

Māori Purpose Zone | Te Rohe Whakamahinga Māori

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.
- 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.
- 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.
- 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.

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 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.	Papakāinga units
Activity status: PER Where: 1. All of the performance standards in MPZ – Table 2 are complied with. <i>Note: See the Hapori Whānui chapter for Māori cultural and customary uses, maara kai, pouwhenua, and waharoa.</i> <i>Note: Where the building is listed in SCHED1 - Heritage Buildings and Structures, also see the historic heritage chapter.</i>	Activity status where compliance is not achieved with any of the standards in MPZ – Table 2: RDIS The matters over which discretion is restricted are: (a) For non-compliance with MPZ-S1 – MPZ-S4, refer to the matters of discretion associated with each performance standard. For non-compliance with MPZ-S5: (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-S6(1) water supply: (f) Health and safety of the occupants; and (g) Sufficiency of supply for fire-fighting. For non-compliance with MPZ-S6(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-S6(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-S6(4) firefighting:
- (r) Proximity and access to water for firefighting; and
- (s) Extent to which risk to people and property can be minimised.

MPZ-R2.	Marae complex
MPZ-R3.	Urupa under Te Ture Whenua Māori Act 1993 and private cemeteries under the Burial and Cremation Act 1964.
MPZ-R4.	Tanks and silos
MPZ-R5.	Accessory buildings ancillary to any permitted activity
MPZ-R6.	Construction, additions and alteration of buildings for any permitted activity

Activity status: PER Where: 2. All of the performance standards in MPZ – Table 2 are complied with. <i>Note: See the Hapori Whānui chapter for Māori cultural and customary uses, maara kai, pouwhenua, and waharoa.</i> <i>Note: Where the building is listed in SCHED1 - Heritage Buildings and Structures, also see the historic heritage chapter.</i>	Activity status where compliance is not achieved with MPZ-S1 to MPZ-S4 any of the standards in MPZ-Table 2: RDIS Activity status where compliance is not achieved with MPZ-S5 to MPZ-S6: DIS 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.
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MPZ-R6.	Healthcare facilities, educational facilities, community facilities, arts and cultural centres
MPZ-R7.	Boarding houses
Activity status: PER Where: 1. All of the performance standards in MPZ - Table 2 are complied with; and 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 3. One boarding house per each individual zone is permitted accommodating no more than 6 persons.	Activity status when compliance is not achieved: RDIS 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 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-R8.	Retail activities
MPZ-R9.	Tourism facilities
Activity status: PER Where: 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.	Activity status when compliance is not achieved: RDIS 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 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	
Activity status: PER Where: (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 (d) Any outdoor storage area must be screened from any road or public space; and (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.		Activity status where compliance is not achieved: DIS
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

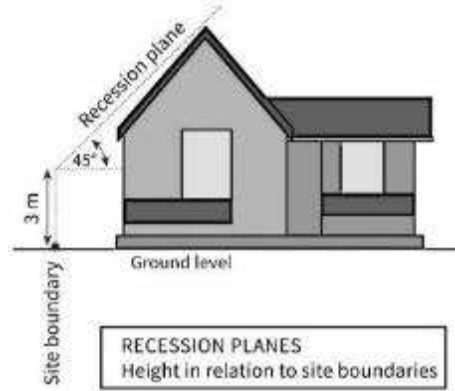
Activity Status: DIS Where: 2. Farm airstrips and farm helipads.		Activity status where compliance is not achieved: N/A
MPZ-R12.	Demolition and/or removal of buildings and structures	
Activity status: PER <i>Note: Where the building is listed in SCHED1 - Heritage Buildings and Structures, see the historic heritage chapter.</i>		Activity status where compliance is not achieved: N/A
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-S1.	Minimum setback from road boundaries	
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 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		Matters over which discretion is restricted: (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, character and amenity; and

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. <i>Note: Stockyards and stock loading ramps are structures and are not required to comply with this rule.</i>	(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 (e) Potential reverse sensitivity effects on any adjoining activities; 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) Site and topographical constraints.
MPZ-S2.	Minimum setback from internal boundaries
1. The minimum setback for buildings from internal site boundaries must be: (i) 3 m on sites 1,500 m² or less; or (ii) 5 m on sites 1,501 m² or greater AND 2. Buildings may be erected up to any common boundary with an adjacent site which is in the same holding. <i>Note: All buildings and structures, must also comply with NATC-R2, CEH-R1 and CEH-R2.</i>	Matters over which discretion is restricted: (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-S3.	Height and height in relation to boundary
1. Structures must not exceed 10 m in height as measured from ground level; and 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.	Matters over which discretion is restricted: (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-S4.	Minimum setback from the designation boundary of a rail corridor	
Refer to TRAN-R9.		
MPZ-S5.	Maximum building coverage	
1. The maximum total building coverage on a site must not exceed 35% of the net site area.		Activity status when compliance is not achieved: DIS
MPZ-S6.	Servicing	
- 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 - 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 - 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 - 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. <i>Note: Further advice and information about managing fire risk and storage of water for firefighting purposes</i>		Activity status when compliance is not achieved: DIS

can be obtained from Fire and Emergency New Zealand and SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice (refer Table 1 and 2).

Note: Stormwater and wastewater disposal, and ground and surface water takes may require a resource consent from the Waikato Regional Council or the Manawatu Whanganui Regional Council. Also see the Waikato Regional Council Stormwater Management Guidelines.

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) 2011.

Regional Council consents

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