

# Waitomo District Council

Hearing on submissions on the Proposed Waitomo District Plan

## Report and Decisions of the Independent Hearing Commissioners

Decision Report:

Chapter 51. **Māori Purpose** Zone and development  
**of Māori Land**

19 June 2025

Commissioners

Greg Hill (Chair)

**Wikitōria Tāne**

Allan Goddard

Phil Brodie

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# 1. Introduction

1. This Decision Report relates to all the submissions received by the Waitomo District Council (Council) on Chapter 51 **Māori Purpose Zone** and the spatial extent of that zone.
2. The **Māori Purpose Zone** (MPZ) is intended to provide for the social, cultural, environmental and economic needs of mana whenua and to enable reconnection of mana whenua with sites of ancestral importance. 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.**
3. 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 effectively and to contribute **to restoring customary activities on Māori whenua, the zone allows marae complexes and papakāinga as a permitted activity.**
4. The MPZ is located in discrete areas across the district that has been identified by the **Māori Land Court as set aside for a Māori Reservation.** While MPZ only applies to a small proportion of land in the District, the other part of the approach 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.
5. While this decision report focuses on MPZ, it also outlines the **Panel's decision on Māori land in general** given that submissions were received which sought **expansion of the MPZ provisions to all Māori Freehold Land**, irrespective of zoning.

# 2. Hearing arrangements

6. The hearing was held in person and online **on 16 and 17 July 2024 in Council's** offices at 15 Queen Street, Te Kuiti. All of the relevant information pertaining to this hearing (i.e., section 42A reports, legal submissions and evidence) is **contained on Council's website.**
7. The following parties submitted on this chapter.

Submission No	Submitter
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 Hauaaauru

Submission No	Submitter
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

8. The only submitters who attended the hearing to address the development of **Māori** land was Sheryl Paekau, Nevada Huaki and an additional support person whose name was not recorded on 16 July 2024.

### 3. Submitter evidence

9. The submitters spoke to their submissions, seeking the adoption of the Māori Land chapter provisions that were included in the decision on the Proposed Waikato District Plan. Ms Paekau considered that there are limited opportunities for **Māori** land owners to develop their land as a collective, and a number of barriers to **Māori** developing their land. She referenced s6(e) of the Resource Management Act (RMA) and considered that Council needs to employ efficient and effective provisions to enable sustainable development. She observed that **Māori** are land rich but money poor. She felt that the restrictive processes results in years of poor development and lack of progress, and cold damp unhealthy homes.
10. The s42A report recommended rejecting the submissions on the basis that the most prevalent zones enable increased levels of development for marae and **papakāinga**. Other than MPZ, the zones generally have a limit of 6 **papakāinga** residential units that can be developed as a permitted activity, which cascades to discretionary activity for more than 6. Ms Wratt asked Ms Huaki whether there was a more appropriate number than 6 in the event that a limit was retained, but she did not have any views on this and preferred no limits.

### 4. Panel decision

11. It was clear to the Panel that the PDP has taken the approach of applying a MPZ around existing Marae as well as **having enabling rules for papakāinga** in the predominant zones (and in some zones development of marae complex activities).
12. The Panel is critically aware of the importance of s6(e) of the RMA; and that the **relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga** is a matter of national importance.
13. Based on the evidence (including the section 42A report) before it, the Panel consider there are three possible approaches for managing the development of **Māori** land in terms of the proposed district plan. These are outlined below.

Option 1: Adopt the approach of the Waikato District Plan (Operative in Part)

14. The Waikato District Plan (Operative in Part) has a stand-alone chapter for Maaori Land, located in Part 2 District-wide Matters. This chapter effectively trumps all zone provisions and enables Maaori purpose activity and home businesses on Maaori land. Maaori land is defined as:
- Means Maaori freehold land, Maaori customary land, Maaori reservation or Treaty settlement land.
15. In addition, it identifies that the following rules do not apply to Maaori land:
- a. Number of residential units;
  - b. Minor residential unit rules;
  - c. Buildings and structures in Landscape and Natural Character Areas;
  - d. Building height;
  - e. Building coverage;
  - f. Outfall structures located within an Identified Area;
  - g. Vehicle access standards; and
  - h. On-site parking, loading and queuing.
16. This has the effect of enabling increased levels of development on Maaori land **over and above the "standard" zone rules.**
17. The MPZ enables a wide range of activities as a permitted activity so this could **remain, however papakāinga and marae complex rules would no longer be needed** in any of the zones as it would be superseded by a single chapter.

Option 2: Retain the rules for each zone but remove some limitations on development

18. This option would retain the MPZ, **as well as enabling papakāinga and marae complex** in the predominant zones. As notified, **papakāinga was limited to a maximum of 6 residential units per site (or 10 in the MPZ) as a permitted activity.** This option would remove that limitation, as well as some of the standards which constrain development **of papakāinga and marae complex** such as building height, building coverage and 200m<sup>2</sup> net site area per **papakāinga** unit.

Option 3: Retain the approach as notified

19. This option would retain the MPZ around the Marae which enables a wide variety of activities to occur as permitted activities. **Papakāinga is enabled as a permitted activity** in the MPZ, General rural zone, Future urban zone, Rural lifestyle zone, Residential zone, Settlement zone, Te Maika Precinct and Tourism zone with a limit of 10 units in the MPZ or 6 for all other zones. The PDP enables marae complex in the following zones as a permitted activity:
- a. General rural zone;
  - b. Rural lifestyle zone;

- c. Settlement zone;
  - d. Tourism zone; and
  - e. Te Maika precinct.
20. **Both papakāinga and marae complex are still subject to the standards around bulk and location of buildings that apply to each zone.**
  21. Having considered the options and heard the various concerns expressed by submitters, the Panel prefer Option 3. The Panel appreciate that the Waikato District Plan provisions are far more liberal than those proposed and potentially would enable significantly more development than envisaged by the PDP. However, the Panel have concerns around the potential for development to occur in remote locations leading to isolated communities.
  22. In the absence of detailed evidence and a section 32/32AA evaluation from the submitters, the Panel consider that adopting the Waikato District Plan provisions would be inappropriate. It would also potentially be out of scope given the significant change this would allow without other parties having an opportunity to address the issue – either in support or opposition). While accepting the significance of the issues and the Part 2 RMA matters (sections 6, 7 and 8), based on the evidence before the Panel Option 3 is preferred.
  23. The Panel does **not consider that the provisions in the PDP for papakāinga and marae complex to be significant obstacles to Māori developing their land. The limit of 6 papakāinga** per site for most zones and 10 in the MPZ enables considerably more development than would otherwise be permitted.
  24. Furthermore, the Panel's finding is that development in excess of the proposed permitted level should be assessed through a resource consent process, particularly to ensure that there is adequate servicing and that any adverse effects are addressed. The Panel considers that the approach promoted in the PDP strikes the appropriate balance between enabling development while managing any potential adverse effects of greater levels of development.
  25. For all other matters concerned with the MPZ maps and provisions not otherwise covered above, the Panel has adopted the recommendations in the Section 42A Report. No further amendments were recommended in the Section 42A Addendum Report on this chapter, although more analysis was undertaken in response to the evidence filed by submitters.

## 5. Conclusion

26. The Panel accepts the recommendations in the section 42A report. The reasons for this are those set out in the section 42A reports, the evidence, and provided in this Decision; collectively forming the section 32AA assessment informing this Decision.
27. Overall, the Panel is satisfied that the provisions of the MPZ chapter and the **papakāinga and marae complex provisions in other zones**, as amended, will provide a suitable framework for managing the ongoing use and development of **Māori land**, whilst managing any adverse effects.
28. The Panel accepts, accepts in part, or rejects the submissions as set out in the section 42A reports.

For the Hearing Panel

A handwritten signature in dark ink, appearing to read "Greg Hill", followed by a period.

Greg Hill, Chair  
Dated: 19 June 2025

## 6. Appendix 1 – Submission Table



## MĀORI PURPOSE ZONE

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. <b>Māori</b> purpose zone	MPZ-03	Retain as notified.	Accept
16.78	FENZ	Support in part	51. <b>Māori</b> 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</u> , wastewater and stormwater methods.	Accept
16.79	FENZ	Support in part	51. <b>Māori</b> 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</u>	Accept

					<p><u>water supplies for firefighting shall be in accordance with the alternative firefighting water source provisions of SNZ PAS 4509: 2008.</u></p> <p>AND</p> <p>Retain the note as notified.</p>	
10.150	WRC	Support	52. <b>Māori</b> purpose zone	General	Retain these provisions.	Accept
10.151	WRC	Support	52. <b>Māori</b> 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. <b>Māori</b> purpose zone	MPZ-R13.1(f)	Amend MPZ-R13.1(f) as follows: (f) Parking, manoeuvring, and access; safety and efficiency <u>of the 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. <b>Māori</b> purpose zone	MPZ -R21.3	Retain as notified.	Accept
17.154	Waka Kotahi	Oppose	51. <b>Māori</b> 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.	Accept in part
24.69	MoE	Support	51. <b>Māori</b> purpose zone	MPZ-O2	Retain MPZ-O2 as notified.	Accept
24.70	MoE	Amend	51. <b>Māori</b> purpose zone	New policy	<p>Add the following new policy to the <b>Māori</b> Purpose zone:</p> <p><u>MPZ- PX</u></p>	Accept in part

					<p><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></p> <p>And</p> <p>Any consequential amendments required to give effect to the matters raised in this submission.</p>	
24.71	MoE	Support	51. <b>Māori</b> Purpose zone	MPZ-R6	Retain MPZ-R6.	Accept
35.22	Te Ruunanga o Ngaati Mahuta ki te Hauaaauru	Support with amendment	51. <b>Māori</b> purpose zone	Zones Precincts/Special purpose/MPZ	Retain intent of the MPZ zone in providing for the development of <b>Māori</b> 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	<b>Kāinga Ora</b>	Oppose with amendment	51. Maori Purpose Zone	MPZ-1	<p>Amend MPZ-1 as follows:</p> <p>Marae complex and <del>up to 10</del> <b>papakāinga</b> units <del>per each individual zone</del></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 <del>MPZR24</del> <u>MPZ-R26</u>.</p> <p><del>Discretionary where compliance is not achieved with MPZ-R25 to MPZ-R26</del></p>	Accept

					And  Any further, alternative or consequential relief as may be necessary to fully achieve the relief sought.	
38.69	TTRMC	Support	51. <b>Māori</b> 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. <b>Māori</b> purpose zone	MPZ-O1	Retain MPZ-O1 as notified.	Accept
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. <b>Māori</b> 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. <b>Māori</b> 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. <b>Māori</b> purpose	MPZ-O4	Retain MPZ-O4 as notified.	Accept

			zone			
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. <b>Māori</b> 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. <b>Māori</b> 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 limiting numbers of dwellings on Maaori land.	Accept
38.116	TTRMC	Support	51. <b>Māori</b> 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. <b>Māori</b> 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. <b>Māori</b> purpose	MPZ-P5	Retain MPZ-P5 as notified.	Accept

			zone			
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. <b>Māori</b> 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. <b>Māori</b> 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 on Maaori land.	Accept
38.121	TTRMC	Support	51. <b>Māori</b> 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 Maaori land.	Accept in part
38.122	TTRMC	Support	51. <b>Māori</b> 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	Accept

					numbers of dwellings on Maaori land.	
38.123	TTRMC	Support	51. <b>Māori</b> 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 Maaori land.	Accept
38.124	TTRMC	Support	51. <b>Māori</b> 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 Maaori land.	Accept
38.125	TTRMC	Support	51. <b>Māori</b> 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 and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Accept
38.126	TTRMC	Support	51. <b>Māori</b> 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. <b>Māori</b> 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	Accept

					allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	
38.128	TTRMC	Support	51. <b>Māori</b> 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. <b>Māori</b> 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. <b>Māori</b> purpose zone	MPZ-R10	Retain MPZ-R10 as notified.	Accept
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. <b>Māori</b> 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. <b>Māori</b> 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. <b>Māori</b> 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. <b>Māori</b> 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
38.135	TTRMC	Support	51. <b>Māori</b> 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. <b>Māori</b> 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. <b>Māori</b> 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. <b>Māori</b> 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. <b>Māori</b> 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 when applied to limiting numbers of dwellings on Maaori land.	Accept
38.140	TTRMC	Support	51. <b>Māori</b> 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. <b>Māori</b> 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	Accept

					support in part when applied to limiting numbers of dwellings on Maaori land.	
38.142	TTRMC	Support	51. <b>Māori</b> 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. <b>Māori</b> 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. <b>Māori</b> purpose zone	MPZ- R24	Retain MPZ- R24 as notified.	Reject
FS20.173	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.	Reject
38.145	TTRMC	Support	51. <b>Māori</b> 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. <b>Māori</b> purpose zone	MPZ- R26	Retain MPZ- R26 as notified.	Accept in part
FS20.175	Sheryl	Support			I seek that the whole of all submissions	Accept in part

	Paekau				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.	
45.09	Marama Henare-Waho	Support with amendment	51. <b>Māori</b> purpose zone	MPZ-O1	Amend MPZ-O1 to include Kaura <b>Māori</b> .	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. <b>Māori</b> purpose zone	Whole chapter	Amend the <b>Māori</b> 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. <b>Māori</b> purpose zone	New – addition of a <b>Papakāinga</b> chapter to complement the <b>Māori</b> purpose zone	<p>Te Nehenehenui supports and welcomes provisions to enable Mana whenua to meet their housing and cultural needs.</p> <p>Request that WDC Amend the Proposed District Plan to include a <b>papakāinga</b> chapter. To ensure that the <b>Papakāinga</b> chapter complements the <b>Māori</b> 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 <b>hapū</b> through a thorough consultation process directly with marae and <b>hapū</b>/ iwi that and <b>Māori</b> who are ancestral <b>Māori</b> land owners within the Waitomo District.</p>	Reject

					A series of additional definitions will be required to support the context of the proposed district plan and <b>Papakāinga</b> chapter e.g Ancestral <b>Māori</b> 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 Maaori must overcome in order to use their land sustainably in the future	Reject
50.31	TNN	Support	51. <b>Māori</b> purpose zone	MPZ-O1 - MPZ-O4, MPZ-P1 - MPZ-P7, MPZ-R1 - MPZ-R26.	Retain the provisions in the <b>Māori</b> 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 when applied to limiting numbers of dwellings on Maaori land	Accept in part
55.01	Kura Stafford	Support in part	51. <b>Māori</b> purpose zone and Maps	Whole Chapter	Retain the provisions that support marae purpose living, papakaainga. Provide a pathway in the rule framework, which enables the <b>development of Māori freehold land.</b>  The Draft Waitomo Plan can be further enhanced to enable the development of <b>Māori owned land referred to in the</b>	Accept in part

					<p><b>Māori Land Court as Māori Freehold</b> land (ancestral lands), that will also give effect to section 6 of the RMA.</p> <p>Although the mapping/zoning of <b>Māori</b> 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 <b>Māori</b> freehold land through a rule framework and not zoning. This approach would be more beneficial for Mana whenua and the development of <b>Māori</b> land.</p>	
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 <b>guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto’s Environmental Management Plan.</b></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

## 7. Appendix 2 – Decisions Version of the Chapter

## 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
<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 <a href="#">Hapori Whānui chapter</a> for Māori cultural and customary uses, maara kai, pouwhenua, and waharoa.</i></p> <p><i>Note: Where the building is listed in <a href="#">SCHED1 - Heritage Buildings and Structures</a>, also see the <a href="#">historic heritage chapter</a>.</i></p>	<p>Activity status where compliance is not achieved with any of the standards in MPZ – Table 2: RDIS</p> <p>The matters over which discretion is restricted are:</p> <p>(a) For non-compliance with MPZ-S1 – MPZ-S4, refer to the matters of discretion associated with each performance standard.</p> <p>For non-compliance with MPZ-S5:</p> <p>(b) Visual effects including bulk, scale and location of the building(s); 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 residential properties and adjoining road boundaries, including retention of any existing mature trees and landscaping; and</p> <p>(e) Management of stormwater.</p> <p>For non-compliance with MPZ-S6(1) water supply:</p> <p>(f) Health and safety of the occupants; and</p> <p>(g) Sufficiency of supply for fire-fighting.</p> <p>For non-compliance with MPZ-S6(2) wastewater:</p> <p>(h) Health and safety of the occupants and public;</p> <p>(i) Effectiveness of alternative solutions;</p> <p>(j) Capacity of the system;</p>

- (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.	<b>Urupa under Te Ture Whenua Māori Act 1993 and private cemeteries under the Burial and Cremation Act 1964.</b>
MPZ-R4.	Tanks and silos
MPZ-R5.	<a href="#">Accessory buildings</a> ancillary to any permitted activity
MPZ-R6.	Construction, additions and alteration of <a href="#">buildings</a> for any permitted activity

Activity status: PER

Where:

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

*Note: See the [Hapori Whānui chapter](#) for Māori cultural and customary uses, maara kai, pouwhenua, and waharoa.*

*Note: Where the building is listed in [SCH1 - Heritage Buildings and Structures](#), also see the [historic heritage chapter](#).*

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.

MPZ-R6.	Healthcare facilities, educational facilities, community facilities, arts and cultural centres	
MPZ-R7.	Boarding houses	
<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> <li>1. All of the performance standards in MPZ - Table 2 are complied with; and</li> <li>2. The new building does not exceed 250 m<sup>2</sup> in size or the addition to any existing building does not result in a building that exceeds 250 m<sup>2</sup> in size; and</li> <li>3. One boarding house per each individual zone is permitted accommodating no more than 6 persons.</li> </ol>		<p>Activity status when compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> <li>(a) The matters of discretion associated with any performance standard which cannot be complied with in MPZ - Table 2; and</li> <li>(b) The benefits of the activity in providing for <b>community wellbeing, tikanga Māori and matauranga Māori; and</b></li> <li>(c) The effect on amenity values of nearby residential properties and public places; and</li> <li>(d) Whether the scale, intensity and character of the activity is appropriate in the context of the site and receiving environment; and</li> <li>(e) On-site amenity values; and</li> <li>(f) Parking, manoeuvring and access; safety and efficiency, including the provision of sufficient off-street parking and the effects of traffic generation; and</li> <li>(g) The extent of impervious surfaces and landscaping; and</li> <li>(h) Provision of on-site infrastructure; and</li> <li>(i) Potential reverse sensitivity effects on any adjoining activities.</li> </ol>
MPZ-R8.	Retail activities	
MPZ-R9.	Tourism facilities	
<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> <li>1. All of the performance standards in MPZ - Table 2 are complied with; and</li> <li>2. The retail activity must predominantly sell goods produced on-site; and</li> <li>3. Each of these activities must not exceed a total gross floor area of 100 m<sup>2</sup> per activity, per each individual zone.</li> </ol>		<p>Activity status when compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> <li>(a) The matters of discretion associated with any performance standard which cannot be complied with in MPZ - Table 2; and</li> <li>(b) The benefits of the activity in providing for <b>community wellbeing, tikanga Māori and matauranga Māori; and</b></li> <li>(c) The effect on amenity values of nearby residential properties and public places; and</li> <li>(d) Whether the scale, intensity and character of the activity is appropriate in the context of the site and receiving environment; and</li> </ol>

		<ul style="list-style-type: none"> <li>(e) On-site amenity values; and</li> <li>(f) Parking, manoeuvring and access; safety and efficiency, including the provision of sufficient off-street parking and the effects of traffic generation; and</li> <li>(g) The extent of impervious surfaces and landscaping; and</li> <li>(h) Provision of on-site infrastructure; and</li> <li>(i) Potential reverse sensitivity effects on any adjoining activities.</li> </ul>
MPZ-R10.	<b>Home businesses</b>	
<p>Activity status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> <li>(a) No more than two full time equivalent persons who do not reside on the site are employed in the home business; and</li> <li>(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</li> <li>(c) <b>The home business and papakāinga unit</b> combined must not generate more than 22 vehicle movements to the site per 24 hour period; and</li> <li>(d) Any outdoor storage area must be screened from any road or public space; and</li> <li>(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 <b>kennels or catteries. In the Māori purpose zone</b> these activities are industrial activities.</li> </ul>		<p>Activity status where compliance is not achieved: DIS</p>
MPZ-R11.	<b>Agricultural, pastoral and horticultural activities</b>	
<p>Activity Status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> <li>1. Agricultural, pastoral and horticultural activities and stock underpasses are permitted except for farm airstrips and farm helipads.</li> </ul>		<p>Activity status where compliance is not achieved: DIS</p>

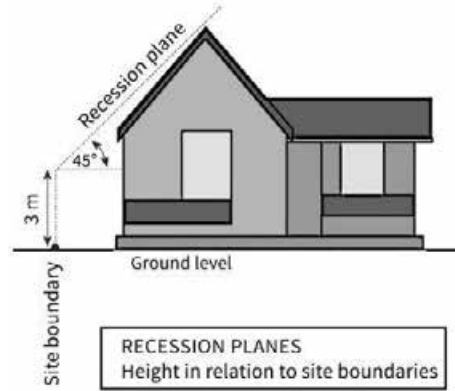
Activity Status: DIS Where: 2. Farm airstrips and farm helipads.		Activity status where compliance is not achieved: N/A
MPZ-R12.	Demolition and/or removal of <a href="#">buildings</a> and <a href="#">structures</a>	
Activity status: PER <i>Note: Where the building is listed in <a href="#">SCHED1 - Heritage Buildings and Structures</a>, see the <a href="#">historic heritage chapter</a>.</i>		Activity status where compliance is not achieved: N/A
MPZ-R14.	<a href="#">Visitor accommodation and camping grounds</a> <a href="#">Retirement villages</a> <a href="#">Industrial activities</a> <a href="#">Rural industry</a>	
MPZ-R15.		
MPZ-R16.		
MPZ-R17.		
Activity status: DIS		Activity status where compliance is not achieved: N/A
MPZ-R18.	<a href="#">Fortified sites</a>	
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 <b>Kūiti</b> 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 <a href="#">setback</a> from <a href="#">road</a> 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

<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>(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 off-street parking and the effects of traffic generation; and</p> <p>(g) Site and topographical constraints.</p>
MPZ-S2.	Minimum <a href="#">setback</a> from internal boundaries
<p>1. The minimum setback for buildings from internal site boundaries must be:</p> <p>(i) 3 m on sites 1,500 m<sup>2</sup> or less; or</p> <p>(ii) 5 m on sites 1,501 m<sup>2</sup> or greater</p> <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> <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, privacy, character and amenity; and</p> <p>(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</p> <p>(e) Potential reverse sensitivity effects on any adjoining activities.</p>
MPZ-S3.	<a href="#">Height</a> and <a href="#">height in relation to boundary</a>
<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> <p>(a) Visual effects including bulk, scale and location of the structure or materials; and</p> <p>(b) The provision of daylight and sunlight into neighbouring buildings; and</p> <p>(c) Effects on surrounding properties, rural character and amenity; and</p> <p>(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</p> <p>(e) Potential reverse sensitivity effects on any adjoining activities.</p>

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	
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 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 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 4. 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.		Activity status when compliance is not achieved: DIS
Note: Further advice and information about managing fire risk and storage of water for firefighting purposes		



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.*

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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.*

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## 8. Appendix 3 – Section 32AA Evaluation

29. There were no additional changes requiring a Section 32AA evaluation. The section 32AA evaluation is enclosed with the section 42A Report and section 42A Addendum.