have complied with it when preparing this report. Other than when I state that I am relying on the advice of another person, this evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.
5. I am authorised to give this evidence on the Council's behalf to the Proposed District Plan hearings commissioners.

1.3 Conflict of Interest

6. I confirm that I have no real or perceived conflict of interest.

1.4 Preparation of this report

7. I am the author of this report.

8. The data, information, facts, and assumptions I have considered in forming my opinions are set out in my evidence. Where I have set out opinions in my evidence, I have given reasons for those opinions. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

2 Scope of Report

2.1 Matters addressed by this report

9. The scope of this report is to consider the submissions and further submissions made in respect of the provisions in the Māori Purpose Zone (**MPZ**) chapter of the Waitomo Proposed District Plan (**PDP**) and make recommendations.
10. This report is prepared in accordance with section 42A of the RMA. The purpose of a section 42A report such as this is to guide submitters and the independent hearings panel, but the contents are just the recommendations of the author. The decision ultimately lies with the independent hearings panel.
11. Provisions relating to management of the MPZ include land use activities and buildings, and are addressed in this report. Activities may be addressed in other section 42A reports such as earthworks and subdivision.

2.2 Overview of the chapter

12. The MPZ provides for the social, cultural, environmental and economic needs of mana whenua and seeks to enable reconnection with sites of ancestral importance to mana whenua. The intention of the zone is to allow the development and use of marae complexes and papakāinga to a level of intensity and with a range of activities greater than would be permissible in other zones. The zone also acknowledges that the nature of multi-ownership tenure can be problematic when trying to align with the current legislation pertaining to land. In order to allow mana whenua to utilise land resources sustainably and to contribute to restoring customary activities on Māori whenua, the zone allows marae complexes and papakāinga as a permitted activity.
13. The MPZ is located in discrete areas across the district that has been identified by the Maori Land Court as set aside for a Māori Reservation. The MPZ seeks to enable mana whenua to utilize their land in accordance with tikanga Māori and matuaranga Māori.
14. Some areas of the MPZ are in the amenity precinct (PREC6) which is located along the State Highway 37 corridor between Hangatiki and Waitomo Caves Village, and between Hangatiki along State Highway 3 to the northern boundary of the district. The purpose of the amenity precinct is to ensure that land use activities and development are appropriately

located and of a density, scale and intensity that maintains the character of key areas such as the State Highway corridors which have a rural character. The Amenity Precinct chapter seeks to achieve this by, avoiding ribbon development and clutter from signs along the State Highway, managing earthworks on prominent slopes and ridges and skylines.

15. On the face of it, it appears that the MPZ only applies to a small proportion of land in the District and that is correct. However the other part of the equation for Māori land is that all the residential and rural zones enable papakāinga housing developments and marae complex as permitted activities. This enables Māori to provide for their culture and a broad range of residential opportunities across the zones. Papakāinga units are defined in the PDP as:

means residential accommodation which supports traditional Māori cultural living for a recognised mana whenua group residing in Waitomo district. For the avoidance of doubt, individual papakāinga units must contain a bedroom and separate bathroom including a toilet, sink and shower but are not required to contain a kitchen where communal kitchen facilities are available on the site.

16. Papakāinga housing development is defined in the PDP as:

papakāinga housing development means a residential development comprising more than two but no more than six individual papakāinga units which supports traditional Māori cultural living for a recognised mana whenua group residing in Waitomo district.

17. Marae complex is defined in the PDP as:

means an area of land set apart for the common use of mana whenua of Waitomo district, and includes a complex of buildings such as whareniui (meeting house), wharekai (dining hall), whārepaku (ablution block), and/or other accessory buildings generally associated with a marae or pā, but excludes papakāinga housing developments.

2.3 Statutory Requirements

18. The PDP has been prepared in accordance with the Council's functions under the Resource Management Act (**RMA**), specifically section 31, Part 2 and the requirements of sections 74 and 75, and its obligation to prepare, and have particular regard to, an evaluation report under section 32. The section 32 report which addresses this zone sets out how the relevant national policy statements, national environmental standards, provisions of the Waikato Regional Policy Statement, the Manawatū-Whanganui One Plan, the Maniapoto Environmental Management Plan, the Waikato Tainui Environment Management Plan 2018 and Te Ture Whaimana o Te Awa o Waikato - The Vision and Strategy for the Waikato River have been assessed and considered.
19. The following is a brief overview of higher order planning directions relevant to MPZ. At the legislation level, the RMA requires:
 - a. To recognise and provide, as a matter of national importance, the relationship of Māori and their culture and traditions with their

ancestral lands, water, site, wahi tapu and other taonga - section 6(e);

- b. Have particular regard to kaitiakitanga -section 7(a);
 - c. Take into account the principles of the Treaty of Waitangi-Section 8
 - d. Have regard to any relevant planning document recognised by an Iwi authority - Section 74 (2A). This is relevant to the partnership with Maniapoto and Tainui and the directions expressed in their respective management plans.
20. In terms of National Policy Statements, while WDC is not an urban environment, the National Policy Statement for Urban Development provides valuable direction on land use and development. It aims to support well functioning urban environments to provide for current and future community well-being and this includes enabling Māori to express their cultural traditions and norms (Policy 1(a)(ii)).
21. The PDP was notified on 20 October 2022, which was just after the National Policy Statement for Highly Productive Land (**NPS-HPL**) was gazetted.¹ While the NPS-HPL seeks to protect highly productive land for use in land-based primary production, there is recognition of the unique characteristics of specified Māori land.
22. The Waikato Regional Policy Statement (**RPS**) RPS acknowledges the special status of Māori under the RMA. There are matters of significance to Tangata whenua in regard to natural and physical resources, their relationship with the environment and the health and wellbeing of the Waikato River. The physical and heritage relationships of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga, are to be recognised and provided for. In particular IM-O7 Relationship of tāngata whenua with the environment, IM-P3 Tāngata whenua and UFD-P3 Marae and papakāinga.
23. The Manawatū-Whanganui One Plan contains the following provisions: Objective 2-1: Resource management a. To have regard to the mauri of natural and physical resources to enable hapū and iwi to provide for their social, economic and cultural wellbeing. b. Kaitiakitanga must be given particular regard and the relationship of hapū and iwi with their ancestral lands, water, sites, wāhi tapu and other taonga (including wāhi tūpuna) must be recognised and provided for through resource management processes.
24. The Maniapoto Environmental Management Plan enables the development of papakainga and Marae in Section 8, and this includes the need to reflect Maniapoto identity and cultural values in community developments. Section 9 seeks to enhance and protect the ability of Maniapoto to access resources and undertake customary activities.

¹ The policy was gazetted on Monday 19 September 2022 and was in effect from Monday 17 October 2022.

25. The Waikato Tainui Environment Management Plan 2018 supports the development of papakāinga through Objective 13.3.1 and this is achieved by Policies 13.3.1.1 and 13.3.1.2.

2.4 Procedural matters

26. No submitter, prehearing or Clause 8AA meetings have been undertaken.
27. There has been no further consultation undertaken since notification.

3 Consideration of submissions received

3.1 Overview of submissions

28. There were 57 primary submissions points addressed in this report that relate to the MPZ, with a very high level of support for the provisions. The submissions address the following matters:

- a. Retention of the MPZ in general;
- b. Request to expand the MPZ to apply to all Māori Freehold Land;
- c. Deletion of the standard setting a maximum number of papakāinga units;
- d. Servicing for water;
- e. Addition of specified activities;
- f. Engagement with mana whenua; and
- g. Transport provisions.

29. Any submissions which address the papakāinga or marae complex provisions in zones other than MPZ are addressed in the respective section 42A report for that zone.

30. Where there is only support for an MPZ provision with no contrary view expressed by any other submitters, that provision is not discussed further in this report.

3.2 Structure of this report

31. The report is structured by grouping the submission themes into district plan topics and aligning them in the same order they appear in the notified version of the plan (i.e objectives, policies and rules). There are submissions that have been grouped together as they in themselves have a common theme.

32. Given the number, nature and extent of the submissions and further submissions received, I have structured the Section 42A report based largely on topics as follows:

Topic 1: Application of the MPZ;

Topic 2: Activities within the MPZ;

Topic 3: Servicing for water;

Topic 4: Engagement with mana whenua; and

Topic 5: Transport network.

4 Analysis and Recommendations

Topic 1: Application of the MPZ

Introduction

33. The Objectives MPZ-O1 to MPZ-O4 and the supporting policies and rules seek to enable mana whenua to use their traditional resources and maintain their relationship with ancestral lands while ensuring new development or re-development is undertaken at an appropriate scale and in consideration of reverse sensitivity effects. MPZ is located primarily around Marae to strengthen Marae as the centre of the community with complementary development.

34. 57 submission points were received in support of the provisions managing the MPZ. Two submissions are seeking to retain the MPZ as notified, and four submissions seek to retain the MPZ with amendments and these submissions commented on a number of provisions. Several submissions seek to expand the provisions to all Māori Freehold land.

Analysis and recommendations

35. The submissions from Kura Stafford [55.01] and Sheryl Paekau [13.01], Te Ruunanga o Ngaati Mahuta ki te Hauaauru [35.22] support in part the MPZ. These submissions are similar in that they agree with the intent of MPZ but seek amendments to enable more support for mana whenua aspirations on their land.

36. The submission from Kura Stafford seeks to amend the approach by extending consideration to all Maori Freehold Land, and this is supported by Sheryl Paekau [FS20.241] and Te Nehenehenui [FS23.261]. Similarly Sheryl Paekau seeks to retain the provisions that support marae purpose living, papakāinga, but also provide a pathway in the rule framework, which enables the development of Māori freehold land [13.01]. Kura Stafford considers this is necessary so all Maori landowners may benefit from the rule framework and not just those who are associated with a marae. The submission does not believe that zoning of a MPZ is beneficial to all Māori.

37. I note the MPZ is located on Māori Freehold Land that has been identified on land recognised as Maori Reservation through the Maori Land Court. Although I can understand the intent of this submission to enable development of papakāinga on all Maori Freehold Land, the PDP already enables this type of development in several other zones regardless of the land tenure. The papakāinga rules within the other zones (set out below) also apply to general title land as well as Māori Freehold Land. The PDP therefore has achieved what Ms Stafford is seeking. The approach taken in the PDP is an advantage to landowners who do not wish their land to be managed by the Māori Land Court and where funding from banks can be challenging to obtain.
38. The PDP includes in the following chapters provisions that enable marae complex and papakāinga housing development as a permitted activity at a scale that is appropriate to that zone:
- General rural zone;
 - Rural lifestyle zone;
 - Residential zone;
 - Settlement zone;
 - Tourism zone;
 - Te Maika precinct
39. The following table provides an overview of the permitted activity standard for papakāinga development by zone. I have included the maximum site coverage as that may be a determining factor for how many papakāinga residential units can establish as a permitted activity.

Zone	Objective	Policies (most relevant)	Rules (no. of papakāinga residential units and site coverage)
Māori Purpose Zone	<p>MPZ-O1. Enable mana whenua to use, manage and enjoy their traditional resources and maintain their relationship with ancestral lands in accordance with tikanga Māori and matauranga Māori.</p> <p>MPZ-O2. Support the aspirations of mana whenua to create prosperous, healthy, innovative communities that offer opportunities for growth while managing the adverse effects on the environment.</p> <p>MPZ-O3. Ensure new development or re-development does not exceed available capacities for servicing and infrastructure and is co-ordinated with infrastructure provision.</p> <p>MPZ-O4. Ensure that the potential for reverse sensitivity effects to arise is minimised.</p>	<p>MPZ-P1. Mana whenua are enabled to sustainably manage their lands and resources in accordance with their cultural preferences and aspirations by:</p> <ol style="list-style-type: none"> 1. Promoting the efficient development of Māori land; and 2. Allowing economic development that supports the occupation, development and use of Māori land; and 3. Enabling design and development in accordance with tikanga Māori and matauranga Māori. <p>MPZ-P2. Support the aspirations of mana whenua to develop marae complexes and papakāinga housing developments while ensuring adverse effects on the environment are avoided, remedied or mitigated by:</p> <ol style="list-style-type: none"> 1. Avoiding overdevelopment of sites through building coverage specifications; and 2. Ensuring development or redevelopment is appropriately located and well designed; and 3. Requiring noise sensitive activities located adjacent to State Highways and/or railways to provide sufficient acoustic treatment to protect the level of amenity anticipated in the zone; and 4. Ensuring papakāinga housing development is appropriately serviced and provides the occupants with outdoor space and parking. 	<p>10 papakāinga units</p> <p>Site coverage 35%</p>
General rural zone and Future urban zone	No specific objective	<p>GRUZ-P1. Land use activities and development must be restricted to a density, scale and intensity and be located appropriately, in order to maintain rural character and amenity by:</p> <p>...</p> <ol style="list-style-type: none"> 8. Enabling marae complex and papakāinga development as a recognised part of rural character, 	<p>6 residential units</p> <p>Site coverage</p> <p>Less than 1 hectare-15%</p> <p>Greater than 1 hectare 3%</p>

Zone	Objective	Policies (most relevant)	Rules (no. of papakāinga residential units and site coverage)
		subject to provision of adequate servicing and managing potential adverse effects;	
Rural lifestyle zone	RLZ-O9. Enable mana whenua to express their cultural traditions and values through the provision of marae and hapū-focused, papakāinga housing developments.	RLZ-P9. Development in Oparure and Fullerton Road must: ... 4. Enable papakāinga housing developments, particularly where these are in close proximity to marae complex and/or are consistent with the key elements of the rural lifestyle zone's amenity and character.	6 residential units Site coverage Less than 2500m ² -25% All other sites-20%
Residential zone	RESZ-O2. Recognise the high levels of economic and social deprivation and enable a range of housing options for a diverse range of households including tiny houses, papakāinga, co-housing and compact housing developments to provide healthy, affordable, safe homes. RESZ-O7-Enable mana whenua to express their cultural traditions and values through the provision of hapū-focused housing options such as papakāinga and cohousing developments.	RESZ-P9. Outside of the railway cottage cluster precinct (PREC1), provide for retirement villages, compact housing, tiny-houses, co-housing and papakāinga housing developments where these are comprehensively designed. ... 9. Papakāinga developments are enabled to provide a hapū-focused housing option which may possess a design and layout that differs from that generally found in the residential zone; and	6 residential units Site coverage - 35%
Settlement zone	SETZ-O7. Enable mana whenua to express their cultural traditions and values through the provision of hapū-focused, papakāinga housing developments.	SETZ-P3. Within the Mokau commercial precinct: ... 4. Direct more intensive housing developments - co-housing, papakāinga and tiny house developments – away from the commercial precinct and into the settlement zone to maintain capacity for commercial activities SETZ-P17. Provide for buildings and activities that enable mana whenua to connect with their ancestral sites, ancestral lands, water, sites wāhi tapu, and other taonga.	6 residential units Site coverage-35%

Zone	Objective	Policies (most relevant)	Rules (no. of papakāinga residential units and site coverage)
Tourism zone	No specific objective	TOUZ-P3. In all tourism zones, enable a range of housing options including minor residential units, co-housing, papakāinga and tiny house developments where these are consistent with the key elements of the zone's amenity and character	6 residential units Site coverage-35%
Te Maika Precinct	PREC7-O1. Facilitate the management and development of the Te Maika precinct in a way that prioritises the implementation and creation of a low impact, self-sufficient, sustainable community which prioritises the well-being of the natural environment and recognises the area's unique cultural heritage.	PREC7-P7. Recognise and provide for the relationship that mana whenua have with their ancestral sites, ancestral lands, water, wāhi tapu, and other taonga including the coastal environment.	6 residential units Site coverage-35%

40. While I understand the concerns raised by submitters, I consider that the rules for the vast proportion of the PDP zones enable increased levels of development for marae and papakāinga. I therefore recommend rejecting the submissions from Kura Stafford [55.01], Sheryl Paekau [13.01], Te Ruunanga o Ngaati Mahuta ki te Hauaauru [35.22] and the associated further submissions for the reasons outlined above.
41. The submission from TNN [50.05] seeks to amend the MPZ by including a papakāinga chapter to compliment the MPZ. Graymont Ltd [FS08.26] and Sheryl Paekau [FS20.203] and [FS20.236] support the submission. I believe the PDP provides for papakāinga development through enabling provisions across the District in zones where papakāinga is compatible as outlined in the table above. I therefore recommend rejecting the submission points from TNN [50.05] and Sheryl Paekau [FS20.203], [FS20.236] and Graymont Ltd [FS08.26].

Topic 2: Activities in the MPZ

Introduction

42. While the objectives and policies establish the framework for the appropriate activities in the zone, the submission from Ministry of Education (**MoE**) [24.70] seeks to include a new policy that will provide for a mix of activities within the MPZ. The submission from Kāinga Ora [36.28] relates to the maximum number of papakāinga units and Marama Henare-Waho [45.09] seeks inclusion of Kaura Māori to an objective.

Analysis and recommendations

43. Marama Henare-Waho [45.09] seeks the addition of Kaura Māori to MPZ-O1. I have attempted to research what Kaura Maori is, but have been unsuccessful. If Ms Henare-Waho could provide further information on what Kaura Māori is, I would be happy to consider it further.
44. The new policy sought by MoE seeks to provide for a mix of activities which meets the needs of the local community and supports mana whenua aspirations. Looking at the policies, it appears that MPZ-P1 is focused on enabling appropriate activities in the zone. Rather than adding a new policy, I recommend that the essence of the request from MoE is added into MPZ-P1 which already refers to the meeting the aspirations of mana whenua. The addition will also support MPZ-R6 which is healthcare facilities, educational facilities, community facilities, arts and cultural centres as permitted activities. Incidentally MoE [24.71] seek to retain MPZ-R6. I therefore recommend the following addition be made:

MPZ-P1.

Mana whenua are enabled to sustainably manage their lands and resources in accordance with their cultural preferences and aspirations by:

1. Promoting the efficient development of Māori land; and
2. Allowing economic development that supports the occupation, development and use of Māori land; and

3. Enabling design and development in accordance with tikanga Māori and matauranga Māori; and

4. Providing for a mix of activities that support the local community.

45. Papakāinga units are enabled as a permitted activity by MPZ-R1, but the maximum number per individual zone is 10. More than 10 papakāinga units are a restricted discretionary activity through MPZ-R13. The development standards in MPZ – Table 2 must be complied with for both activities, however there is a tiered activity status for non compliance with the standards for MPZ-R1:
- e. The activity status for non-compliance with MPZ-R21 to MPZ-R24 is restricted discretionary; and
 - f. The activity status for non-compliance with MPZ-R25 Maximum building coverage or MPZ-R26 Servicing is discretionary.
46. Where more than 10 papakāinga units are proposed in MPZ-R13 but the development standards are not complied with, the activity status is discretionary.
47. The submission from Kāinga Ora [36.28] seek to make papakāinga development more enabling by deleting the limit of 10 units, and non-compliance with any of the standards remains as restricted discretionary. This would mean that MPZ-R13 is redundant. I agree with this approach as the standards will limit the levels of development on the site. For example, the site coverage is limited to 35% by MPZ-R25, and similarly MPZ-R21 and MPZ-R22 establish setbacks from the boundary. Most importantly MPZ-R26 establishes servicing requirements, but even as a restricted discretionary the resource consent application may be declined if there is insufficient servicing. Rather than prescribe a set number of papakainga units, in my view it would be more appropriate for mana whenua to decide how many units can be configured on the site so long as the standards are met. I consider this is a more effective way to give effect to:
- g. Policy 1 of the NPS-UD which enable Maori to express their cultural traditions and norms; and
 - h. UFD-P3 of the RPS which seeks to recognise the historical, cultural and social importance of marae and papakāinga and to provide for their ongoing use and development.
48. In order to implement this change, MPZ-R1 must be decoupled from Marae complex, MPZ-R2, MPZ-R3, MPZ-R4 and MPZ-R5 to avoid this change affecting those rules. In addition, I note that MPZ-R25 Maximum building coverage and MPZ-R26 Servicing cascade to discretionary upon non-compliance with those standards and do not have any matters of discretion. I have therefore drafted some as a consequence of accepting the submission from Kāinga Ora. The matters of discretion for non-compliance with MPZ-R26 Servicing have become complex because this standard includes water, wastewater, stormwater and firefighting which

necessitated matters of discretion for each element. I therefore recommend accepting Kāinga Ora's submission point [36.28] and amend the rule framework as follows:

MPZ-R1

~~Marae complex and up to 10 papakāinga units per each individual zone~~

Permitted where:

All of the performance standards in MPZ – Table 2 are complied with.

Restricted Discretionary where compliance is not achieved with ~~MPZ – R21 – MPZR24~~ any of the standards in MPZ – Table 2.

~~Discretionary where compliance is not achieved with MPZ-R25 to MPZ-R26~~

~~Where the activity is RDIS;~~ The matters over which discretion is restricted are:

(a) The matters of discretion associated with any performance standard which cannot be complied with ~~in MPZ – Table 2 for MPZ-21 – MPZ-R24.~~

~~For non-compliance with MPZ-R25:~~

~~(b) Visual effects including bulk, scale and location of the building(s); and~~

~~(c) Effects on surrounding properties, character and amenity; and~~

~~(d) Ability to soften the visual impact of the building from nearby residential properties and adjoining road boundaries, including retention of any existing mature trees and landscaping; and~~

~~(e) Management of stormwater.~~

~~For non-compliance with MPZ-R26(1) water supply:~~

~~(f) Health and safety of the occupants; and~~

~~(g) Sufficiency of supply for fire-fighting.~~

~~For non-compliance with MPZ-R26(2) wastewater:~~

~~(h) Health and safety of the occupants and public;~~

~~(i) Effectiveness of alternative solutions;~~

~~(j) Capacity of the system;~~

~~(k) Infiltration capacity of the soil;~~

~~(l) Location, including proximity to waterways and effects on habitats; and~~

~~(m) Contamination of downstream properties by wastewater.~~

~~For non-compliance with MPZ-R26(3) stormwater:~~

~~(n) The likely effectiveness of the system to avoid flooding, nuisance or damage to other buildings and sites;~~

~~(o) The capacity of the system and suitability to manage stormwater;~~

~~(p) The potential for adverse effects to the environment in terms of stormwater quantity and stormwater quality effects; and~~

~~(q) Extent to which low impact design principles and approaches are used.~~

~~For non-compliance with MPZ-R26(4) firefighting:~~

~~(r) Proximity and access to water for firefighting; and~~

~~(s) Extent to which risk to people and property can be minimised.~~

~~MPZ-R1A Marae complex~~

MPZ-R2. Urupa under Te Ture Whenua Māori Act 1993 and private cemeteries under the Burial and Cremation Act 1964.

MPZ-R3. Tanks and silos

MPZ-R4. Accessory buildings ancillary to any permitted activity

MPZ-R5. Construction, additions and alteration of buildings for any permitted activity

~~MRZ-R13. More than 10 papakāinga units per each individual zone~~

~~Activity Status: RDIS~~

~~Where:~~

~~1. All of the performance standards in MPZ – Table 2 are complied with; and~~

~~Matters over which discretion is restricted:~~

~~(a) The matters of discretion associated with any performance standard which cannot be complied with in MPZ – Table 2; and~~

- ~~(b) The benefits of the activity in providing for community wellbeing, tikanga Māori and matauranga Māori; and~~
~~(c) The effects on nearby residential properties and public places; and~~
~~(d) Whether the scale, intensity and character of the activity is appropriate in the context of the site and receiving environment; and~~
~~(e) On-site amenity values; and~~
~~(f) Parking, manoeuvring and access; safety and efficiency, including the provision of sufficient off-street parking and the effects of traffic generation; and~~
~~(g) The extent of impervious surfaces and landscaping; and~~
~~(h) Provision of on-site infrastructure; and~~
~~(i) Potential reverse sensitivity effects on any adjoining activities.~~

~~Activity status when compliance is not achieved: DIS~~

Topic 3: Servicing for water

Introduction

49. MPZ-P6 sets the policy framework for ensuring that development is appropriately serviced for three waters. MPZ-R26 Servicing is the standard which applies to all activities. Clause (4) applies to situations where water is not supplied by Council or a private community and ensures there is sufficient water supply for firefighting. The rule ensures there is access to water supply in the event of a fire.

Analysis and recommendations

50. The submission from Fire and Emergency New Zealand (**FENZ**) [16.78] supports in part MPZ-P6 and seeks to amend the policy to ensure the scale and intensity of development can be serviced by on site non-reticulated water. While the first part of the policy refers to reticulated water, wastewater and stormwater networks, water is missing from the latter part. This appears to be an unintentional omission. I agree that the additional reference to provide water to a site that is not reticulated in the policy is sensible. I recommend accepting the submission point from FENZ [16.78] and make the following amendments:

MPZ-P6.

Where reticulated water, wastewater and stormwater networks are not available, ensure the scale and intensity of development can be serviced by on site non-reticulated water, wastewater and stormwater methods.

51. The submissions from FENZ [16.79] seeks to amend to provide for firefighting considerations, and to be in accordance with SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice. MPZ-R26(4) sets out a number of complex firefighting requirements for development that is not supplied by Council or a private community supply. FENZ seeks to simplify this with a reference to the SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice. I note that there is an advice note below the standard to this effect anyway so the suggestion from FENZ seems a more streamlined approach. I therefore recommend the following amendment:

MPZ-R26. Servicing

~~4. Where water is not supplied by Council or a private community supply, each site must provide access to a water supply for firefighting purposes that is:~~

~~(i) Accessible to firefighting equipment; and~~

~~(ii) Between 6 and 90 metres from any building housing a residential activity on the site; and~~

~~(iii) Located on the site except where the specified volume or flow of water is in a water body that is within the required distances; and~~

~~(iv) Either stores at least 45,000 litres of water or provides at least 25 litres of water per second for 30 minutes.~~

~~Note: See SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice for further information about managing fire risk and storage of water for firefighting purposes.~~

~~Where a connection to Council's reticulated water supply system compliant with the SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice is not available, or additional level of service is required, water supply and access to water supplies for firefighting shall be in accordance with the alternative firefighting water source provisions of SNZ PAS 4509:2008.~~

Topic 4: Engagement with mana whenua

52. The submission from Marama Henare-Waho [45.10] seeks to amend the whole MPZ chapter to require early and appropriate and proper engagement with the mana whenua i.e. the hapu / whanau who hold mana in the land. Sheryl Paekau [FS20.194] supports the submission. It is not clear from the submission which part of the chapter should be amended. If Ms Henare-Waho could provide further detail on her concerns and potential solutions, I would be happy to consider it.

Topic 5: Transport network

Introduction

53. Submissions from Waka Kotahi [17.154] seek deletion of MPZ-R24 which establishes a rule framework for noise sensitive activities in close proximity to the state highway and rail in favour of this issue being addressed in the NOISE chapter. Similar submissions were received by Waka Kotahi on other zones, and this matter will be addressed comprehensively in the Infrastructure and Transport s42A reports and hearings.

54. Waka Kotahi also seeks amendments to the matters of discretion in MPZ-R13 to refer to the transport network.

Analysis and recommendations

55. Waka Kotahi [17.152] seeks amendments to MPZ-P13 which is the rule for more than 10 papakāinga units per each individual zone. As outlined above in section 5 of this report, I have recommended deleting this rule as a consequence of deleting the limitations on the number of papakāinga units. I therefore recommend rejecting the submission point from Waka Kotahi [17.152] as the rule no longer exists.

5 Conclusion

56. For the reasons included in this report, I consider that the amended provisions will be efficient and effective in achieving the purpose of the RMA, the relevant objectives of this plan and other relevant statutory documents.
57. Appendix 1 contains recommended amendments to the MPZ chapter and Appendix 2 contains the s32AA evaluation.

APPENDIX 1 RECOMMENDED AMENDMENTS

Māori Purpose Zone

Overview

The Māori purpose zone provides for the social, cultural, environmental and economic needs of mana whenua and seeks to enable reconnection with sites of ancestral importance to mana whenua. The intention of the zone is to allow the development and use of marae complexes and papakāinga to a level of intensity/range of activities greater than would be permissible in the general rural zone. The limiting factor to development in the zone is generally the ability to provide infrastructure including water and wastewater supplies. There is also a need to ensure new activities do not cause reverse sensitivity issues on existing lawfully established activities.

The zone recognises and provides for the relationship of Māori with Māori land as defined in the Te Ture Whenua Māori Act 1993. The zone also acknowledges that the nature of multi-ownership tenure can be problematic when trying to align with the current legislation pertaining to land. In order to allow mana whenua to utilise land resources sustainably and to contribute to restoring customary activities on Māori whenua, the zone allows marae complexes and papakāinga as a permitted activity.

Some areas of the Māori purpose zone are in the amenity precinct (PREC6) which is located along the State Highway 37 corridor between Hangatiki and Waitomo Caves Village, and between Hangatiki along State Highway 3 to the northern boundary of the district. This area was identified as part of an extensive landscape policy area in the previous district plan. This plan does not identify the same extensive area, instead prioritising the State Highway corridors (outside of the tourism zones) as important connecting routes which have a rural character requiring maintenance and enhancement. As a multi-zoned precinct, the provisions are located separately in the amenity precinct (PREC6) chapter.

Objectives

Refer also to the relevant objectives in Part 2 District - Wide Matters

- MPZ-O1.** Enable mana whenua to use, manage and enjoy their traditional resources and maintain their relationship with ancestral lands in accordance with tikanga Māori and matauranga Māori.
- MPZ-O2.** Support the aspirations of mana whenua to create prosperous, healthy, innovative communities that offer opportunities for growth while managing the adverse effects on the environment.
- MPZ-O3.** Ensure new development or re-development does not exceed available capacities for servicing and infrastructure and is co-ordinated with infrastructure provision.

MPZ-O4. Ensure that the potential for reverse sensitivity effects to arise is minimised.

Policies

Refer also to the relevant policies in Part 2 District - Wide Matters

MPZ-P1. Mana whenua are enabled to sustainably manage their lands and resources in accordance with their cultural preferences and aspirations by:

1. Promoting the efficient development of Māori land; and
2. Allowing economic development that supports the occupation, development and use of Māori land; and
3. Enabling design and development in accordance with tikanga Māori and matauranga Māori; and
4. Providing for a mix of activities that support the local community.¹

MPZ-P2. Support the aspirations of mana whenua to develop marae complexes and papakāinga housing developments while ensuring adverse effects on the environment are avoided, remedied or mitigated by:

1. Avoiding overdevelopment of sites through building coverage specifications; and
2. Ensuring development or redevelopment is appropriately located and well designed; and
3. Requiring noise sensitive activities located adjacent to State Highways and/or railways to provide sufficient acoustic treatment to protect the level of amenity anticipated in the zone; and
4. Ensuring papakāinga housing development is appropriately serviced and provides the occupants with outdoor space and parking.

MPZ-P3. Ensure the scale, type, design and location of structures and activities is appropriate by:

1. Managing dust, noise, glare, access and parking to maintain the amenity values of land adjoining the zone; and
2. Maintaining the road boundary setback for buildings; and
3. Ensuring that buildings are designed so as not to overshadow or overly dominate the character of the surrounding area.

MPZ-P4. Ensure new development is designed and located to manage significant risks from natural hazards.

MPZ-P5. Ensure lawfully established activities on land adjoining the zone are not constrained by the establishment of noise sensitive activities within the zone.

¹ Ministry of Education [24.70]

- MPZ-P6.** Where reticulated water, wastewater and stormwater networks are not available, ensure the scale and intensity of development can be serviced by on site non-reticulated [water](#),² wastewater and stormwater methods.
- MPZ-P7.** Ensure the flightpath height restrictions shown on the planning maps are complied with to enable the safe operation of the Te Kūiti Aerodrome.

² Fire and Emergency New Zealand [16.78]

Rules

The rules that apply to the Māori purpose zone are contained in the tables listed below. To undertake any activity, it must comply with all the rules listed in:

- MPZ - Table 1 - Activities Rules; and
- MPZ - Table 2 - Performance Standards; and
- Any relevant provision in Part 2 District-Wide Matters; and

Where an activity breaches more than one rule, the most restrictive status shall apply to the activity.

[Refer to Part 1 - How the Plan Works](#) for an explanation of how to use this plan, including activity status abbreviations.

MPZ - Table 1 – Activities rules

MPZ-R1.	Marae complex and up to 10 p Papakāinga units per each individual zone³
<p>Activity status: PER</p> <p>Where:</p> <p>1. All of the performance standards in MPZ – Table 2 are complied with.</p> <p><i>Note: See the Hapori Whānui chapter for Māori cultural and customary uses, maara kai, pouwhenua, and waharoa.</i></p> <p><i>Note: Where the building is listed in SCHED1 - Heritage Buildings and Structures, also see the historic heritage chapter.</i></p>	<p>Activity status where compliance is not achieved with MPZ-R21 to MPZ-R24 any of the standards in MPZ-Table 2 any of the standards in MPZ – Table 2: RDIS</p> <p>Activity status where compliance is not achieved with MPZ-R25 to MPZ-R26: DIS</p> <p>Where the activity is RDIS, tThe matters over which discretion is restricted are:</p> <p>(a) The matters of discretion associated with any performance standard which cannot be complied with in MPZ-Table 2 for MPZ-21 – MPZ-R24. <u>For non-compliance with MPZ-R25:</u></p> <p>(b) <u>Visual effects including bulk, scale and location of the building(s); and</u></p> <p>(c) <u>Effects on surrounding properties, character and amenity; and</u></p> <p>(d) <u>Ability to soften the visual impact of the building from nearby residential properties and adjoining road boundaries, including retention of any existing mature trees and landscaping; and</u></p> <p>(e) <u>Management of stormwater.</u></p>

³ Kāinga Ora [36.28]

- For non-compliance with MPZ-R26(1) water supply:
- (f) Health and safety of the occupants; and
- (g) Sufficiency of supply for fire-fighting.

- For non-compliance with MPZ-R26(2) wastewater:
- (h) Health and safety of the occupants and public;
- (i) Effectiveness of alternative solutions;
- (j) Capacity of the system;
- (k) Infiltration capacity of the soil;
- (l) Location, including proximity to waterways and effects on habitats; and
- (m) Contamination of downstream properties by wastewater.

- For non-compliance with MPZ-R26(3) stormwater:
- (n) The likely effectiveness of the system to avoid flooding, nuisance or damage to other buildings and sites;
- (o) The capacity of the system and suitability to manage stormwater;
- (p) The potential for adverse effects to the environment in terms of stormwater quantity and stormwater quality effects; and
- (q) Extent to which low impact design principles and approaches are used.

- For non-compliance with MPZ-R26(4) firefighting:
- (r) Proximity and access to water for firefighting; and
- (s) Extent to which risk to people and property can be minimised.

<u>MPZ-R1A</u>	<u>Marae complex⁴</u>
MPZ-R2.	Urupa under Te Ture Whenua Māori Act 1993 and private cemeteries under the Burial and Cremation Act 1964.
MPZ-R3.	Tanks and silos

⁴ Kāinga Ora [36.28]

MPZ-R4.	Accessory buildings ancillary to any permitted activity
MPZ-R5.	Construction, additions and alteration of buildings for any permitted activity
<p>Activity status: PER</p> <p>Where:</p> <p>2. All of the performance standards in MPZ – Table 2 are complied with.</p> <p><i>Note: See the Hapori Whānui chapter for Māori cultural and customary uses, maara kai, pouwhenua, and waharoa.</i></p> <p><i>Note: Where the building is listed in SCHED1 - Heritage Buildings and Structures, also see the historic heritage chapter.</i></p>	
<p>Activity status where compliance is not achieved with MPZ-R21 to MPZ-R24 any of the standards in MPZ-Table 2: RDIS</p> <p>Activity status where compliance is not achieved with MPZ-R25 to MPZ-R26: DIS</p> <p>Where the activity is RDIS, the matters over which discretion is restricted are:</p> <p>(t) The matters of discretion associated with any performance standard which cannot be complied with in MPZ -Table 2.</p>	
MPZ-R6.	Healthcare facilities, educational facilities, community facilities, arts and cultural centres
MPZ-R7.	Boarding houses
<p>Activity status: PER</p> <p>Where:</p> <p>1. All of the performance standards in MPZ - Table 2 are complied with; and</p> <p>2. The new building does not exceed 250 m² in size or the addition to any existing building does not result in a building that exceeds 250 m² in size; and</p> <p>3. One boarding house per each individual zone is permitted accommodating no more than 6 persons.</p>	
<p>Activity status when compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <p>(a) The matters of discretion associated with any performance standard which cannot be complied with in MPZ - Table 2; and</p> <p>(b) The benefits of the activity in providing for community wellbeing, tikanga Māori and matauranga Māori; and</p> <p>(c) The effect on amenity values of nearby residential properties and public places; and</p> <p>(d) Whether the scale, intensity and character of the activity is appropriate in the context of the site and receiving environment; and</p> <p>(e) On-site amenity values; and</p> <p>(f) Parking, manoeuvring and access; safety and efficiency, including the provision of sufficient off-street parking and the effects of traffic generation; and</p> <p>(g) The extent of impervious surfaces and landscaping; and</p> <p>(h) Provision of on-site infrastructure; and</p> <p>(i) Potential reverse sensitivity effects on any adjoining activities.</p>	

MPZ-R8.	Retail activities	
MPZ-R9.	Tourism facilities	
	<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. All of the performance standards in MPZ - Table 2 are complied with; and 2. The retail activity must predominantly sell goods produced on-site; and 3. Each of these activities must not exceed a total gross floor area of 100 m² per activity, per each individual zone. 	<p>Activity status when compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> (a) The matters of discretion associated with any performance standard which cannot be complied with in MPZ - Table 2; and (b) The benefits of the activity in providing for community wellbeing, tikanga Māori and matauranga Māori; and (c) The effect on amenity values of nearby residential properties and public places; and (d) Whether the scale, intensity and character of the activity is appropriate in the context of the site and receiving environment; and (e) On-site amenity values; and (f) Parking, manoeuvring and access; safety and efficiency, including the provision of sufficient off-street parking and the effects of traffic generation; and (g) The extent of impervious surfaces and landscaping; and (h) Provision of on-site infrastructure; and (i) Potential reverse sensitivity effects on any adjoining activities.
MPZ-R10.	Home businesses	
	<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> (a) No more than two full time equivalent persons who do not reside on the site are employed in the home business; and (b) The hours of operation for the home business are between 7am and 7pm Monday to Friday and between 9am and 5pm Saturday, Sunday and Public Holidays; and (c) The home business and papakāinga unit combined must not generate more than 22 vehicle movements to the site per 24 hour period; and 	<p>Activity status where compliance is not achieved: DIS</p>

<p>(d) Any outdoor storage area must be screened from any road or public spacer and</p> <p>(e) A home business may include home based child care but must not be panel beating, spray painting, motor vehicle repair or wrecking, fibre glassing activities involving heavy vehicles, sheet metal work, wrought iron work, activities involving scrap metal or demolition materials or hazardous waste substances, activities involving fish or meat processing, funeral parlours, boarding or breeding kennels or catteries. In the Māori purpose zone these activities are industrial activities.</p>	
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MPZ-R11.	Agricultural, pastoral and horticultural activities	
Activity Status: PER Where: 1. Agricultural, pastoral and horticultural activities and stock underpasses are permitted except for farm airstrips and farm helipads.	Activity status where compliance is not achieved: DIS	
Activity Status: DIS Where: 2. Farm airstrips and farm helipads.	Activity status where compliance is not achieved: N/A	
MPZ-R12.	Demolition and/or removal of buildings and structures	
Activity status: PER <i>Note: Where the building is listed in SCHED1 - Heritage Buildings and Structures, see the historic heritage chapter.</i>	Activity status where compliance is not achieved: N/A	
MRZ-R13:	More than 10 papakāinga units per each individual zone⁵	

Activity Status: ~~RDIS~~

Where:

- ~~1. All of the performance standards in MPZ Table 2 are complied with; and~~

Matters over which discretion is restricted:

- ~~(a) The matters of discretion associated with any performance standard which cannot be complied with in MPZ Table 2; and~~
- ~~(b) The benefits of the activity in providing for community wellbeing, tikanga Māori and matauranga Māori; and~~
- ~~(c) The effects on nearby residential properties and public places; and~~
- ~~(d) Whether the scale, intensity and character of the activity is appropriate in the context of the site and receiving environment; and~~
- ~~(e) On-site amenity values; and~~
- ~~(f) Parking, manoeuvring and access; safety and efficiency, including the provision of sufficient off-street parking and the effects of traffic generation; and~~
- ~~(g) The extent of impervious surfaces and landscaping; and~~
- ~~(h) Provision of on-site infrastructure; and~~
- ~~(i) Potential reverse sensitivity effects on any adjoining activities.~~

Activity status when compliance is not achieved: ~~DIS~~

⁵ Kāinga Ora [36.28]

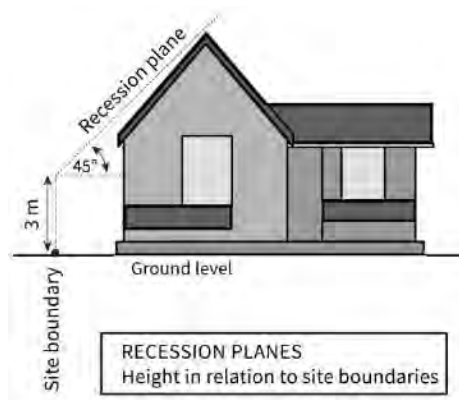
MPZ-R14.	Visitor accommodation and camping grounds
MPZ-R15.	Retirement villages
MPZ-R16.	Industrial activities
MPZ-R17.	Rural industry
Activity status: DIS	
Activity status where compliance is not achieved: N/A	
MPZ-R18.	Fortified sites
MPZ-R19.	Activities not otherwise listed in MPZ - Table 1
Activity status: NC	
Activity status where compliance is not achieved: N/A	
MPZ-R20.	Non-compliance with the Te Kūiti Aerodrome Flightpath height restrictions shown on the Planning Maps
Activity status: PR	
Activity status where compliance is not achieved: N/A	

MPZ - Table 2 - Performance Standards

MPZ-R21.	Minimum setback from road boundaries
<p>1. The minimum setback from road boundaries for any building adjacent to any district road in the general rural zone must be at least 10 m; and</p> <p>2. The minimum setback from road boundaries for any building adjacent to any road (including State Highways) in any zone other than the general rural zone must be at least 5 m; and</p> <p>3. The minimum setback from road boundaries for any building adjacent to any designated State Highway in the general rural zone must be 30 m.</p> <p><i>Note: Stockyards and stock loading ramps are structures and are not required to comply with this rule.</i></p>	<p>Matters over which discretion is restricted:</p> <p>(a) Visual effects including bulk, scale and location of the building; and</p> <p>(b) The provision of daylight and sunlight into neighbouring buildings; and</p> <p>(c) Effects on surrounding properties, character and amenity; and</p> <p>(d) Ability to soften the visual impact of the building from nearby properties and adjoining road boundaries, including retention of any existing mature trees and landscaping; and</p> <p>(e) Potential reverse sensitivity effects on any adjoining activities; and</p> <p>(f) Parking, manoeuvring and access; safety and efficiency, including the provision of sufficient</p>

	<p>off-street parking and the effects of traffic generation; and (g) Site and topographical constraints.</p>
MPZ-R22.	Minimum setback from internal boundaries
<p>1. The minimum setback for buildings from internal site boundaries must be:</p> <ul style="list-style-type: none"> (i) 3 m on sites 1,500 m² or less; or (ii) 5 m on sites 1,501 m² or greater <p>AND</p> <p>2. Buildings may be erected up to any common boundary with an adjacent site which is in the same holding.</p> <p><i>Note: All buildings and structures, must also comply with NATC-R2, CEH-R1 and CEH-R2.</i></p>	<p>Matters over which discretion is restricted:</p> <ul style="list-style-type: none"> (a) Visual effects including bulk, scale and location of the building; and (b) The provision of daylight and sunlight into neighbouring buildings; and (c) Effects on surrounding properties, privacy, character and amenity; and (d) Ability to soften the visual impact of the building from nearby residential properties and adjoining road boundaries, including retention of any existing mature trees and landscaping; and (e) Potential reverse sensitivity effects on any adjoining activities.
MPZ-R23.	Height and height in relation to boundary
<p>1. Structures must not exceed 10 m in height as measured from ground level; and</p> <p>2. No structure or stored materials shall penetrate a recession plane at right angles to a boundary inclined inwards and upwards at an angle of 45° from 3 m above the ground level of the road or internal boundaries of a site. See Figure - MPZ 1.</p>	<p>Matters over which discretion is restricted:</p> <ul style="list-style-type: none"> (a) Visual effects including bulk, scale and location of the structure or materials; and (b) The provision of daylight and sunlight into neighbouring buildings; and (c) Effects on surrounding properties, rural character and amenity; and (d) Ability to soften the visual impact of the structure or materials from nearby residential properties and adjoining road boundaries, including retention of any existing mature trees and landscaping; and (e) Potential reverse sensitivity effects on any adjoining activities.

Figure – MPZ 1 – Height in relation to boundary



MPZ-R24.	Noise insulation for noise sensitive activities
<p>1. All new buildings accommodating noise sensitive activities must be insulated to achieve a noise level of 40dB LAeq inside habitable rooms where it is proposed to be located within:</p> <ul style="list-style-type: none"> (i) 40 m of State Highway 3 (as measured from the edge of the carriageway) where the posted speed limit is equal to or less than 70km/hour; or (ii) 20 m of State Highway 4, 30 or 37 (as measured from the edge of the carriageway) where the posted speed limit is equal to or less than 70km/hour; or (iii) 80 m of State Highway 3 (as measured from the edge of the carriageway) where the posted speed limit is greater than 70km/hour; or (iv) 40 m of State Highway 4, 30 or 37 (as measured from the edge of the carriageway) where the posted speed limit is greater than 70km/hour; or (v) 40 m of a railway track. <p>AND</p> <p>2. A report from an experienced acoustic practitioner must be submitted at the time of application to demonstrate compliance with this rule; and</p> <p>3. This rule does not apply to any item of historic heritage listed in SCHED1 – Heritage Buildings and Structures.</p>	<p>Matters over which discretion is restricted:</p> <ul style="list-style-type: none"> (a) The time and duration of the noise effect and the impact of any vibration; and (b) The extent to which the activity can be relocated to meet setback requirements; and (c) The layout, design and location of the activity, including consideration of wind and climate patterns and the ability to maintain on-site amenity; and (d) Topographical and geographical features affecting the receiving environment in respect of vibration and noise; and (e) Outcomes of the acoustic report.
MPZ-R25.	Maximum building coverage

<p>1. The maximum total building coverage on a site must not exceed 35% of the net site area.</p>	<p>Activity status when compliance is not achieved: DIS</p>
<p>MPZ-R26.</p>	<p>Servicing</p>
<p>1. Where a connection to the Council’s reticulated water supply system is not available, all developments must have an independent potable water supply for activities on the site; and</p> <p>2. Where a connection to the Council’s reticulated wastewater system is not available, all developments must be on a site of sufficient size to contain the treatment and disposal of wastewater resulting from any development within the site boundaries; and</p> <p>3. All developments must be on a site of sufficient size to enable on site detention and disposal of stormwater (as measured in a 10% AEP); and</p> <p>4. Where water is not supplied by Council or a private community supply, each site must provide access to a water supply for firefighting purposes that is:</p> <p style="padding-left: 20px;">(i) Accessible to firefighting equipment; and</p> <p style="padding-left: 20px;">(ii) Between 6 and 90 metres from any building housing a residential activity on the site; and</p> <p style="padding-left: 20px;">(iii) Located on the site except where the specified volume or flow of water is in a water body that is within the required distances; and</p> <p style="padding-left: 20px;">(iv) Either stores at least 45,000 litres of water or provides at least 25 litres of water per second for 30 minutes.</p> <p>Note: See SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice for further information about managing fire risk and storage of water for firefighting purposes.</p> <p>4. <u>Where a connection to Council’s reticulated water supply system compliant with the SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice is not available, or additional level of service is required, water supply and access to water supplies for firefighting shall be in accordance with the alternative firefighting water source provisions of SNZ PAS 4509:2008.</u>⁶</p>	<p>Activity status when compliance is not achieved: DIS</p>

⁶ Fire and Emergency New Zealand [16.79]

Advice notes

Accidental discovery protocol

In the event that an unidentified archaeological site or a wāhi tapu site is located during works, the following applies:

- *Work must cease immediately at that place and within 20m around the site;*
- *Heritage New Zealand Regional Archaeologist must be notified and apply for the appropriate authority if required;*
- *Notify the appropriate iwi groups or kaitiaki representative of the discovery and ensure site access to enable appropriate cultural procedures and tikanga to be undertaken, as long as all statutory requirements under legislation are met (New Zealand Pouhere Taonga Act 2014);*
- *If human remains (koiwi) are uncovered then the Heritage New Zealand Regional Archaeologist, NZ Police and the appropriate iwi groups or kaitiaki representative must be notified. Remains are not to be moved until such time as iwi and Heritage New Zealand have responded; and*
- *Works affecting the archaeological site and any human remains (koiwi) must not resume until appropriate authority and protocols are completed.*

If the protocol is not adhered to then Heritage New Zealand can take out prosecution proceedings under the New Zealand Pouhere Taonga Act 2014.

Contaminated land

If the site is contaminated or potentially contaminated refer to the contaminated land chapter and the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCS) 2012.

Regional Council consents

A resource consent for some earthworks may also be required from the Waikato Regional Council or Manawatū-Whanganui Regional Council.

Works in close proximity to any electricity line

Works in close proximity to any electricity line can be dangerous. Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 is mandatory for all buildings, earthworks and mobile plant within close proximity to all electric lines. Compliance with the Plan does not ensure compliance with the Code.

Landscaping

Where the site is adjacent to a State Highway, consultation with the New Zealand Transport Agency on appropriate tree species and the location of planting is advisable.

APPENDIX 2 SECTION 32AA EVALUATION

1 Introduction

This section 32AA evaluation relates to the recommended amendments to the Maori purpose zone and supports the discussion, analysis and recommendation in the section 42A report. A section 32AA evaluation is only required for changes recommended since notification; if there is no change to the notified version, a section 32AA evaluation is not required. The level of detail in this report needs to be at a level of detail that corresponds to the scale and significance of the changes recommended.

1.1 Format of the report

The section 32AA evaluation report is structured in a similar order to the topics in the s42A to enable the reports to be read together. In accordance with the requirements of section 32, the tests for objectives are different from provisions.

2 Activities in the MPZ

This section 32AA evaluation relates to enabling appropriate activities that support the purpose of the MPZ and supports the discussion, analysis and recommendation in section 4.

2.1 Appropriateness of Objectives

Below are the objectives that are recommended to be added, amended or deleted. Having considered a range of options including retaining unchanged the notified objectives of the PDP, these objectives are the most appropriate way to achieve the purpose of the RMA, as demonstrated in the table below.

Objective or group of objectives
MPZ-01

Evaluation of objectives	
Part 2 RMA	Comment
Section 5 Purpose	The amendments to MPZ-01 enables use of Māori land in a way that will provide for the well-being of the community. It will enable use of Māori land in a way that will provide for the cultural well-being of Māori and enable reconnection with their lands.

Evaluation of objectives	
Part 2 RMA	Comment
	It will enable them to provide for a range of activities now and into the future. Objective MPZ-O1 enables Tangata Whenua to utilise, manage and enjoy Māori land.
Section 6 Matters of national importance	Section 6(e) the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga is relevant. The amendments to the objective enable Māori to retain connection and use of their lands.
Section 8 Treaty of Waitangi	The objective will achieve these sections of the RMA. The Māori purpose zone provides for the social, cultural, environmental and economic needs of mana whenua and seeks to enable reconnection with sites of ancestral importance to mana whenua. In order to allow mana whenua to utilise their land resources sustainably and to contribute to restoring customary activities on Māori whenua, the zone allows a wide variety of activities on Māori land that support the local community.

2.2 Identification of Options to Achieve the Objectives

The following reasonably practicable options have been identified for enabling papakāinga development:

Option 1 – Retain the provisions for papakāinga as notified

The notified approach had papakāinga limited to 10 units. If the papakāinga development did not comply with standards MPZ-R21-R24 the activity status was restricted discretionary, and discretionary for non compliance with MPZ-R25 and MPZ-R26.

Option 2 – Delete the maximum number of papakāinga units

Option 3 – Slightly more enabling activity status of discretionary for non-compliance with the standards

Preferred Option

A combination option 2 and 3 is the preferred option. Rather than prescribe a set number of papakāinga units, it would be more appropriate for mana whenua to decide how many units can be configured on the site so long as the standards are met. The standards will limit the levels of development on the site. For example, the site coverage is limited to 35% by MPZ-R25, and similarly MPZ-R21 and MPZ-R21 establish setbacks from the boundary. Most importantly MPZ-R26 establishes servicing requirements, but even as a restricted discretionary the resource consent application may be declined if there is insufficient servicing.

2.3 Evaluation of Preferred Option Against Objective

This section contains an evaluation of the preferred option identified above.

Evaluation of Preferred Option Against Objective(s)		
	Costs	Benefits
Environmental	May create additional traffic movements	
Economic	No economic costs are identified for this option	<p>Enables Māori to maximise use of their land</p> <p>Allows more affordable housing options</p> <p>Reduced risk and costs associated with a restricted discretionary activity resource consent</p>
Social	There are no social costs anticipated	<p>Allows a greater range of housing options</p> <p>Provides for the social wellbeing of Tangata Whenua by enabling increased use of Māori land.</p> <p>The provision for marae and papakāinga housing and ancillary activities support people living there and allows for the viable use of their land</p>
Cultural	There are no cultural costs anticipated	<p>Allows more Māori to live on their ancestral land</p> <p>Enables Māori to have a stronger connection with their land</p> <p>Allows mana whenua to decide the appropriate number of papakāinga</p> <p>Empowers Tangata whenua to manage their traditional resources in a customary manner of their choice.</p>
Economic growth provided or reduced	The provisions are likely to result in moderate economic growth for Māori in that housing will be more affordable.	
Employment opportunities	The provisions are likely to result in additional employment opportunities for some sectors like builders.	
Uncertain or insufficient info	There is sufficient information to support the proposed changes.	

Risk of acting or not acting	There is sufficient information to act.
Effectiveness	
The proposed provisions are the most effective method of meeting the objectives given they will provide increased economic, social and cultural benefits as outlined above while maintaining relevant zone character and amenity.	
Efficiency	
The proposed provisions are the most efficient method of meeting the objectives given the benefits identified above. They will reduce barriers to developing Māori ancestral lands for papakāinga. The environmental, economic, and cultural benefits outweigh the potential environmental and social costs. The provisions enable efficient use of the land.	
Summary	
<p>This option is the most appropriate way to achieve the objectives, mostly because they</p> <ul style="list-style-type: none"> • are efficient in terms of reducing costs to develop Māori ancestral lands, and effective in terms of sustainably managing resources as well as providing for Māori values, rights and interests. • The recognition of tangata whenua and the empowerment for development is important and is ultimately the key benefit. • They enable papakāinga to be established, subject to standards that seek to ensure that papakāinga are compatible with the character and amenity values the surrounding area • Give effect to both RPS's and the NPS-UD • Enable the Council to fulfil its statutory obligations, including Part 2 of the RMA • Ensure that adverse effects on the surrounding environment are managed appropriately by rule requirements • Enable the Council to effectively administer its District Plan and to monitor the outcomes of the proposed provisions in a clear and consistent manner. 	

3 Servicing for water

This section 32AA evaluation relates to the objective and policy framework for the zone and supports the discussion, analysis and recommendation in section 6.

3.1 Appropriateness of Objectives

Objective MPZ-O3 is relevant to this topic. The appropriateness of this objective has been assessed previously, and no changes are proposed through the s42A recommendations.

3.2 Identification of Options to Achieve the Objectives

The following reasonably practicable options have been identified for the amendments to MPZ-P6 and the standards for water supply

Option 1 – Retain MPZ-P6 as notified

Option 2 – Amend MPZ-P6 by including reference to non-reticulated water and thus completing consideration of the three waters

Option 3 – Do not include the additional standard

Option 4 – Add an additional rule requiring sites and developments to be serviced for water

Preferred Option

A combination of Option 2 and 4 are the preferred options.

The first part of the policy as written is about the coordination of reticulated services and infrastructure when undertaking development. The policy then references where reticulated water, wastewater and stormwater networks are not available that development is serviced by on-site non-reticulated wastewater and stormwater methods. The policy at this point fails to refer to non-reticulated water. Development is unable to occur without either reticulated or non-reticulated water and the policy should reference non-reticulated water. The inclusion of a new standard requiring site and development to be serviced for water. The new standard will ensure not only that each site / development is serviced for water, but also that the water supply is sufficient for firefighting.

3.3 Evaluation of Preferred Option Against Objective

This section contains an evaluation of the preferred option identified above.

Evaluation of Preferred Option Against Objective(s)		
	Costs	Benefits
Environmental	No environmental costs are identified for this option.	No environmental benefits are identified for this option.
Economic	Upgrading the water supply to this standard may cost. Chance that there is surplus water being stored in the unlikely event of a fire.	Decreases the risk to property through a sufficient water supply for firefighting.
Social	No social costs are identified for this option.	Ensures that development is appropriately serviced for water. Ensures the health and safety of people. Decreases the risk to people through a sufficient water supply for firefighting.
Cultural	No cultural costs are identified for this option.	No cultural benefits are identified for this option.
Economic growth provided or reduced	No change in economic growth opportunities as a result of this amendment.	
Employment opportunities	No change in employment opportunities as a result of this amendment.	
Uncertain or insufficient info	There is sufficient information to support the proposed changes.	
Risk of acting or not acting	There is sufficient information to act.	
Effectiveness		

The new policy will more readily achieve MPZ-O3 which ensures development can be appropriately serviced. The new policy ensures the health and safety of people and property with sufficient water for firefighting.

Efficiency

The new policy explicitly requires connection to Council's reticulated water network, or alternative servicing for water that achieves the standard appropriate for firefighting.

Summary

The proposed provisions are considered to be the most effective means of achieving the objectives as together they will:

- Give effect to higher order policy documents.
- Enable the Council to fulfil its statutory obligations, including by supporting the health and safety of people.

APPENDIX 3 ACCEPT / REJECT RECOMMENDATIONS

Submission No	Submitter	Support / in part / oppose	Plan Section	Plan Provision	Relief Sought	Accept/Accept in part/Reject
13.01	Sheryl Paekau	Support in part	51. MPZ	51. MPZ	Retain the provisions that support marae purpose living, papakainga. Provide a pathway in the rule framework which enable the development of Maori Freehold Land	Accept in part
16.77	FENZ	Support	51. Māori purpose zone	MPZ-03	Retain as notified.	Accept
16.78	FENZ	Support in part	51. Māori purpose zone	MPZ-P6	Amend as follows: MPZ-P6. Where reticulated water, wastewater and stormwater networks are not available, ensure the scale and intensity of development can be serviced by on site non-reticulated <u>water, wastewater and stormwater methods.</u>	Accept
16.79	FENZ	Support in part	51. Māori purpose zone	MPZ-R26	Delete MRZ-R26(4) and replace with the following: 4. <u>Where a connection to Council's reticulated water supply system compliant with the SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice is not available, or additional level of service is required, water supply and access to water supplies for firefighting shall be in accordance with the alternative firefighting water source provisions of SNZ PAS 4509:2008.</u> AND Retain the note as notified.	Accept

Submission No	Submitter	Support / in part / oppose	Plan Section	Plan Provision	Relief Sought	Accept/Accept in part/Reject
10.150	WRC	Support	52. Māori purpose zone	General	Retain these provisions.	Accept
10.151	WRC	Support	52. Māori purpose zone	MPZ-O1 to MPZ-O4 and MPZ-P1 to MPZ-P7	Retain these provisions.	Accept
17.152	Waka Kotahi	Support in part	51. Māori purpose zone	MPZ-R13.1(f)	Amend MPZ-R13.1(f) as follows: (f) Parking, manoeuvring, and access; safety and efficiency of the <u>transport network</u> , including the provision of sufficient off-street parking and the effects of traffic generation; and	Reject
17.153	Waka Kotahi	Support	51. Māori purpose zone	MPZ -R21.3	Retain as notified.	Accept
17.154	Waka Kotahi	Oppose	51. Māori purpose zone	MPZ-R24	Waka Kotahi seek that this rule is deleted and replaced in the Noise Chapter with the rule drafted in Appendix B.	To be addressed comprehensively in the section 42A reports for Infrastructure and Transport
24.69	MoE	Support	51. Māori purpose zone	MPZ-O2	Retain MPZ-O2 as notified.	Accept
24.70	MoE	Amend	51. Māori purpose zone	New policy	Add the following new policy to the Māori Purpose zone: <u>MPZ– PX</u> <u>To provide for a mix of activities within the Māori Purpose zone which meet the needs of the local community and support mana whenua aspirations.</u> And Any consequential amendments required to give effect to the matters raised in this submission.	Accept in part
24.71	MoE	Support	51. Māori Purpose zone	MPZ-R6	Retain MPZ-R6.	Accept

Submission No	Submitter	Support / in part / oppose	Plan Section	Plan Provision	Relief Sought	Accept/Accept in part/Reject
35.22	Te Ruunanga o Ngaati Mahuta ki te Hauaauru	Support with amendment	51. Māori purpose zone	Zones Precincts/Special purpose/MPZ	Retain intent of the MPZ zone in providing for the development of Māori owned land and supporting Mana Whenua aspirations.	Accept
FS20.22	Sheryl Paekau	Support			I seek that the whole of all submissions provided by the Ruuananga be allowed	Accept
36.28	Kāinga Ora	Oppose with amendment	51. Maori Purpose Zone	MPZ-1	<p>Amend MPZ-1 as follows:</p> <p>Marae complex and up to 10 papakāinga units per each individual zone</p> <p>Permitted where:</p> <p>All of the performance standards in MPZ – Table 2 are complied with.</p> <p>Restricted Discretionary where compliance is not achieved with MPZ- R21-MPZR24 <u>MPZ-R26.</u></p> <p>Discretionary where compliance is not achieved with MPZ-R25 to MPZ-R26</p> <p>And</p> <p>Any further, alternative or consequential relief as may be necessary to fully achieve the relief sought.</p>	Accept
38.69	TTRMC	Support	51. Māori purpose zone	MPZ	Retain the MPZ as notified.	Accept
FS20.98	Sheryl Paekau	Support			I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Accept
38.110	TTRMC	Support	51. Māori purpose zone	MPZ-O1	Retain MPZ-O1 as notified.	Accept

Submission No	Submitter	Support / in part / oppose	Plan Section	Plan Provision	Relief Sought	Accept/Accept in part/Reject
FS20.139	Sheryl Paekau	Support			I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Accept
38.111	TTRMC	Support	51. Māori purpose zone	MPZ-O2	Retain MPZ-O2 as notified.	Accept
FS20.140	Sheryl Paekau	Support			I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Accept
38.112	TTRMC	Support	51. Māori purpose zone	MPZ-O3	Retain MPZ-O3 as notified.	Accept
FS20.141	Sheryl Paekau	Support			I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Accept
38.113	TTRMC	Support	51. Māori purpose zone	MPZ-O4	Retain MPZ-O4 as notified.	Accept
FS20.142	Sheryl Paekau	Support			I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Accept
38.114	TTRMC	Support	51. Māori purpose zone	MPZ-P1	Retain MPZ-P1 as notified.	Accept in part
FS20.143	Sheryl Paekau	Support			I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Accept in part
38.115	TTRMC	Support	51. Māori purpose zone	MPZ-P2	Retain MPZ-P2 as notified.	Accept
FS20.144	Sheryl Paekau	Support			I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to	Accept

Submission No	Submitter	Support / in part / oppose	Plan Section	Plan Provision	Relief Sought	Accept/Accept in part/Reject
					limiting numbers of dwellings on Maaori land.	
38.116	TTRMC	Support	51. Māori purpose zone	MPZ-P3	Retain MPZ-P3 as notified.	Accept
FS20.145	Sheryl Paekau	Support			I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Accept
38.117	TTRMC	Support	51. Māori purpose zone	MPZ-P4	Retain MPZ-P4 as notified.	Accept
FS20.146	Sheryl Paekau	Support			I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Accept
38.118	TTRMC	Support	51. Māori purpose zone	MPZ-P5	Retain MPZ-P5 as notified.	Accept
FS20.147	Sheryl Paekau	Support			I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Accept
38.119	TTRMC	Support	51. Māori purpose zone	MPZ-P6	Retain MPZ-P6 as notified.	Accept in part
FS20.148	Sheryl Paekau	Support			I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Accept in part
38.120	TTRMC	Support	51. Māori purpose zone	MPZ-P7	Retain MPZ-P7 as notified.	Accept
FS20.149	Sheryl Paekau	Support			I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings	Accept

Submission No	Submitter	Support / in part / oppose	Plan Section	Plan Provision	Relief Sought	Accept/Accept in part/Reject
					on Maori land.	
38.121	TTRMC	Support	51. Māori purpose zone	MPZ-R1	Retain MPZ-R1 as notified.	Accept in part
FS20.150	Sheryl Paekau	Support			I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maori land.	Accept in part
38.122	TTRMC	Support	51. Māori purpose zone	MPZ-R2	Retain MPZ-R2 as notified.	Accept
FS20.151	Sheryl Paekau	Support			I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maori land.	Accept
38.123	TTRMC	Support	51. Māori purpose zone	MPZ-R3	Retain MPZ-R3 as notified.	Accept
FS20.152	Sheryl Paekau	Support			I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maori land.	Accept
38.124	TTRMC	Support	51. Māori purpose zone	MPZ-R4	Retain MPZ-R4 as notified.	Accept
FS20.153	Sheryl Paekau	Support			I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maori land.	Accept
38.125	TTRMC	Support	51. Māori purpose zone	MPZ-R5	Retain MPZ-R5 as notified.	Accept
FS20.154	Sheryl Paekau	Support			I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed	Accept

Submission No	Submitter	Support / in part / oppose	Plan Section	Plan Provision	Relief Sought	Accept/Accept in part/Reject
					and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	
38.126	TTRMC	Support	51. Māori purpose zone	MPZ-R6	Retain MPZ-R as notified.	Accept
FS20.155	Sheryl Paekau	Support			I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Accept
38.127	TTRMC	Support	51. Māori purpose zone	MPZ-R7	Retain MPZ-R7 as notified.	Accept
FS20.156	Sheryl Paekau	Support			I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Accept
38.128	TTRMC	Support	51. Māori purpose zone	MPZ-R8	Retain MPZ-R8 as notified.	Accept
FS20.157	Sheryl Paekau	Support			I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Accept
38.129	TTRMC	Support	51. Māori purpose zone	MPZ-R9	Retain MPZ-R9 as notified.	Accept
FS20.158	Sheryl Paekau	Support			I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Accept
38.130	TTRMC	Support	51. Māori purpose zone	MPZ-R10	Retain MPZ-R10 as notified.	Accept

Submission No	Submitter	Support / in part / oppose	Plan Section	Plan Provision	Relief Sought	Accept/Accept in part/Reject
FS20.159	Sheryl Paekau	Support			I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Accept
38.131	TTRMC	Support	51. Māori purpose zone	MPZ-R11	Retain MPZ-R11 as notified.	Accept
FS20.160	Sheryl Paekau	Support			I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Accept
38.132	TTRMC	Support	51. Māori purpose zone	MPZ-R12	Retain MPZ-R12 as notified.	Accept
FS20.161	Sheryl Paekau	Support			I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Accept
38.133	TTRMC	Support	51. Māori purpose zone	MPZ-R13	Retain MPZ-R13 as notified.	Accept in part
FS20.162	Sheryl Paekau	Support			I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Accept in part
38.134	TTRMC	Support	51. Māori purpose zone	MPZ-R14	Retain MPZ-R14 as notified.	Accept
FS20.163	Sheryl Paekau	Support			I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Accept

Submission No	Submitter	Support / in part / oppose	Plan Section	Plan Provision	Relief Sought	Accept/Accept in part/Reject
38.135	TTRMC	Support	51. Māori purpose zone	MPZ-R15	Retain MPZ-R15 as notified.	Accept
FS20.164	Sheryl Paekau	Support			I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Accept
38.136	TTRMC	Support	51. Māori purpose zone	MPZ-R16	Retain MPZ-R16 as notified.	Accept
FS20.165	Sheryl Paekau	Support			I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Accept
38.137	TTRMC	Support	51. Māori purpose zone	MPZ- R17	Retain MPZ-R17 as notified.	Accept
FS20.166	Sheryl Paekau	Support			I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Accept
38.138	TTRMC	Support	51. Māori purpose zone	MPZ- R18	Retain MPZ- R18 as notified.	Accept
FS20.167	Sheryl Paekau	Support			I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Accept
38.139	TTRMC	Support	51. Māori purpose zone	MPZ- R19	Retain MPZ- R19 as notified.	Accept
FS20.168	Sheryl Paekau	Support			I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part	Accept

Submission No	Submitter	Support / in part / oppose	Plan Section	Plan Provision	Relief Sought	Accept/Accept in part/Reject
					when applied to limiting numbers of dwellings on Maaori land.	
38.140	TTRMC	Support	51. Māori purpose zone	MPZ- R20	Retain MPZ- R20 as notified.	Accept
FS20.169	Sheryl Paekau	Support			I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Accept
38.141	TTRMC	Support	51. Māori purpose zone	MPZ- R21	Retain MPZ- R21 as notified.	Accept
FS20.170	Sheryl Paekau	Support			I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Accept
38.142	TTRMC	Support	51. Māori purpose zone	MPZ- R22	Retain MPZ-R22 as notified.	Accept
FS20.171	Sheryl Paekau	Support			I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Accept
38.143	TTRMC	Support	51. Māori purpose zone	MPZ- R23	Retain MPZ- R23 as notified.	Accept
FS20.172	Sheryl Paekau	Support			I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Accept
38.144	TTRMC	Support	51. Māori purpose zone	MPZ- R24	Retain MPZ- R24 as notified.	Accept
FS20.173	Sheryl Paekau	Support			I seek that the whole of all submissions	Accept

Submission No	Submitter	Support / in part / oppose	Plan Section	Plan Provision	Relief Sought	Accept/Accept in part/Reject
					provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	
38.145	TTRMC	Support	51. Māori purpose zone	MPZ- R25	Retain MPZ- R25 as notified.	Accept
FS20.174	Sheryl Paekau	Support			I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Accept
38.146	TTRMC	Support	51. Māori purpose zone	MPZ- R26	Retain MPZ- R26 as notified.	Accept in part
FS20.175	Sheryl Paekau	Support			I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Accept in part
45.09	Marama Henare-Waho	Support with amendment	51. Māori purpose zone	MPZ-O1	Amend MPZ-O1 to include Kaura Māori.	Reject
FS20.193	Sheryl Paekau	Support			I seek that all of the matters involving Maaori sites of significance be addressed in the correct way.	Reject
45.10	Marama Henare-Waho	Support with amendment	51. Māori purpose zone	Whole chapter	Amend the Māori Purpose Zone to require early and appropriate and proper engagement with the mana whenua i.e. the hapu / whanau who hold mana in the land.	Reject
FS20.194	Sheryl Paekau	Support			I seek that all of the matters involving Maaori sites of significance be addressed in the correct way.	Reject
50.05	TNN	Amend/add	51. Māori purpose	New – addition of a Papakāinga chapter	Te Nehenehenui supports and welcomes provisions to enable Mana whenua to	Reject

Submission No	Submitter	Support / in part / oppose	Plan Section	Plan Provision	Relief Sought	Accept/Accept in part/Reject
			zone	to complement the Māori purpose zone	meet their housing and cultural needs. Request that WDC Amend the Proposed District Plan to include a papakāinga chapter. To ensure that the Papakāinga chapter complements the Māori purpose zone and contains provisions and schedules that are developed to meet and enhance positive outcomes for the cultural and housing needs of mana whenua. This chapter must be co- developed with iwi, marae and hapū through a thorough consultation process directly with marae and hapū/ iwi that and Māori who are ancestral Māori land owners within the Waitomo District. A series of additional definitions will be required to support the context of the proposed district plan and Papakāinga chapter e.g Ancestral Māori land definition and other words/ meaning consistent with Te Rautaki Reo a Te Nehenehenui.	
FS08.26	Graymont Ltd	Support			Allow	Reject
FS20.203	Sheryl Paekau	Support			I seek that the whole of all submissions provided by Te Nehenehenui Trust be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land	Reject
FS20.236	Sheryl Paekau	Support			I seek that this submission be given consideration and take into account the barriers that Maori must overcome in order to use their land sustainably in the future	Reject
50.31	TNN	Support	51. Māori purpose zone	MPZ-O1 - MPZ-O4, MPZ-P1 - MPZ-P7, MPZ-R1 - MPZ-R26.	Retain the provisions in the Māori purpose zone: MPZ-O1 - MPZ-O4, MPZ-P1 - MPZ-P7, MPZ-R1 - MPZ- R26.	Accept in part
FS20.229	Sheryl Paekau	Support			I seek that the whole of all submissions provided by Te Nehenehenui Trust be allowed and to take into account my support in part	Accept in part

Submission No	Submitter	Support / in part / oppose	Plan Section	Plan Provision	Relief Sought	Accept/Accept in part/Reject
					when applied to limiting numbers of dwellings on Maaori land	
55.01	Kura Stafford	Support in part	51. Māori purpose zone and Maps	Whole Chapter	<p>Retain the provisions that support marae purpose living, papakaainga. Provide a pathway in the rule framework, which enables the development of Māori freehold land.</p> <p>The Draft Waitomo Plan can be further enhanced to enable the development of Māori owned land referred to in the Māori Land Court as Māori Freehold land (ancestral lands), that will also give effect to section 6 of the RMA.</p> <p>Although the mapping/zoning of Māori Purpose Zones may have some benefit to Mana whenua who are associated with that marae and surrounding areas (particularly if the land is under general title), the Waitomo District Plan should recognise Māori freehold land through a rule framework and not zoning. This approach would be more beneficial for Mana whenua and the development of Māori land.</p>	Accept in part
FS20.241	Sheryl Paekau	Support			I seek that this point be retained and given recognition and supported a approach	Accept in part
FS23.261	Te Nehenehenui	Support			<p>Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto's Environmental Management Plan.</p> <p>If submission points do align to enhance the protection and maintenance of its people and all taonga within the taiao and the TNN area of interest, TNN is in support</p>	Accept in part