

# ~~APP4 - Form confirming a commitment to adhering to an<sup>1</sup> Accidental Discovery Protocol~~

**Name of person / company authorising the earthworks (landowner or manager):**

\_\_\_\_\_

**Name of person / company physically undertaking earthworks:**

\_\_\_\_\_

**Location at which works will occur:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Methods to ensure awareness of and compliance with protocol:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Contact details:**      **Contact name:** \_\_\_\_\_

**Contact number/s:** \_\_\_\_\_

**Contact email:** \_\_\_\_\_

**Agreed Accidental Discovery Protocol:**

<sup>1</sup> Pye Group [35.1], NZDF [151.11], Alliance Group [173.46], Rooney Holdings [174.98], GJH Rooney [191.98], Rooney Group [249.98], Rooney Farms [250.98], Rooney Earthmoving [251.98] and TDL [252.98]

In the event of an accidental discovery of any archaeological material (evidence of archaeological material can include oven stones, charcoal, shell middens, ditches, banks and pits, building foundations, artefacts of Māori and Non-Māori origin or human burials) during the undertaking of earthworks the following steps will be taken:

1. All work on the site will cease immediately. The contractor/works supervisor/landowner<sup>2</sup> will shut down all equipment and activity.
2. The contractor/works supervisor/landowner will take immediate steps to secure the site (tape it off) to ensure the archaeological material is left undisturbed and the site is safe in terms of health and safety requirements.
3. The contractor/works supervisor/landowner will notify Heritage New Zealand, Te Rūnanga o Arowhenua and any required statutory agencies if this has not already occurred. If evidence of burials or human remains/kōiwi tangata are uncovered, Heritage New Zealand, the New Zealand Police and Te Rūnanga o Arowhenua will be contacted immediately. The area must be treated with discretion and respect and the kōiwi tangata/human remains dealt with according to law and tikanga.<sup>3</sup>
4. Site access will be provided to Heritage New Zealand and Te Rūnanga o Arowhenua to enable appropriate procedures and tikanga to be undertaken.
5. If the material is confirmed by Heritage New Zealand as being archaeological, under the terms of the Heritage New Zealand Pouhere Taonga Act, ~~the landowner will ensure that~~ an archaeological assessment is will be carried out by a qualified archaeologist, and if appropriate, ~~an archaeological authority is~~ will be obtained from Heritage New Zealand before work resumes.<sup>4</sup>
- ~~6. If evidence of burials or human remains/kōiwi tangata are uncovered, following steps 1 to 2 being taken, Heritage New Zealand, the New Zealand Police and Te Rūnanga o Arowhenua will be contacted immediately. The area must be~~

<sup>2</sup> Clause 16(2)

<sup>3</sup> Clause 16(2)

<sup>4</sup> Clause 16(2)

~~treated with discretion and respect and the kōiwi tangata/human remains dealt with according to law and tikanga.<sup>5</sup>~~

7. Works at the site area will not recommence until ~~an archaeological assessment has been made~~, all archaeological material has been dealt with appropriately, and approval to recommence has been given by Heritage New Zealand, and, if human remains are involved, the New Zealand Police. All parties will work towards work being recommenced in the shortest possible timeframe while ensuring that archaeological and cultural requirements are complied with.-

~~I/we confirm that I/we have read and understood the information above and make a commitment to adhere to the Accidental Discovery Protocol as set out above when undertaking earthworks.~~

**Signature:** \_\_\_\_\_

**Name (please print):** \_\_\_\_\_

**Date:** \_\_\_\_\_

---

<sup>5</sup> Clause 16(2)

**This section has rules that have legal effect. Please check the ePlan to see what the legal effect is or subject to appeal.**

## SITES AND AREAS OF SIGNIFICANCE TO MĀORI

### Introduction

The hapū who hold mana whenua in the Timaru District are Kāti Huirapa. The rohe of Kāti Huirapa extends over the area from the Rakaia River in the north to the Waitaki River in the south. The Papatipu Rūnaka that represents Kāti Huirapa is Te Rūnanga o Arowhenua.

As part of fulfilling its obligations under sections 6(e), 6(f), 7(a) and 8 of the RMA, the Council has developed this chapter (and provisions in other chapters) together with rūnaka for the purpose of managing activities that have potential adverse effects on the values of sites and areas that are significant to Kāti Huirapa.

Where an activity is proposed within a SASM which requires resource consent under another chapter in the District Plan, the objectives and policies in this chapter may also be relevant to consideration of that activity. There are also rules in other chapters, including the Natural Character, Natural Features and Landscapes and Earthworks chapters which manage activities that occur in SASMs. The SASM chapter should therefore be read alongside other sections of the District Plan which also consider the effects on SASMs.<sup>1</sup>

Kāti Huirapa worked and travelled extensively across South Canterbury and, as a result, they have historical and cultural connections with land and waterways throughout the Timaru District. To appropriately reflect the depth and breadth of their relationship with the district, the approach taken is to firstly identify areas of association, referred to as 'wāhi tūpuna'. This term describes an area with significant associations to cultural traditions, history or identity. Typically, wāhi tūpuna encompass multiple related sites with connections to cultural beliefs, values and uses.

Some smaller areas have been identified because they have highly significant values that Kāti Huirapa consider require special protection. These are categorised as:

- Wāhi taoka — places that are treasured due to their high intrinsic values and their role in maintaining a balanced and robust ecosystem, sustaining quality of life and providing for the needs of present and future generations. Examples include repo raupō, wai puna and mahika kai; and/or
- Wāhi tapu - sacred sites or areas held in reverence according to whakapapa. They may be associated with tākata whenua creation stories, particular events or ceremonies, or valued resources, and include sites such as urupā, pā, Kā tuhituhi o neherā and tauraka waka.

Significant waterways and their margins are also separately identified and are similarly categorised as wai taoka or wai tapu.

In parallel with the process of identifying significant sites and areas, threats to the values of the sites and areas from a range of land use activities have been considered. Based on this, the approach to the management of activities agreed with Kāti Huirapa is a layered approach with the following characteristics:

1. identification of broad wāhi tūpuna areas within which provisions are used to identify activities that pose particularly serious threats to values and make them subject to a different consent threshold or a more onerous activity status in these areas, or to trigger consultation with mana whenua when resource consent is already needed for some other reason;

<sup>1</sup> Clause 10(2)(b) relating to TRoNT [185.1, 185.3, 185.7], Westgarth et al [200.7]

2. identification of particularly important or vulnerable areas as wāhi tapu, wāhi taoka, wai tapu and/or wai taoka where resource consent is needed for a range of activities that could adversely affect cultural values of these areas;
3. across the district as a whole, policies and matters of discretion provide for consideration of effects on cultural values, particularly when consent is required for key activities with the potential to impact on cultural values, and there are also enabling provisions for customary harvest or other cultural practices of benefit to rūnaka.

**Note:** *Wai ū-Taoka overlay consists of an area overlay and a line overlay.*

Objectives	
<b>SASM-O1</b>	<b>Decision making</b>
Kāti Huirapa are actively involved in decision making that affects the values of the identified Sites and Areas of Significance to Kāti Huirapa.	
<b>SASM-O2</b>	<b>Access and use</b>
Kāti Huirapa's <del>are able to</del> <sup>2</sup> <u>access to, maintain and use of, resources and areas of cultural value within identified Sites and Areas of Significance to Kāti Huirapa, <u>for customary use and cultural purposes,</u><sup>3</sup> is maintained and, where appropriate, enhanced<sup>4</sup>.</u>	
<b>SASM-O3</b>	<b>Protection of Sites and Areas of Significance</b>
The values of identified areas and sites of significance to Kāti Huirapa are recognised and protected from inappropriate subdivision, use and development.	

Policies	
<b>SASM-P1</b>	<b>Involvement of Kāti Huirapa in resource management decisions</b>
Work with Kāti Huirapa to identify and list Sites and Areas of Significance to Kāti Huirapa in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa, and recognise and provide for the exercise of rangikiritataka <sup>5</sup> by Kāti Huirapa in decisions made in relation to these sites and areas.	
<b>SASM-P2</b>	<b>Consultation and engagement with Kāti Huirapa</b>
Encourage <del>and facilitate</del> consultation and engagement between landowners/ <del>and</del> applicants <u>with and</u> Kāti Huirapa <u>to:</u>	
<ol style="list-style-type: none"> <li>1. <u>facilitate a better understanding of the values of the sites and areas listed in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa and the potential impact of activities on the site or area; and</u><sup>6</sup></li> <li>2. <u>recognise that consultation</u> prior to applying for consent and/or undertaking activities within <del>or adjacent to</del><sup>7</sup> the identified sites and areas listed in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa, <u>as being is</u> the most appropriate way to obtain understanding of the potential impact of any activity on the site or area; <u>and</u></li> <li>3. <u>ensure that where an activity requiring resource consent is proposed within any sites and areas listed in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa, there is</u></li> </ol>	

<sup>2</sup> Stack, D [50.4], Digby, M E [122.1], OWL [181.58], Federated Farmers [182.82], Westgarth et al [200.2], Te Tumu Pareora [240.6], Jeaffreson, D and A [244.2]

<sup>3</sup> Clause 10(2)(b) relating to Te Rūnanga o Ngāi Tahu [185.95]

<sup>4</sup> Stack, D [50.4], Digby, M E [122.1], OWL [181.58], Federated Farmers [182.82], Westgarth et al [200.2], Te Tumu Pareora [240.6], Jeaffreson, D and A [244.2]

<sup>5</sup> Clause 16(2)

<sup>6</sup> Rangitata Dairies [44.12, 44.13]

<sup>7</sup> Bonifacio, P [36.18]

engagement with Te Rūnanga o Arowhenua to understand the effects of the activity on the identified values of the site or area.<sup>8</sup>

#### **SASM-P3 Use of sites and areas for cultural practices**

Enable Kāti Huirapa to undertake customary harvest and other cultural practices in identified sites and areas listed in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa, in accordance with tikaka.

#### **SASM-P4 Cultural access**

Maintain existing access, and encourage landowners and applicants to explore opportunities and methods to enhance access, for Kāti Huirapa to the identified sites and areas listed in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa for customary use and cultural purposes.<sup>9</sup>

#### **SASM-P5 Protection of values of Sites and Areas of Significance to Kāti Huirapa**

~~Where an activity is proposed within any wāhi taoka, wāhi tapu, wai taoka or wai tapu overlay<sup>10</sup> protect the identified values of the sites and areas listed in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa, protect the identified values of the site or area, through:~~

1. requiring adherence to<sup>11</sup> an accidental discovery protocol for any earthworks<sup>12</sup>; and
2. avoiding adverse effects on identified values<sup>13</sup> which would compromise the<sup>14</sup>:
  - 4-a. retention of connections to whakapapa, history and cultural tradition; and
  - 2-b. protection of mauri and intangible values; and
  - 3- ~~maintenance or enhancement of access by whānau for customary use and cultural purposes; and<sup>15</sup>~~
  - 4-c. protection of site integrity; and
  - 5-d. ensuring sustainability of ecosystems supporting taoka species and mahika kai resources; unless it can be demonstrated that<sup>16</sup>:
    - i. due to the functional needs or operational needs<sup>17</sup> of the activity, it is not practicable<sup>18</sup> to avoid all adverse effects<sup>19</sup>; and
    - ii. any residual effects that cannot be practicably avoided are mitigated, as far as practicable<sup>20</sup>, in a way that protects, maintains or enhances the overall values of the site or area<sup>21</sup>; or
    - iii. for infrastructure, adverse effects are managed in accordance with EI-P2 Managing adverse effects of Regionally Significant Infrastructure and other infrastructure<sup>22</sup>.

#### **SASM-P6 Protecting cultural values in wāhi tūpuna areas**

Recognise the significance to Kāti Huirapa of the wāhi tūpuna areas listed in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa and protect the identified values of these areas by avoiding significant adverse effects of activities in, or in close proximity to, wāhi tūpuna areas on the

<sup>8</sup> Clause 10(2)(b) relating to Westgarth et al [200.6]

<sup>9</sup> Te Rūnanga o Ngāi Tahu [185.95]

<sup>10</sup> Shifted from SASM-P8

<sup>11</sup> Heritage NZ [114.33]

<sup>12</sup> Shifted from SASM-P8

<sup>13</sup> Shifted from SASM-P8

<sup>14</sup> Clause 10(2)(b) relating to Fenlea Farms [171.30] Rooney, A J [177.12] and K J Rooney [197.5]

<sup>15</sup> Clause 10(2)(b) relating to Stack, D [50.4], Digby, M E [122.1], OWL [181.58], Federated Farmers [182.82, 182.88], Westgarth et al [200.2], Te Tumu Pareora [240.6], Jeaffreson, D and A [244.2]

<sup>16</sup> Shifted from SASM-P8

<sup>17</sup> Transpower [159.67]

<sup>18</sup> Transpower [159.67]

<sup>19</sup> Shifted from SASM-P8

<sup>20</sup> Transpower [159.67]

<sup>21</sup> Shifted from SASM-P8

<sup>22</sup> TDC [42.43], OWL [181.59] and KiwiRail [187.53]

connections of Kāti Huirapa to these areas and the ability of the areas to support taoka species and mahika kai.

**SASM-P7 Sustainability of ecosystems that support taoka and mahika kai**

Within identified sites and areas listed in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa that support taoka species and mahika kai resources:

1. avoid adverse effects on taoka species and access for mahika kai except in relation to infrastructure that can demonstrate that adverse effects are managed in accordance with EI-P2 Managing adverse effects of Regionally Significant Infrastructure and other infrastructure<sup>23</sup>; and
2. enable the maintenance and enhancement of these areas.

**SASM-P8 ~~Protection of wāhi taoka, wāhi tapu, wai taoka and wai tapu sites and areas<sup>24</sup>~~**

~~Where an activity is proposed within any of the wāhi taoka sites, wāhi tapu sites, wai taoka areas and wai tapu areas listed in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa, ensure that:~~

- ~~1. there is engagement with Te Rūnanga o Arowhenua to understand the effects of the activity on the identified values of the site or area, including the connections of Kāti Huirapa to the site or area, the mauri of the site or area, site integrity, and the ability of the site or area to support taoka species and mahika kai; and~~
- ~~2. an accidental discovery protocol is prepared and adopted for any earthworks; and~~
- ~~3. any adverse effects on identified values are avoided unless it can be demonstrated that:
 
  - ~~a. due to the functional needs of the activity, it is not possible to avoid all adverse effects; and~~
  - ~~b. any residual effects that cannot be practicably avoided are mitigated, as far as possible, in a way that protects, maintains or enhances the overall values of the site or area; and~~
  - ~~c. where any historical loss of values can be remediated.~~~~

**Rules**

*Note: Activities not listed in the rules of this chapter are classified as a permitted under this chapter. For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated otherwise by a rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, HPW — How the Plan Works - General Approach.*

SASM-R1 Earthworks not including quarrying and mining		
<p><b>1. <u>Within the General Rural Zone or Rural Lifestyle Zone and within one or more of the following:</u><sup>25</sup></b></p>	<p><i>Note: for earthworks associated with quarrying and mining, see SASM-R5</i></p> <p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b> The activity is either:</p> <ol style="list-style-type: none"> <li>1. earthworks, including those associated with and under new buildings/structures and those</li> </ol>	<p><b>Activity status when compliance not achieved: Restricted Discretionary</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. whether Te Rūnanga o Arowhenua has been consulted, the outcome of that consultation, and the extent to which the proposal responds to, or incorporates the outcomes of that consultation; and</li> <li>2. <del>whether a cultural impact assessment has been undertaken and<sup>42</sup> the</del></li> </ol>

<sup>23</sup> TDC [42.43], OWL [181.59] and KiwiRail [187.53]

<sup>24</sup> Clause 10(2)(b) relating to Fenlea Farms [171.30] Rooney, A J [177.12] and K J Rooney [197.5]

<sup>25</sup> Fonterra [165.79], Silver Fern Farms [172.46] and Alliance Group [173.45, 173.46], Westgarth et al [200.7], Aitken et al [237.14]

<sup>42</sup> Clause 16(2)

<p><b>Wāhi Tūpuna Overlay (outside an ONL or VAL overlay)<sup>26</sup></b></p> <p><b>(excluding the Māori Purpose Zone)</b></p> <p><b>Wāhi taoka overlay</b></p> <p><b>Wai taoka overlay (outside a riparian margin)<sup>27</sup></b></p> <p><b>Wai tapu overlay (outside a riparian margin)<sup>28</sup></b></p>	<p>necessary for the installation of infrastructure / <u>network<sup>29</sup></u> utilities, do not exceed a maximum area of <u>750<sup>30</sup>2000m<sup>2</sup> in any 12-month period per site<sup>31</sup></u>; or</p> <p>2. earthworks for the purpose of maintaining, <u>repairing<sup>32</sup> or replacing<sup>33</sup></u> existing <u>fences<sup>34</sup>, roads, tracks, pipelines<sup>35</sup>, buildings<sup>36</sup></u>, or natural hazard mitigation works, and are within the footprint or <u>the area of ground previously<sup>37</sup> modified ground comprised<sup>38</sup></u> by the existing road, track, pipeline, building<sup>39</sup> or natural hazard mitigation works; or</p> <p>3. earthworks authorised by the <u>Canterbury Regional Council for maintenance of existing rock weirs and river works to the same level and extent as occurring as at 1 January 2000<sup>40</sup></u> and</p> <p><b>PER-2</b>  <u>Except where an Archaeological Authority has been obtained from Heritage New Zealand Pouhere Taonga, the earthworks are undertaken in accordance with the Accidental Discovery Protocol commitment form, contained within APP4 - Form confirming a commitment to adhering to an Accidental Discovery Protocol, has been completed and submitted to Council, at least 2 weeks prior to the commencement of any earthworks.<sup>41</sup></u></p>	<p>proposal's consistency with the values identified in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa; and</p> <p>3. the potential adverse effects, including on sensitive tangible and/or intangible cultural values <del>as identified through engagement with Te Rūnanga o Arowhenua<sup>43</sup></del>; and</p> <p>4. <del>effects on sites where there is the potential for koiwi or artefacts to be discovered, including consideration of the need to implement an accidental discovery protocol or have a cultural monitor present, and whether an accidental discovery protocol has been agreed with Te Rūnanga o Arowhenua; and<sup>44</sup></del></p> <p>5. whether there are alternative methods, locations or designs that would avoid or mitigate the impact of earthworks on the values associated with the site or area of significance; and</p> <p>6. the appropriateness of any mitigation measures proposed, <u>including the need for an accidental discovery protocol<sup>45</sup></u>; and</p> <p>7. <del>whether</del> <u>the extent to which</u> the proposed activity provides an opportunity to recognise Kāti Huirapa culture, history and identity associated with the site/area, and any potential to:</p> <ol style="list-style-type: none"> <li>affirm the connection between mana whenua and place; or</li> </ol>
---	--	--

<sup>26</sup> Westgarth et al [200.7]

<sup>27</sup> Westgarth et al [200.7]

<sup>28</sup> Westgarth et al [200.7]

<sup>29</sup> Broughs Gully [167.48]

<sup>30</sup> Bonifacio, P [36.21], Rooney Holdings [174.28], GJH Rooney [191.28], Rooney Group [249.28], Rooney Farms [250.28], Rooney Earthmoving [251.28], TDL [252.28]

<sup>31</sup> Z Energy [116.12], Te Rūnanga o Ngāi Tahu [185.98]

<sup>32</sup> Pye Group [35.1], Connolly, S [136.1]

<sup>33</sup> Rangitata Dairies [44.14]

<sup>34</sup> Pye Group [35.1]

<sup>35</sup> Pye Group [35.1], Rangitata Dairies [44.14]

<sup>36</sup> Te Kotare [115.28], Waipopo Huts [189.40]

<sup>37</sup> Clause 16(2)

<sup>38</sup> Clause 16(2)

<sup>39</sup> Clause 10(2)(b) relating to Pye Group [35.1], Rangitata Dairies [44.14]

<sup>40</sup> RDRML [234.1]

<sup>41</sup> Pye Group [35.1], NZDF [151.11], Alliance Group [173.46], Rooney Holdings [174.98], GJH Rooney [191.98], Rooney Group [249.98], Rooney Farms [250.98], Rooney Earthmoving [251.98] and TDL [252.98]

<sup>43</sup> Clause 16(2)

<sup>44</sup> Clause 16(2)

<sup>45</sup> Clause 16(2)



		<p>b. enhance the cultural values of the site/area; or</p> <p>c. provide for the relationship of Kāti Huirapa with their taoka; or</p> <p>d. <u>maintain or enhance the ability of Kāti Huirapa to access and use the Site or Area of Significance;</u><sup>46</sup></p> <p>commensurate with the scale and nature of the proposal; and</p> <p><del>8. any opportunities to maintain or enhance the ability of Kāti Huirapa to access and use the Site or Area of Significance; and</del><sup>47</sup></p> <p>9. where the earthworks will remove indigenous vegetation, the nature of any effects on mahika kai and other customary uses; and</p> <p>10. in respect of <u>network</u><sup>48</sup> utilities, the extent to which the proposed <u>network</u><sup>49</sup> utility has functional needs or <u>operational needs</u><sup>50</sup> for its location.</p> <p><i>Note: Limited notification of Te Rūnanga o Arowhenua is likely to be required under this rule.</i></p>
<p><b>2- Wāhi-Taoka and Wai Taoka Overlay</b><sup>51</sup></p>	<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b> The earthworks are for the purpose of maintenance, repair, or replacement, of any of the following:</p> <ol style="list-style-type: none"> <li>1. existing fencing; or</li> <li>2. existing tracks or roads; or</li> <li>3. existing reticulated stock water systems including troughs; or</li> <li>4. existing natural hazard mitigation works; and</li> </ol> <p><b>PER-2</b> The earthworks are only undertaken within the footprint or modified ground comprised by the existing item; and</p> <p><b>PER-3</b></p>	<p><b>Activity status when compliance not achieved: Restricted Discretionary</b></p> <p><del>Matters of discretion are restricted to:</del></p> <ol style="list-style-type: none"> <li>1. <del>whether Te Rūnanga o Arowhenua has been consulted, the outcome of that consultation, and the extent to which the proposal responds to, or incorporates the outcomes of that consultation; and</del></li> <li>2. <del>whether a cultural impact assessment has been undertaken and the proposal's consistency with the values identified in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa; and</del></li> <li>3. <del>the potential adverse effects, including on sensitive tangible and/or intangible cultural values as identified through engagement with Te Rūnanga o Arowhenua; and</del></li> </ol>

<sup>46</sup> Clause 16(2)

<sup>47</sup> Clause 16(2)

<sup>48</sup> Broughs Gully [167.48]

<sup>49</sup> Broughs Gully [167.48]

<sup>50</sup> Transpower [159.69]

<sup>51</sup> Westgarth et al [200.7]

	<p>Any replacement item is of the same nature, character and scale of the item being replaced; and</p> <p><b>PER-4</b> The Accidental Discovery Protocol commitment form, contained within APP4 – Form confirming a commitment to adhering to an Accidental Discovery Protocol, has been completed and submitted to Council, at least 2 weeks prior to the commencement of any earthworks</p>	<p><del>4. effects on sites where there is the potential for koiwi or artefacts to be discovered, including consideration of the need to implement an accidental discovery protocol or have a cultural monitor present, and whether an accidental discovery protocol has been agreed with Te Rūnanga o Arowhenua; and</del></p> <p><del>5. whether there are alternative methods, locations or designs that would avoid or mitigate the impact of earthworks on the values associated with the site or area of significance; and</del></p> <p><del>6. the appropriateness of any mitigation measures proposed; and</del></p> <p><del>7. whether the proposed activity provides an opportunity to recognise Kāti Huirapa culture, history and identity associated with the site/area, and any potential to:</del></p> <p><del>1. affirm the connection between mana whenua and place; or</del></p> <p><del>2. enhance the cultural values of the site/area; or</del></p> <p><del>3. provide for the relationship of Kāti Huirapa with their taoka; commensurate with the scale and nature of the proposal; and</del></p> <p><del>8. any opportunities to maintain or enhance the ability of Kāti Huirapa to access and use the Site or Area of Significance; and</del></p> <p><del>9. where the earthworks will remove indigenous vegetation, the nature of any effects on mahika kai and other customary uses; and</del></p> <p><del>10. in respect of utilities, the extent to which the proposed utility has functional needs for its location.</del></p> <p><i><b>Note:</b> Limited notification of Te Rūnanga o Arowhenua is likely to be required under this rule.</i></p>
<p><b>3.</b> <b>Wāhi tapu and wai tapu<sup>52</sup> overlays</b></p>	<p><b>Activity status:</b> <u>Permitted</u> <del>Restricted</del> <b>Discretionary</b></p> <p><b>Where:</b> <b><u>RDISPER-1</u></b></p>	<p><b>Activity status when compliance not achieved:</b> <del>Not applicable</del> <u>Restricted</u> <b>Discretionary</b></p> <p><b><u>Matters of discretion are restricted to:</u></b></p> <p>1. <u>whether Te Rūnanga o Arowhenua has been consulted, the outcome of that</u></p>

<sup>52</sup> Rooney Holdings [174.28], GJH Rooney [191.28], Westgarth et al [200.7], Rooney Group [249.28], Rooney Farms [250.28], Rooney Earthmoving [251.28], TDL [252.28]

<p>The earthworks are undertaken in accordance with the <u>Accidental Discovery Protocol contained within APP4</u>; and</p> <p><b>PER-2</b> All earthworks, including those associated with and under new buildings/structures, and including those necessary for the installation of infrastructure/ utilities <u>Within SASM-1a, SASM-4a and SASM-4c, the earthworks are for the purpose of maintaining, repairing or replacing existing fences, roads, tracks, pipelines, buildings, rock weirs or natural hazard mitigation works, and are within the footprint or the area of ground previously modified by the existing road, track, pipeline, building or natural hazard mitigation works.</u><sup>53</sup></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. <del>whether Te Rūnanga o Arowhenua has been consulted, the outcome of that consultation, and the extent to which the proposal responds to, or incorporates the outcomes of that consultation; and</del></li> <li>2. <del>whether a cultural impact assessment has been undertaken and the proposal's consistency with the values identified in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa; and</del></li> <li>3. <del>the potential adverse effects, including on sensitive tangible and/or intangible cultural values as identified through engagement with Te Rūnanga o Arowhenua; and</del></li> <li>4. <del>effects on sites where there is the potential for koiwi or artefacts to be discovered, including consideration of the need to implement an accidental discovery protocol or have a cultural monitor present, and whether an accidental discovery protocol has been agreed with Te Rūnanga o Arowhenua; and</del></li> <li>5. <del>whether there are alternative methods, locations or designs that would avoid</del></li> </ol>	<p><u>consultation, and the extent to which the proposal responds to, or incorporates the outcomes of that consultation; and</u></p> <ol style="list-style-type: none"> <li>2. <u>the proposal's consistency with the values identified in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa; and</u></li> <li>3. <u>the potential adverse effects, including on sensitive tangible and/or intangible cultural values; and</u></li> <li>4. <u>whether there are alternative methods, locations or designs that would avoid or mitigate the impact of earthworks on the values associated with the site or area of significance; and</u></li> <li>5. <u>the appropriateness of any mitigation measures proposed, including the need for an accidental discovery protocol; and</u></li> <li>6. <u>the extent to which the proposed activity provides an opportunity to recognise Kāti Huirapa culture, history and identity associated with the site/area, and any potential to:</u> <ol style="list-style-type: none"> <li>a. <u>affirm the connection between mana whenua and place; or</u></li> <li>b. <u>enhance the cultural values of the site/area; or</u></li> <li>c. <u>provide for the relationship of Kāti Huirapa with their taoka; or</u></li> <li>d. <u>maintain or enhance the ability of Kāti Huirapa to access and use the Site or Area of Significance commensurate with the scale and nature of the proposal;</u></li> </ol> </li> <li>7. <u>where the earthworks will remove indigenous vegetation, the nature of any effects on mahika kai and other customary uses; and</u></li> <li>8. <u>in respect of network<sup>54</sup> utilities, the extent to which the proposed network<sup>55</sup> utility has functional needs or operational needs<sup>56</sup> for its location.</u></li> </ol> <p><b><u>Note: Limited notification of Te Rūnanga o Arowhenua is likely to be required under this rule.</u></b></p>
--	---

<sup>53</sup> Bonifacio, P [36.21] Rangitata Dairies [44.14], Hart, J [58.4], Connolly, S [136.1], Rooney Holdings [174.28], GJH Rooney [191.28], Rooney Group [249.28], Rooney Farms [250.28], Rooney Earthmoving [251.28], TDL [252.28]

<sup>54</sup> Broughs Gully [167.48]

<sup>55</sup> Broughs Gully [167.48]

<sup>56</sup> Transpower [159.69]

	<p>or mitigate the impact of earthworks on the values associated with the site or area of significance; and</p> <p><del>6. the appropriateness of any mitigation measures proposed; and</del></p> <p><del>7. whether the proposed activity provides an opportunity to recognise Kāti Huirapa culture, history and identity associated with the site/area, and any potential to:</del></p> <p style="padding-left: 20px;"><del>a. affirm the connection between mana whenua and place; or</del></p> <p style="padding-left: 20px;"><del>b. enhance the cultural values of the site/area; or</del></p> <p style="padding-left: 20px;"><del>c. provide for the relationship of Kāti Huirapa with their taoka; commensurate with the scale and nature of the proposal; and</del></p> <p><del>8. any opportunities to maintain or enhance the ability of Kāti Huirapa to access and use the Site or Area of Significance; and</del></p> <p><del>9. where the earthworks will remove indigenous vegetation, the nature of any effects on mahika kai and other customary uses; and</del></p> <p><del>10. in respect of utilities, the extent to which the proposed utility has functional needs for its location.</del></p> <p><i>Note: Limited notification of Te Rūnanga o Arowhenua is likely to be required under this rule.</i></p>	
<b>SASM-R2</b>	<b>Buildings and structures, including additions and alterations to existing buildings and structures and network utilities</b>	
<p><b>1. Wāhi taoka Overlay (outside of residential zones, commercial and mixed use zones, the General Industrial Zone or the Port Zone)<sup>57</sup></b></p>	<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b> For buildings or structures located outside of the residential zones, Commercial and mixed use zones, Industrial zones or Port Zone<sup>58</sup>, the following limitations apply<sup>59</sup>:</p> <p>1. The maximum height of buildings and structures does not exceed 59<sup>60</sup>m above ground level; and</p>	<p><b>Activity status when compliance not achieved: Restricted Discretionary</b></p> <p><b>Matters of discretion are restricted to:</b></p> <p>1. whether Te Rūnanga o Arowhenua has been consulted, the outcome of that consultation, and the extent to which the proposal responds to, or incorporates the outcomes of that consultation; and</p> <p>2. whether a cultural impact assessment has been undertaken and<sup>63</sup> the proposal's consistency with the values</p>

<sup>57</sup> Clause 16(2)

<sup>58</sup> Clause 16(2)

<sup>59</sup> Clause 16(2)

<sup>60</sup> Bonifacio, P [36.22], Federated Farmers [182.93], Beattie, D M [238.2]

<sup>63</sup> Clause 16(2)

<p>2. Buildings and structures are not located within 20m vertical or 100m horizontal of any ridgeline; and</p> <p><del>3. Buildings and structures are not located at any point above 900m above sea level; and<sup>61</sup></del></p> <p>4. The maximum footprint of any building or structure does not exceed 300m<sup>2</sup>.</p> <p><b>Note:</b> <del>For buildings or structures located within the residential zones, Commercial and mixed use zones, Industrial zones or Port Zone, there is no limitation.<sup>62</sup></del></p>	<p>identified in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa; and</p> <p>3. the potential adverse effects, including on sensitive tangible and/or intangible cultural values <del>as identified through engagement with Te Rūnanga o Arowhenua<sup>64</sup>; and</del></p> <p>4. whether there are alternative methods, locations or designs that would avoid or mitigate the impact of works on the values associated with the site or area of significance; and</p> <p>5. the appropriateness of any mitigation measures proposed, <u>including the need for an accidental discovery protocol<sup>65</sup></u>; and</p> <p>6. <del>whether</del> <u>the extent to which</u> the proposed activity provides an opportunity to recognise Kāti Huirapa culture, history and identity associated with the site/area, and any potential to:</p> <ul style="list-style-type: none"> <li>a. affirm the connection between mana whenua and place; or</li> <li>b. enhance the cultural values of the site/area; or</li> <li>c. provide for the relationship of Kāti Huirapa with their taoka; <u>or</u></li> <li>d. <u>maintain or enhance the ability of Kāti Huirapa to access and use the Site or Area of Significance;<sup>66</sup></u> commensurate with the scale and nature of the proposal; and <p><del>7. any opportunities to maintain or enhance the ability of Kāti Huirapa to access and use the Site or Area of Significance; and<sup>67</sup></del></p> <p>8. in respect of <u>network<sup>68</sup> utilities</u>, the extent to which the proposed <u>network<sup>69</sup> utility</u> has functional needs <u>or operational needs<sup>70</sup></u> for its location.</p> <p><b>Note:</b> <i>Limited notification of Te Rūnanga o Arowhenua is likely to be required under this rule.</i></p> </li></ul>
---	---

<sup>61</sup> Bonifacio, P [36.22]

<sup>62</sup> Clause 16(2)

<sup>64</sup> Clause 16(2)

<sup>65</sup> Clause 16(2)

<sup>66</sup> Clause 16(2)

<sup>67</sup> Clause 16(2)

<sup>68</sup> Broughs Gully [167.48]

<sup>69</sup> Broughs Gully [167.48]

<sup>70</sup> Transpower [159.69]

<p><b>2. Wāhi tapu and wai tapu<sup>71</sup> overlays, (excluding SASM1c, SASM2 and SASM3a, SASM8 and SASM9)<sup>72</sup></b></p>	<p><b>Activity status: Restricted Discretionary</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. whether Te Rūnanga o Arowhenua has been consulted, the outcome of that consultation, and the extent to which the proposal responds to, or incorporates the outcomes of that consultation; and</li> <li>2. <del>whether a cultural impact assessment has been undertaken and</del><sup>73</sup> the proposal's consistency with the values identified in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa; and</li> <li>3. the potential adverse effects, including on sensitive tangible and/or intangible cultural values <del>as identified through engagement with Te Rūnanga o Arowhenua</del><sup>74</sup>; and</li> <li>4. whether there are alternative methods, locations or designs that would avoid or mitigate the impact of works on the values associated with the site or area of significance; and</li> <li>5. the appropriateness of any mitigation measures proposed, <u>including the need for an accidental discovery protocol</u><sup>75</sup>; and</li> <li>6. <del>whether</del> <u>the extent to which</u> the proposed activity provides an opportunity to recognise Kāti Huirapa culture, history and identity associated with the site/area, and any potential to:             <ol style="list-style-type: none"> <li>a. affirm the connection between mana whenua and place; or</li> <li>b. enhance the cultural values of the site/area; or</li> <li>c. provide for the relationship of Kāti Huirapa with their taonga; <u>or</u></li> <li>d. <u>maintain or enhance the ability of Kāti Huirapa to access and use the Site or Area of Significance;</u><sup>76</sup> commensurate with the scale and nature of the proposal; and</li> </ol> </li> <li>7. <del>any opportunities to maintain or enhance the ability of Kāti Huirapa to</del></li> </ol>	<p><b>Activity status when compliance not achieved: Not applicable</b></p>
---	--	--

<sup>71</sup> Westgarth et al [200.7]

<sup>72</sup> Hart, J [58.5]

<sup>73</sup> Clause 16(2)

<sup>74</sup> Clause 16(2)

<sup>75</sup> Clause 16(2)

<sup>76</sup> Clause 16(2)

	<p>access and use the Site or Area of Significance; and<sup>77</sup></p> <p>8. in respect of <u>network</u><sup>78</sup> utilities, the extent to which the proposed <u>network</u><sup>79</sup> utility has functional needs <u>or operational needs</u><sup>80</sup> for its location.</p> <p><i>Note: Limited notification of Te Rūnanga o Arowhenua is likely to be required under this rule.</i></p>	
<b>SASM-R3</b>	<b>Indigenous vegetation clearance<sup>81</sup></b>	
<p><b>Wāhi taoka, wāhi tapu, wai taoka, and wai tapu overlays</b></p>	<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b> The indigenous vegetation clearance is carried out by Ngāi Tahu whanui for the purposes of mahika kai or other customary uses; or</p> <p><b>PER-2</b> The indigenous vegetation to be cleared is causing an imminent danger to human life, structures, or utilities and the clearance is undertaken in accordance with advice from a suitably qualified arborist; or</p> <p><b>PER-3</b> The indigenous vegetation clearance is for the purpose of maintenance, repair or replacement of existing lawfully established fences, vehicle tracks, roads, walkways, firebreaks, drains, ponds, dams, waterlines, waterway crossings, or network utilities; or</p> <p><b>PER-4</b> The indigenous vegetation has been planted and managed specifically for the purpose of harvesting; or</p> <p><b>PER-5</b> The indigenous vegetation has been planted and/or managed as part of a domestic or public garden or has been planted for amenity purposes or as a shelterbelt; or</p>	<p><b>Activity status when compliance not achieved: Restricted Discretionary</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. whether Te Rūnanga o Arowhenua has been consulted, the outcome of that consultation, and the extent to which the proposal responds to, or incorporates the outcomes of that consultation; and</li> <li>2. whether a cultural impact assessment has been undertaken and the proposal's consistency with the values identified in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa; and</li> <li>3. the potential adverse effects, including on sensitive tangible and/or intangible cultural values as identified through engagement with Te Rūnanga o Arowhenua; and</li> <li>4. effects on sites where there is the potential for koiwi or artefacts to be discovered, including consideration of the need to implement an accidental discovery protocol or have a cultural monitor present, and whether an accidental discovery protocol has been agreed with Te Rūnanga o Arowhenua; and</li> <li>5. whether there are alternative methods, locations or designs that would avoid or mitigate the impact of works on the values associated with the site or area of significance; and</li> <li>6. the appropriateness of any mitigation measures proposed; and</li> </ol>

<sup>77</sup> Clause 16(2)

<sup>78</sup> Brouchs Gully [167.48]

<sup>79</sup> Brouchs Gully [167.48]

<sup>80</sup> Transpower [159.69]

<sup>81</sup> Clause 10(2)(b) relating to Frank, H [90.23], Forest and Bird [156.3, 156.116], Dir. General Conservation [166.29]

	<p><b>PER-6</b> The indigenous vegetation clearance is necessary in the course of removing pest plants and pest animals in accordance with any regional pest management plan or the Biosecurity Act 1993, or where this occurs as part of indigenous biodiversity restoration or enhancement; or</p> <p><b>PER-7</b> The indigenous vegetation clearance is for natural hazard mitigation works and is authorised under ECO R2 (either as a permitted activity, or through a resource consent having been obtained).</p>	<p><del>7. whether the proposed activity provides an opportunity to recognise Kāti Huirapa culture, history and identity associated with the site/area, and any potential to:</del></p> <p><del>a. affirm the connection between mana whenua and place; or</del></p> <p><del>b. enhance the cultural values of the site/area; or</del></p> <p><del>c. provide for the relationship of Kāti Huirapa with their taoka; commensurate with the scale and nature of the proposal; and</del></p> <p><del>8. any opportunities to maintain or enhance the ability of Kāti Huirapa to access and use the Site or Area of Significance; and</del></p> <p><del>9. where the works will remove indigenous vegetation, the nature of any effects on mahika kai and other customary uses; and</del></p> <p><del>10. in respect of utilities, the extent to which the proposed utility has functional needs for its location.</del></p> <p><i>Note: Limited notification of Te Rūnanga o Arowhenua is likely to be required under this rule.</i></p>
<b>SASM-R4</b>	<b>Temporary events</b>	
<p><b>Wāhi tapu, and wai tapu overlays (excluding SASM1c, SASM2 and SASM3a)<sup>82</sup></b></p>	<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b> Any temporary event where this is limited to a<sup>83</sup> cultural event undertaken in accordance with tikanga; or</p> <p><b>PER-2</b> <u>Any temporary event within SASM8 or SASM9 that is undertaken outside a Significant Natural Area.</u><sup>84</sup></p>	<p><b>Activity status when compliance not achieved: <u>Non-complying Restricted discretionary</u></b><sup>85</sup></p> <p><b><u>Matters of discretion are restricted to:</u></b></p> <ol style="list-style-type: none"> <li><u>whether Te Rūnanga o Arowhenua has been consulted, the outcome of that consultation, and the extent to which the proposal responds to, or incorporates the outcomes of that consultation; and</u></li> <li><u>the proposal’s consistency with the values identified in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa; and</u></li> <li><u>the potential adverse effects, including on sensitive tangible and/or intangible cultural values; and</u></li> </ol>

<sup>82</sup> Hart, J [58.6], Beattie, D M [238.3]

<sup>83</sup> Clause 16(2)

<sup>84</sup> Hart, J [58.6]

<sup>85</sup> Hart, J [58.6], Beattie, D M [238.3]



		<p>4. <u>the appropriateness of any mitigation measures proposed, including the need for an accidental discovery protocol; and</u></p> <p>5. <u>the extent to which the proposed activity provides an opportunity to recognise Kāti Huirapa culture, history and identity associated with the site/area, and any potential to:</u></p> <ul style="list-style-type: none"> <li>a. <u>affirm the connection between mana whenua and place; or</u></li> <li>b. <u>enhance the cultural values of the site/area; or</u></li> <li>c. <u>provide for the relationship of Kāti Huirapa with their taoka; or</u></li> <li>d. <u>maintain or enhance the ability of Kāti Huirapa to access and use the Site or Area of Significance; commensurate with the scale and nature of the proposal.</u></li> </ul> <p><b><u>Note: Limited notification of Te Rūnanga o Arowhenua is likely to be required under this rule.</u></b></p>
<p><b>SASM-R5</b></p>	<p><b>Mining and quarrying activities<sup>86</sup></b></p>	
<p><b>1. Wāhi tūpuna Overlay (outside an ONL or VAL overlay)<sup>87</sup></b></p>	<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b> The mining and/or quarrying activity<sup>88</sup> do not exceed a maximum area of 750m<sup>2</sup> per site<sup>89</sup>; and</p> <p><b>PER-2</b> <u>Except where an Archaeological Authority has been obtained from Heritage New Zealand Pouhere Taonga, the earthworks are undertaken in accordance with the Accidental Discovery Protocol commitment form, contained within APP4 - Form confirming a commitment to adhering to an Accidental Discovery Protocol, has been completed and submitted to Council, at</u></p>	<p><b>Activity status when compliance not achieved: Restricted Discretionary</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ul style="list-style-type: none"> <li>1. whether Te Rūnanga o Arowhenua has been consulted, the outcome of that consultation, and the extent to which the proposal responds to, or incorporates the outcomes of that consultation; and</li> <li>2. <del>whether a cultural impact assessment has been undertaken</del> <sup>and<sup>91</sup></sup> the proposal's consistency with the values identified in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa; and</li> <li>3. the potential adverse effects, including on sensitive tangible and/or intangible cultural values as identified through engagement with Te Rūnanga o Arowhenua<sup>92</sup>; and</li> </ul>

<sup>86</sup> Road Metals [169.17, 169.18] and Fulton Hogan [170.18, 170.19]

<sup>87</sup> Westgarth et al [200.7]

<sup>88</sup> Road Metals [169.17, 169.18] and Fulton Hogan [170.18, 170.19]

<sup>89</sup> Te Rūnanga o Ngāi Tahu [185.102]

<sup>91</sup> Clause 16(2)

<sup>92</sup> Clause 16(2)

	<p>least 2 weeks prior to the commencement of any earthworks.<sup>90</sup></p>	<p><del>4. effects on sites where there is the potential for koiwi or artefacts to be discovered, including consideration of the need to implement an accidental discovery protocol or have a cultural monitor present, and whether an accidental discovery protocol has been agreed with Te Rūnanga o Arowhenua; and<sup>93</sup></del></p> <p>5. whether there are alternative methods, locations or designs that would avoid or mitigate the impact of earthworks on the values associated with the site or area of significance; and</p> <p>6. the appropriateness of any mitigation measures proposed, <u>including the need for an accidental discovery protocol;</u><sup>94</sup> and</p> <p>7. whether the proposed activity provides an opportunity to recognise Kāti Huirapa culture, history and identity associated with the site/area, and any potential to:</p> <ul style="list-style-type: none"> <li>a. affirm the connection between mana whenua and place; or</li> <li>b. enhance the cultural values of the site/area; or</li> <li>c. provide for the relationship of Kāti Huirapa with their taoka; <u>or</u></li> <li>d. <u>maintain or enhance the ability of Kāti Huirapa to access and use the Site or Area of Significance;</u><sup>95</sup></li> </ul> <p>commensurate with the scale and nature of the proposal; and</p> <p><del>8. any opportunities to maintain or enhance the ability of Kāti Huirapa to access and use the Site or Area of Significance; and<sup>96</sup></del></p> <p>9. where the earthworks will remove indigenous vegetation, the nature of any effects on mahika kai and other customary uses; and</p> <p><del>10. in respect of utilities, the extent to which the proposed utility has functional needs for its location.<sup>97</sup></del></p>
--	--	--

<sup>90</sup> Pye Group [35.1], NZDF [151.11], Alliance Group [173.46], Rooney Holdings [174.98], GJH Rooney [191.98], Rooney Group [249.98], Rooney Farms [250.98], Rooney Earthmoving [251.98] and TDL [252.98]

<sup>93</sup> Clause 16(2)

<sup>94</sup> Clause 16(2)

<sup>95</sup> Clause 16(2)

<sup>96</sup> Clause 16(2)

<sup>97</sup> Clause 16(2)

		<i>Note: Limited notification of Te Rūnanga o Arowhenua is likely to be required under this rule.</i>
<b>32.</b> Wāhi taoka, wāhi tapu, and wai tapu overlays	<b>Activity status: Non-Complying</b>	<b>Activity status where compliance not achieved: Not applicable</b>
<b>SASM-R5A</b>	<b>Mining and quarrying activities outside the bed of a river<sup>98</sup></b>	
<b>2.</b> Wai taoka Overlay	<p><b>Activity status: <del>Permitted</del> <u>Restricted Discretionary</u></b></p> <p><b><u>Matters of discretion are restricted to:</u></b></p> <ol style="list-style-type: none"> <li>1. <u>whether Te Rūnanga o Arowhenua has been consulted, the outcome of that consultation, and the extent to which the proposal responds to, or incorporates the outcomes of that consultation; and</u></li> <li>2. <u>the proposal's consistency with the values identified in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa; and</u></li> <li>3. <u>the potential adverse effects, including on sensitive tangible and/or intangible cultural values; and</u></li> <li>4. <u>the appropriateness of any mitigation measures proposed, including the need for an accidental discovery protocol;</u></li> <li>5. <u>the extent to which the proposed activity provides an opportunity to recognise Kāti Huirapa culture, history and identity associated with the site/area, and any potential to:</u> <ol style="list-style-type: none"> <li>a. <u>affirm the connection between mana whenua and place; or</u></li> <li>b. <u>enhance the cultural values of the site/area; or</u></li> <li>c. <u>provide for the relationship of Kāti Huirapa with their taonga; or</u></li> <li>d. <u>maintain or enhance the ability of Kāti Huirapa to access and use the Site or Area of Significance; commensurate with the scale and nature of the proposal; and</u></li> </ol> </li> </ol>	<p><b>Activity status when compliance not achieved with PER-1: <u>Restricted Discretionary</u></b></p> <p><b><del>Matters of discretion are restricted to:</del></b></p> <ol style="list-style-type: none"> <li>1. <del>whether Te Rūnanga o Arowhenua has been consulted, the outcome of that consultation, and the extent to which the proposal responds to, or incorporates the outcomes of that consultation; and</del></li> <li>2. <del>whether a cultural impact assessment has been undertaken and the proposal's consistency with the values identified in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa; and</del></li> <li>3. <del>the potential adverse effects, including on sensitive tangible and/or intangible cultural values as identified through engagement with Te Rūnanga o Arowhenua; and</del></li> <li>4. <del>whether the proposed activity provides an opportunity to recognise Kāti Huirapa culture, history and identity associated with the site/area, and any potential to:</del> <ol style="list-style-type: none"> <li>a. <del>affirm the connection between mana whenua and place; or</del></li> <li>b. <del>enhance the cultural values of the site/area; or</del></li> <li>c. <del>provide for the relationship of Kāti Huirapa with their taonga; commensurate with the scale and nature of the proposal; and</del></li> </ol> </li> <li>5. <del>any effects on the ability of Kāti Huirapa to access and use the Site or Area of Significance.</del></li> </ol>

<sup>98</sup> Clause 10(2)(b) relating to Road Metals [169.17], Fulton Hogan [170.19], ECan [183.67]

	<p>6. <u>where the mining or quarrying activity will remove indigenous vegetation, the nature of any effects on mahika kai and other customary uses</u></p> <p><b>Note:</b> <u>Quarrying activities within the bed of a river are managed under the regional plan.</u></p> <p><b>Where:</b></p> <p><b>PER-1</b> The quarrying is from the bed of a river, and is authorised under the Canterbury Land and Water Regional Plan (either as a permitted activity, or through a resource consent having been obtained); and<sup>99</sup></p> <p><b>PER-2</b> Excavated materials are removed from the bed the bed of the <u>river</u> within 10 days.<sup>100</sup></p>	<p><b>Activity status when compliance not achieved with PER-2: Discretionary</b></p>
<p><b>SASM-R6 Intensively farmed stock<sup>101</sup></b></p>		
<p><b>1. Wai taoka Overlay</b></p>	<p><b>Activity status: Restricted discretionary</b></p> <p>-</p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. <del>whether Te Rūnanga o Arowhenua has been consulted, the outcome of that consultation, and the extent to which the proposal responds to, or incorporates the outcomes of that consultation; and</del></li> <li>2. <del>whether a cultural impact assessment has been undertaken and the proposal's consistency with the values identified in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa; and</del></li> <li>3. <del>the potential adverse effects of the activity on the values associated with the Site, including on sensitive tangible and/or intangible cultural values as identified through engagement with Te Rūnanga o Arowhenua; and</del></li> <li>4. <del>whether the proposed activity provides an opportunity to recognise Kāti Huirapa culture, history and</del></li> </ol>	<p><b>Activity status where compliance not achieved: Not applicable</b></p>

<sup>99</sup> ECan [183.67]

<sup>100</sup> Road Metals [169.17], Fulton Hogan [170.19]

<sup>101</sup> EJAPS [4.2], Hargreaves, T [29.2], Pye Group [35.2], Bonifacio, P [36.24], Stack, D [50.8], Hart, J [58.7], Rangitata Dairies [44.15], Moore, D and J [100.6], Fenlea Farms [171.31], Alliance Group [173.49], Rooney, A J [177.13], KJ Rooney [197.6], Beattie, D M [238.4]

	<p>identity associated with the site/area, and any potential to:</p> <ul style="list-style-type: none"> <li>a. affirm the connection between mana whenua and place; or</li> <li>b. enhance the cultural values of the site/area; or</li> <li>c. provide for the relationship of Kāti Huirapa with their taoka; commensurate with the scale and nature of the proposal; and</li> </ul> <p>5. any effects on the ability of Kāti Huirapa to access and use the Site or Area of Significance.</p>	
<b>2. Wāhi taoka, wāhi tapu, and wai tapu overlays</b>	<b>Activity status: Non-complying</b>	<b>Activity status where compliance not achieved: Not applicable</b>
<b>SASM-R7</b>	<b>Subdivision<sup>102</sup></b>	
<b>Wāhi taoka, wāhi tapu, wai taoka, and wai tapu overlays</b>	<b>Activity status: Discretionary</b>	<b>Activity status where compliance not achieved: not applicable</b>
<b>SASM-R8</b>	<b>Shelterbelts or w<sup>103</sup>-Woodlots or plantation forestry</b>	
<b>Wāhi tapu Overlay — SASM8 and SASM9 only</b>	<b>Activity status: Non-complying</b>	<b>Activity status where compliance not achieved: not applicable</b>

<sup>102</sup> Speirs, B [66.48]

<sup>103</sup> Hart, J [58.2, 58.8], Peel Forest [105.11], McArthur, K and J [113.8], Federated Farmers [182.99], Beattie, D M [238.5]

## MĀORI PURPOSE ZONE

### Introduction

The purpose of the Māori Purpose Zone is to provide for the social, cultural, environmental and economic wellbeing of mana whenua, and ensure a thriving and self-sustaining Māori community. The zone recognises and provides for the relationship of Māori with the land.

The Māori Purpose Zone is applied to areas of land originally granted as Native Reserve for Māori occupation or use. One of the main aspirations of the Māori Purpose Zone is to create an enabling planning regime to not only encourage the development and use of the existing Māori land, but to create a place for mana whenua to return to. Māori should benefit from these provisions and enjoy the additional activities that can be undertaken within the Zone.

Māori Land is defined as, that within the original Māori Reserves, that is:

- a. owned by Te Rūnanga o Ngāi Tahu or Te Rūnanga o Arowhenua; or
- b. Māori communal land gazetted as Māori reservation under s338 Te Ture Whenua Maori Act 1993; or
- c. Māori customary land and Māori freehold land as defined in s4 and s129 Te Ture Whenua Maori Act 1993; or
- d. Owned by a person or persons with evidence of whakapapa connection to the land (where documentary evidence of whakapapa connection is provided from either the Māori Land Court or the Te Rūnanga o Ngāi Tahu Whakapapa Unit), or
- e. Is vested in a Trust of Māori incorporation under the Te Ture Whenua Maori Act 1993.

### For other land within the Māori Purpose Zone the General Rural Zone provisions apply.

The zone enables Māori Land owners and the rūnaka to establish marae, papakāika and a range of associated social and cultural activities. In doing so, it will ensure that the importance of marae and papakāika are maintained as focal points for wider community development. The zone also provides for other economic and employment opportunities.

The zone is seen as a key mechanism for Māori descendants to maintain or re-establish connections with their Māori identity, culture, whānau and whenua.

The zone provides for the incorporation of whānaukataka, mātauraka and tikaka Māori into all aspects of the zone, and also provides for cultural design elements and activities to be expressed within the built environment and open spaces.

### Objectives

<b>MPZ-O1</b>	<b>Enabling use and development of Māori land</b>
The occupation of ancestral land by mana whenua is recognised and provided for within the Māori Purpose Zone.	
<b>MPZ-O2</b>	<b>Purpose of the Zone</b>
The Māori Purpose Zone specifically provides for mana whenua needs and activities, including papakāika, to achieve a thriving, sustainable and self-sufficient Māori community.	

### Policies

<b>MPZ-P1</b>	<b>Whānaukataka, Mātauraka and Tikaka</b>
Enable the incorporation of whānaukataka, mātauraka and tikaka in relation to the use, design and layout of development within the Māori Purpose Zone.	

<b>MPZ-P2</b>	<b>Papakāika</b>
<p>Enable the use and development of the Māori Purpose Zone for papakāika while:</p> <ol style="list-style-type: none"> <li>1. ensuring any significant adverse effects from these activities on adjoining landowners beyond the zone and the wider environment are minimised; and</li> <li>2. requiring that activities are adequately serviced.</li> </ol>	
<b>MPZ-P3</b>	<b>Infrastructure provision</b>
<p>Consider alternative approaches to infrastructure provision in areas of the Māori Purpose Zone where the development of a site is constrained by the availability of reticulated infrastructure.</p>	
<b>MPZ-P4</b>	<b>Compatible activities</b>
<p>Enable the establishment of compatible activities within the Māori Purpose Zone, while ensuring that:</p> <ol style="list-style-type: none"> <li>1. the activities and development are complementary and consistent with the purpose of the zone;</li> <li>2. the well-being of the communities are sustained;</li> <li>3. cultural values are maintained or enhanced; and</li> <li>4. the quality of the environment is not adversely affected.</li> </ol>	
<b>MPZ-P5</b>	<b>Incompatible activities</b>
<p>Avoid activities which are likely to be incompatible with the purpose of the Māori Purpose Zone, unless a cultural impact assessment demonstrates that the effects on cultural values are acceptable or can be minimised.</p>	
<b>MPZ-P6</b>	<b>Future zone locations</b>
<p>Support the future application of the Māori Purpose Zone in other locations where it will enable the use and development of land in accordance with tikaka Māori and to meet mana whenua needs.</p>	
<b>MPZ-P7</b>	<b>Rural Activities</b>
<p>Enable rural activities on any land in a manner that is consistent with the purpose of the Māori Purpose Zone.</p>	

## Rules

**Note:** For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated otherwise by a rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, HPW — How the Plan Works - General Approach.

**The Māori Purpose Zone rules and standards only apply to Māori Land, for all other land in the Zone, the General Rural Zone rules and standards apply.**

<b>MPZ-R1</b>	<b>Papakāika not otherwise listed in this chapter</b>	
<b>Māori Purpose Zone</b>	<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b> All the Standards of this chapter are complied with.</p> <p><b>PER-2</b> It does not involve any habitable buildings on</p>	<p><b>Activity status when compliance not achieved with PER-1: Restricted Discretionary</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. the matters of discretion of any infringed standard.</li> </ol>
		<p><b>Activity status when compliance not achieved with PER-2: Prohibited</b></p>

	the riverside of a regional council stop bank.	
<b>MPZ-R2</b>	<b>Manuhiri noho (visitor accommodation) that is not within a marae complex</b>	
<b>Māori Purpose Zone</b>	<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b> The maximum occupancy is six persons per night per household unit.</p> <p><b>PER-2</b> All the Standards of this chapter are complied with.</p>	<p><b>Activity status when compliance not achieved with PER-2: Restricted Discretionary</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. the matters of discretion of any infringed standard.</li> </ol> <p><b>Activity status when compliance not achieved with PER-1: Discretionary</b></p>
<b>MPZ-R3</b>	<b>Primary Production not otherwise listed in this chapter</b>	
<b>Māori Purpose Zone</b>	<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b> The activity and its buildings and structures comply with all the Standards of this chapter.</p> <p><b>PER-2</b> For any grazing of stock within 50m of a residential unit under different ownership, permanent ground cover of no less than 90% is maintained, except during crop renewal or resowing.</p>	<p><b>Activity status when compliance not achieved with PER-1: Restricted Discretionary</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. the matters of discretion of any infringed standard.</li> </ol> <p><b>Activity status when compliance not achieved with PER-2: Restricted Discretionary</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. the ability to manage grazing practices to ensure amenity effects on adjoining neighbours are minimised.</li> </ol>
<b>MPZ-R4</b>	<b>Pig production for domestic self-subsistence home use</b>	
<b>Māori Purpose Zone</b>	<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b> The pigs are only for the subsistence of the people residing on the site and are not sold to anyone not residing on the site; and</p> <p><b>PER-2</b> There is no more than six pigs located on the site; and</p> <p><b>PER-3</b> The pigs are setback a minimum distance of 25m from a building containing an existing sensitive activity on a separate site under different ownership; and</p> <p><b>PER-4</b></p>	<p><b>Activity status where compliance not achieved with PER-4: Restricted Discretionary</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. the matters of discretion of any infringed standard.</li> </ol> <p><b>Activity status where compliance not achieved with PER-1, PER-2 or PER-3: Discretionary</b></p>



	The activity and its buildings and structures comply with all the Standards of this chapter.	
<b>MPZ-R5</b>	<b>Keeping of poultry for domestic self-subsistence home use</b>	
<b>Māori Purpose Zone</b>	<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b> The poultry are only for the subsistence of the people residing on the site and are not sold to anyone not residing on the site; and</p> <p><b>PER-2</b> There is no more than 30 birds located on the site; and</p> <p><b>PER-3</b> Any building or structure with <del>an</del> a <u>gross floor</u><sup>1</sup> area of less than 50m<sup>2</sup> used to confine poultry is setback a minimum distance of 25m from a building containing an existing sensitive activity on a separate site under different ownership; and</p> <p><b>PER-4</b> No roosters are kept within 100m from the notional boundary of an existing sensitive activity on a separate site under different ownership; and</p> <p><b>PER-5</b> The activity and its buildings and structures comply with all the Standards of this chapter.</p>	<p><b>Activity status where compliance not achieved with PER-5: Restricted Discretionary</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. the matters of discretion of any infringed standard.</li> </ol> <p><b>Activity status where compliance not achieved with PER-1, PER-2, PER-3 or PER-4: Discretionary</b></p>
<b>MPZ-R6</b>	<b>Public amenity buildings</b>	
<b>Māori Purpose Zone</b>	<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b> All the Standards of this chapter are complied with.</p>	<p><b>Activity status when compliance not achieved with PER-1: Restricted Discretionary</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. the matters of discretion of any infringed standard.</li> </ol>
<b>MPZ-R7</b>	<b>Conservation activities</b>	
<b>Māori Purpose Zone</b>	<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b> Land, buildings or structures are used for : 1. preservation, protection, restoration,</p>	<p><b>Activity status where compliance not achieved with PER-2: Restricted Discretionary</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. the matters of discretion of any infringed standard.</li> </ol>

<sup>1</sup> ECan [183.1]

	<p>promulgation, or enhancement or planting of indigenous species, or habitats of indigenous fauna; or</p> <ol style="list-style-type: none"> <li>2. pest control and weed control; or</li> <li>3. conservation education; or</li> <li>4. observation or surveying; or</li> <li>5. walking tracks, board walks, pedestrian bridges; and</li> </ol> <p><b>PER-2</b> The activity and its buildings and structures comply with all the Standards of this chapter.</p>	<b>Activity status where compliance not achieved with PER-1: Discretionary</b>
<b>MPZ-R8</b>	<b>Crop support structure</b>	
<b>Māori Purpose Zone</b>	<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b> MPZ-S1 and MPZ-S2 are complied with.</p>	<p><b>Activity status where compliance not achieved: Restricted Discretionary</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. the relevant matters of discretion of any infringed standard.</li> </ol>
<b>MPZ-R9</b>	<b>Artificial crop protection structure</b>	
<b>Māori Purpose Zone</b>	<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b> The structure(s) are either:</p> <ol style="list-style-type: none"> <li>1. open at the side; or</li> <li>2. use dark green or black cloth for all vertical faces; and</li> </ol> <p><b>PER-2</b> The structure meets the following setback:</p> <ol style="list-style-type: none"> <li>1. For structure(s) less than 4m high, the structure(s) are setback a distance of: <ol style="list-style-type: none"> <li>a. 10m from road boundaries;</li> <li>b. 20m from road boundaries that are a national, regional or district arterial road;</li> <li>c. 15m from a non-road boundary of a site in different ownership; and</li> </ol> </li> <li>2. For structure(s) greater than 4m in height, then the horizontal setback distance between the boundary and the structure should increase a further 5m than that stated above for every 2m increase in height; and</li> </ol> <p><b>PER-3</b> The structure(s) are collectively no longer than 100m (measured parallel to any common boundary with a site in different ownership).</p>	<p><b>Activity status where compliance not achieved: Restricted discretionary</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. The extent of visual impacts including: limiting view shafts and panoramas from properties and public areas; changing the character of a location; changing the naturalness of the landscape; and creating an incongruous colour variation; and</li> <li>2. the extent of shading adverse effects on adjoining sites, activities and roads; and</li> <li>3. mitigation measures.</li> </ol>

<b>MPZ-R10 Rural produce retail</b>		
<b>Māori Purpose Zone</b>	<b>Activity status: Permitted</b> <b>Where:</b> <b>PER-1</b> Retail sales must be limited to the sale of produce grown on the site; and <b>PER-2</b> The retail area has a maximum gross floor area of 75m <sup>2</sup> ; and <b>PER-3</b> There is no more than one rural produce retail operation per site; and <b>PER-4</b> The activity and its buildings and structures comply with all the Standards of this chapter.	<b>Activity status where compliance not achieved with PER-4: Restricted Discretionary</b>  <b>Matters of discretion are restricted to:</b> 1. the matters of discretion of any infringed standard.
		<b>Activity status where compliance not achieved with PER-1, PER-2 or PER-3: Discretionary</b>
<b>MPZ-R11 Home businesses</b>		
<b>Māori Purpose Zone</b>	<b>Activity status: Permitted</b> <b>Where</b> <b>PER-1</b> The home business is carried out entirely within the residential unit, or a building accessory to the residential unit; and <b>PER-2</b> The activity does not occupy a total area greater than 100m <sup>2</sup> ; and <b>PER-3</b> The resident(s) and no more than three other people not resident on the site are employed; and <b>PER-4</b> No articles are sold or displayed for sale on the premises; and <b>PER-5</b> The home business does not involve an offensive trade.	<b>Activity status where compliance not achieved with PER-1 to PER-4: Discretionary</b>
		<b>Activity status where compliance not achieved with PER-5: Non-complying</b>
<b>MPZ-R12 Supported residential care activity</b>		
<b>Māori Purpose Zone</b>	<b>Activity status: Permitted</b> <b>Where:</b>	<b>Activity status where compliance not achieved: Restricted Discretionary</b>  <b>Matters of discretion are restricted to:</b>

	<b>PER-1</b> The activity and its buildings and structures comply with all the Standards of this chapter.	1. the relevant matters of discretion of any infringed standard.
<b>MPZ-R13</b>	<b>Other commercial services, offices and retail activities</b>	
<b>Māori Purpose Zone</b>	<b>Activity status: Restricted Discretionary</b>  <b>Where:</b>  <b>RDIS-1</b> All the Standards of this chapter are complied with.  <b>Matters of discretion are restricted to:</b> <ol style="list-style-type: none"> <li>1. the extent to which the proposed activity will contribute directly to the wellbeing of the community in relation to economic support, employment, training, or services; and</li> <li>2. any potential for reverse sensitivity effects or impacts on existing or potential permitted development in the zone and surrounding land; and</li> <li>3. whether the scale, intensity and/or character of the activity is appropriate in the context of the site, zone and surrounding land.</li> </ol>	<b>Activity status when compliance not achieved with RDIS-1: Restricted Discretionary</b>  <b>Matters of discretion are restricted to:</b> <ol style="list-style-type: none"> <li>1. the matters of discretion of any infringed standard; and</li> <li>2. the extent to which the proposed activity will contribute directly to the wellbeing of the community in relation to economic support, employment, training, or services; and</li> <li>3. any potential for reverse sensitivity effects or impacts on existing or potential permitted development in the zone and surrounding land; and</li> <li>4. whether the scale, intensity and/or character of the activity is appropriate in the context of the site, zone and surrounding land.</li> </ol>
<b>MPZ-R14</b>	<b>Industrial and Rural industrial activities</b>	
<b>Māori Purpose Zone</b>	<b>Activity status: Discretionary</b>	<b>Activity status where compliance not achieved: Not applicable</b>
<b>MPZ-R15</b>	<b>Seasonal workers accommodation</b>	
<b>Māori Purpose Zone</b>	<b>Activity status: Discretionary</b>	<b>Activity status where compliance not achieved: Not applicable</b>
<b>MPZ-R16</b>	<b>Urupā</b>	
<b>Māori Purpose Zone</b>	<b>Activity status: Discretionary</b>	<b>Activity status where compliance not achieved: Not applicable</b>
<b>MPZ-RX</b>	<b><u>Any activities not otherwise listed in this chapter<sup>2</sup></u></b>	
<b><u>Māori Purpose Zone</u></b>	<b><u>Activity status: Discretionary</u></b>	<b><u>Activity status where compliance not achieved: Not applicable</u></b>
<b>MPZ-R17</b>	<b>Mining, Quarrying activities and associated buildings and structures</b>	
<b>Māori</b>	<b>Activity status: Non-complying</b>	<b>Activity status where compliance not</b>

<sup>2</sup> TDC [42.59]

purpose zone		achieved: Not applicable
<b>MPZ-R18</b>	<b>Plantation forestry and associated buildings and structures</b>	
<b>Māori Purpose Zone</b>	<b>Activity status: Non-complying</b>	<b>Activity status where compliance not achieved: Not applicable</b>
<b>MPZ-R19</b>	<b>Intensive indoor primary production, intensive outdoor primary production, extensive pig farming (not provided in MPZ-R4), free range poultry farming (not listed in MPZ-R5) and associated buildings and structures</b>	
<b>Māori Purpose Zone</b>	<b>Activity status: Non-complying</b>	<b>Activity status where compliance not achieved: Not applicable</b>
<b>MPZ-R20</b>	<b>Farm effluent ponds and disposal areas</b>	
<b>Māori Purpose Zone</b>	<b>Activity status: Non-complying</b>	<b>Activity status where compliance not achieved: Not applicable</b>
<b>MPZ-R21</b>	<b>Use of airstrips and helicopter landing sites</b>	
<b>Māori Purpose Zone</b>	<b>Activity status: Non-complying</b>	<b>Activity status where compliance not achieved: Not applicable</b>
<b>MPZ-R22</b>	<b>Brothels or licenced premises, and associated buildings and structures</b>	
<b>Māori Purpose Zone</b>	<b>Activity status: Prohibited</b>	<b>Activity status where compliance not achieved: Not applicable</b>

## Standards

<b>MPZ-S1</b>	<b>Building and structure setbacks</b>	
<b>Māori Purpose Zone</b>	<p>All new buildings and structures (excluding fences no more than 2m high, irrigators, water troughs and flag poles) must be setback a minimum distance as follows:</p> <ol style="list-style-type: none"> <li>1. for pakakāika development <ol style="list-style-type: none"> <li>a. 3m from any road boundary, unless the road is a State Highway;</li> <li>b. 5m from any boundary fronting the State Highway;</li> <li>c. 2m from any other boundary.</li> </ol> </li> <li>2. for milking sheds and buildings used to house or feed stock: <ol style="list-style-type: none"> <li>a. 30m from any road boundary;</li> <li>b. 200m from any or land in different ownership;</li> </ol> </li> <li>3. for all other buildings or structures: <ol style="list-style-type: none"> <li>a. 10m from a road boundary (excluding a state highway);</li> </ol> </li> </ol>	<p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. dominance, shading and loss of privacy and sunlight in relation to adjoining properties; and</li> <li>2. any impacts on adjoining properties of the proposed activity on amenity and character; and</li> <li>3. nuisance effects; and</li> <li>4. mitigation measures.</li> </ol>

	b. 20m from a state highway; c. 10m from land in a different ownership.	
<b>MPZ-S2</b>	<b>Building and structure height</b>	
<b>Māori Purpose Zone</b>	All new buildings or structures, or extensions to existing buildings or structures, must not exceed 9m in height measured from ground level.  <i>Note: Height shall be measure from the existing ground level prior to any works commencing.</i>	<b>Matters of discretion are restricted to:</b> 1. dominance, shading and loss of privacy and sunlight in relation to adjoining properties; and 2. incompatibility with the character and scale of buildings and structures within the surrounding area; and 3. any reduction in views from publicly accessible areas; and 4. screening or landscaping; 5. mitigation measures.
<b>MPZ-S3</b>	<b>Outdoor storage</b>	
<b>Māori Purpose Zone</b>	Any outdoor storage located within a boundary setback required under MPZ-S1 must be fully screened by a continuous wall, fence or landscaping, or a combination of all three, to a minimum height of 2m.	<b>Matters of discretion are restricted to:</b> 1. visual impacts on neighbouring properties and roads; and 2. adequacy of fencing or landscaping; 3. mitigation measures.
<b>MPZ-S4</b>	<b>Servicing</b>	
<b>Māori Purpose Zone</b>	<del>All new buildings and activities shall ensure that:</del> <sup>3</sup> 1. All residential units or habitable buildings are required to provide Council with evidence of access to potable (drinkable) water from a community water scheme or private water bore or shall be able to store 45,000 litres of potable water from another source. 2. <u>All residential units or habitable buildings shall</u> <sup>4</sup> be connected to an available sewerage network where one exists; or be served by an on-site treatment and sewage disposal system that <u>is permitted or has been consented or approved</u> <sup>5</sup> by the Canterbury Regional Council; <u>or be served by on-site holding tanks.</u> <sup>6</sup>	<b>Matters of discretion are restricted to:</b> 1. the ability to ensure an adequate supply of potable water for the uses of the site or activity; and 2. the security of any proposed potable water supply from contamination; and 3. the adequacy of storage volume of water for domestic and fire-fighting purposes.
<b>MPZ-S5</b>	<b>Trees</b>	
<b>Māori Purpose Zone</b>	1. The height of any trees located within 100m of a residential unit on an adjoining site are contained within an envelope defined by a recession plane	<b>Matters of discretion are restricted to:</b> 1. height and setback of trees from property boundaries and roads; and 2. shading of houses; and

<sup>3</sup> Clause 16(2)<sup>4</sup> Clause 16(2)<sup>5</sup> Clause 10(2)(b) relating to ECan [183.155]<sup>6</sup> Waipopo Huts [189.39]

---

	<p>of 1m vertical for every 3.5m horizontal that originates from the closest point of the residential unit; and</p> <p>2. trees are not in such a position that they cause icing of a road as a result of shading the road between 10 am and 2 pm on the shortest day.</p>	<p>3. shading of roads; and</p> <p>4. traffic safety; and</p> <p>5. tree species.</p>
--	--	---