

## Appendix A - Officers Recommendation Decisions on Submissions - Māori Purpose Zone

Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
26.88	Chorus New Zealand Ltd, Connexa Ltd, Spark NZ Trading Ltd, Fortysouth Group LP and One NZ	Māori Purpose Zone-S5	Oppose	<b>DELETE</b> Māori Purpose Zone-S5.2.d.  AND  Any alternative relief and/or consequential amendments.	<ul style="list-style-type: none"> <li>The standard is a setback from the CMA stating that they do not apply to infrastructure and network utilities. As the Infrastructure chapter states that no zone rules apply to infrastructure, these standards (even as exemption clauses) may cause confusion and are inconsistent with the intent of the plan structure.</li> </ul>	Accept	Topic 8 Consistency and Clarity
222.15	Kaipara District Council	General	Amend	<b>ADD</b> a new rule to the Māori purpose zone as follows: <u>Māori Purpose Zone-RX Demolition of a building</u> <u>1 Activity status: Permitted</u> <u>2 Activity Status when compliance not achieved: Not applicable</u>	<ul style="list-style-type: none"> <li>To permit the demolition of a building within the Māori purpose zone to be consistent with other zones.</li> </ul>	Accept	Topic 8 Consistency and Clarity
222.28	Kaipara District Council	General	Amend	<b>ADD</b> a new permitted activity rule for the relocation of buildings for the Māori purpose zone with appropriate standards to be achieved. The activity status when compliance is not achieved is to be Restricted Discretionary.  AND  Any Consequential amendments	<ul style="list-style-type: none"> <li>As notified, the Māori purpose zone does not have a permitted activity for Relocation of buildings. There needs to be consistency of this rule with other zone chapters i.e. General residential zone.</li> </ul>	Accept	Topic 8 Consistency and Clarity

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222.32	Kaipara District Council	Māori Purpose Zone-R4	Amend	<b>AMEND</b> Māori Purpose Zone-R4 Minor residential unit and standards to be consistent with the same rule in other zones. AND Review the distance required from the principal residential unit.	<ul style="list-style-type: none"> <li>There are discrepancies of standards and writing of the rule between zones. There is a need to review this rule to achieve consistency for ease of implementation. Additionally, the distance required from the principal residential unit needs to be reviewed, which is currently stated to be 50m.</li> </ul>	Accept	Topic 8 Consistency and Clarity
222.37	Kaipara District Council	Māori Purpose Zone-R8	Amend	<b>AMEND</b> Māori Purpose Zone-R8 Rural Industry for consideration to the number of traffic movements for this activity; AND <b>AMEND</b> TRANS Table 1 Traffic Intensity Factor to provide for Rural Industries.	<ul style="list-style-type: none"> <li>Traffic movements associated with rural industry operations may impact on neighbouring properties, including accessways and affect the amenity of an area. There is a need to consider as to whether the number of traffic movements should be included as a condition within the rule.</li> </ul>	Reject	Topic 6 Traffic Movements
307.1	E Nathan	Māori Purpose Zone-R3	Amend	<b>AMEND</b> Māori Purpose Zone-R3 to resemble a simplified and clearer version of Rule 15A.10.3(a) from the Operative District Plan. This would result in: <ul style="list-style-type: none"> <li>The density control being restored to 4ha per dwelling rather than 12-24ha +.</li> <li>No limit on the number of dwellings provided the 'density control' is met.</li> <li>A less complex rule.</li> </ul>	<ul style="list-style-type: none"> <li>Māori Purpose Zone-R3 is overly restrictive, and more restrictive than the existing rule. Māori Purpose Zone-R3 discourages effective and efficient use of land.</li> <li>The reasoning for the restrictive nature of this rule is unjustified. Māori Purpose Zone-R3 conflicts with Māori Purpose Zone-P1.</li> <li>This rule change restricts rather than enables development and is not clearly justified or linked to any</li> </ul>	Accept	Topic 5 Residential Unit Density

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					reason that this restriction is required and so should be loosened.		
361.2	Disabled Persons Assembly NZ	Whole Chapter	Amend	<b>AMEND</b> the whole Māori Purpose Zone chapter to include tangata whaikaha Māori disabled in all planning and discussions around Māori Purpose Zones.	<ul style="list-style-type: none"> <li>Tangata whaikaha Māori disabled face barriers due to being both Māori and disabled people. Disenfranchised by the resolution to disestablish the council's Māori ward as this was another avenue where Māori disabled people could put themselves forward to become councillors.</li> <li>Supports the creation of a Māori Purpose Zone but often not being involved in discussions as Māori disabled people means that any accessibility and inclusion issues within these zones cannot be fully addressed.</li> </ul>	Reject	Topic 1 Whole Chapter
367.3	Te Uri o Hau	Definitions	Amend	<b>DELETE</b> the definition of 'Māori purpose activities'. OR <b>AMEND</b> the definition of 'Māori purpose activities'.	<ul style="list-style-type: none"> <li>This is limiting to what mana whenua practice as 'cultural activities' on Māori and Treaty Settlement Land.</li> <li>Being too prescriptive removes the ability to adapt tikanga Māori and cultural practices. The definition also when read alongside provisions of the Māori Purpose Zone limits a number of activities on Māori and</li> </ul>	Accept	Topic 9 Definitions

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					Treaty Settlement Land to the activities listed under this definition.		
FS104.3	Fonterra	Definitions	Support	<b>DELETE</b> the definition of 'Māori purpose activities'. OR <b>AMEND</b> the definition of 'Māori purpose activities'.	<ul style="list-style-type: none"> <li>Further submitter supports Te Uri o Hau's submission.</li> </ul>	Accept	Topic 9 Definitions
367.4	Te Uri o Hau	Definitions	Amend	<p><b>AMEND</b> the definition of 'papakāinga' as follows: An activity undertaken to support traditional and contemporary Māori cultural living for tangata whenua to use and develop on:</p> <ol style="list-style-type: none"> <li>Māori land;</li> <li>Treaty Settlement Land;</li> <li>Land which is the subject of proceedings before the Māori land court to convert the land to Māori land; or</li> <li>General land owned by Māori where it can be demonstrated that there is an ancestral link identified.</li> </ol> <p>Papakāinga may include (but not limited to) residential, social, cultural, economic, conservation and recreation activities, marae, wāhi tapu and urupā.</p>	<ul style="list-style-type: none"> <li>This is limiting to what mana whenua practice as 'cultural activities' on Māori and Treaty Settlement Land. Being too prescriptive removes the ability to adapt tikanga Māori and cultural practices. The definition also when read alongside provisions of the Māori Purpose Zone limits a number of activities on Māori and Treaty Settlement Land to the activities listed under this definition.</li> </ul>	Reject	Topic 9 Definitions
FS104.4	Fonterra	Definitions	Support	<b>AMEND</b> the definition of 'papakāinga' as follows:	<ul style="list-style-type: none"> <li>Further submitter supports Te Uri o Hau's submission.</li> </ul>	Reject	Topic 9 Definitions

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				<p>An activity undertaken to support traditional and contemporary Māori cultural living for tangata whenua to use and develop on:</p> <ul style="list-style-type: none"> <li>e. Māori land;</li> <li>f. Treaty Settlement Land;</li> <li>g. Land which is the subject of proceedings before the Māori land court to convert the land to Māori land; or</li> <li>h. General land owned by Māori where it can be demonstrated that there is an ancestral link identified.</li> </ul> <p>Papakāinga may include (but not limited to) residential, social, cultural, economic, conservation and recreation activities, marae, wāhi tapu and urupā.</p>			
367.64	Te Uri o Hau	Overview	Amend	<p><b>AMEND</b> the Overview of the Māori purpose zone as follows: The Māori purpose zone comprises Māori land in Kaipara District. The Māori purpose zone seeks to recognise and provide for the relationship of Māori with their ancestral land, by enabling Māori purpose activities, which includes marae, papakāinga housing, and kohanga reo, along with <del>land-based primary production, residential, small scale commercial activities and rural industry.</del></p>	<ul style="list-style-type: none"> <li>• The terminology and Overview of this chapter is confusing and can lead to misinterpretation when applied. The regulation over Māori Land and Treaty Settlement Land differs substantially and the two land types should be managed under the Proposed District Plan with different zones and provisions.</li> <li>• Further, seek deletion and amendment to the Overview and purpose of the Māori purpose zone. Such as removal of 'small scale' from</li> </ul>	Accept	Topic 2 Overview

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					<p>the section as this is limiting and can cause confusion around what 'small scale' means in respect of commercial activities. It also limits any commercial activity that is provided for under Rural, Commercial and Residential zones under the Proposed District Plan.</p> <ul style="list-style-type: none"> <li>Amend Overview to include description that the Māori purpose zone prevails over any underlying zone.</li> </ul>		
FS104.64	Fonterra	Overview	Support	<p><b>AMEND</b> the Overview of the Māori purpose zone as follows:            The Māori purpose zone comprises Māori land in Kaipara District. The Māori purpose zone seeks to recognise and provide for the relationship of Māori with their ancestral land, by enabling Māori purpose activities, which includes marae, papakāinga housing, and kohanga reo, along with <del>land-based primary production, residential, small scale commercial activities and rural industry.</del></p>	<ul style="list-style-type: none"> <li>Further submitter supports Te Uri o Hau's submission.</li> </ul>	Accept	Topic 2 Overview
367.65	Te Uri o Hau	Māori Purpose Zone-R5	Oppose	<p><b>DELETE</b> Māori Purpose Zone-R5.</p>	<ul style="list-style-type: none"> <li>This contradicts the objectives of the Māori purpose zone, in particular restricting visitor numbers to 10, which is inconsistent with activities undertaken at marae.</li> </ul>	Reject	Topic 4 Visitor Accommodation

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FS104.65	Fonterra	Māori Purpose Zone-R5	Support	<b>DELETE</b> Māori Purpose Zone-R5.	<ul style="list-style-type: none"> <li>Further submitter supports Te Uri o Hau's submission.</li> </ul>	Reject	Topic 4 Visitor Accommodation
367.66	Te Uri o Hau	Māori Purpose Zone-S1	Amend	<b>AMEND</b> Māori Purpose Zone-S1 so that a Development Plan is only required when 10 or more dwellings are on one site.	<ul style="list-style-type: none"> <li>No reasons provided.</li> </ul>	Accept in part	Topic 7 Iwi Development Plans
FS104.66	Fonterra	Māori Purpose Zone-S1	Support	<b>AMEND</b> Māori Purpose Zone-S1 so that a Development Plan is only required when 10 or more dwellings are on one site.	<ul style="list-style-type: none"> <li>Further submitter supports Te Uri o Hau's submission.</li> </ul>	Accept in part	Topic 7 Iwi Development Plans
367.67	Te Uri o Hau	Māori Purpose Zone-O1	Amend	No specific decision requested; however, the submitter considers that the objectives and policies in the Māori purpose zone are restrictive and limit activities that focus on ' Māori purpose activities' only.	<ul style="list-style-type: none"> <li>Submitter considers the objective is confusing and limits activities that focus on ' Māori purpose activities' only. This is confusing when the rest of objective Māori Purpose Zone-O1 also includes 'exercising their roles as kaitiaki'. This objective is poorly worded and can be misinterpreted.</li> </ul>	Reject	Topic 3 Objectives and Policies
FS104.67	Fonterra	Māori Purpose Zone-O1	Support	No specific decision requested; however, the submitter considers that the objectives and policies in the Māori purpose zone are restrictive and limit activities that focus on ' Māori purpose activities' only.	<ul style="list-style-type: none"> <li>Further submitter supports Te Uri o Hau's submission.</li> </ul>	Reject	Topic 3 Objectives and Policies
367.69	Te Uri o Hau	General	Amend	<b>ADD</b> to the Māori purpose zone the objectives, policies and methods in Te Uri o Hau Hapū Environmental Management Plan (pages 84 to 86) in relation to papakāinga development.	<ul style="list-style-type: none"> <li>When read alongside provisions of the Māori purpose zone the definition of papakainga limits a number of activities on Māori and Treaty Settlement Land to the activities listed under this definition.</li> </ul>	Accept in part	Topic 3 Objectives and Policies

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					This is limiting to what mana whenua practice as 'cultural activities' on Māori and treaty settlement land. Being too prescriptive removes the ability to adapt tikanga Māori and cultural practices.		
FS104.69	Fonterra	General	Support	<b>ADD</b> to the Māori purpose zone the objectives, policies and methods in Te Uri o Hau Hapū Environmental Management Plan (pages 84 to 86) in relation to papakāinga development.	<ul style="list-style-type: none"> <li>Further submitter supports Te Uri o Hau's submission.</li> </ul>	Accept in part	Topic 3 Objectives and Policies
367.76	Te Uri o Hau	Overview	Amend	<b>AMEND</b> the Overview of the Māori purpose zone to include a description that the Māori purpose zone prevails over any underlying zone.	<ul style="list-style-type: none"> <li>The terminology and Overview of this chapter is confusing and can lead to misinterpretation when applied. The regulation over Māori Land and Treaty Settlement Land differs substantially and the two land types should be managed under the Proposed District Plan with different zones and provisions. AMEND Overview to include description that the Māori purpose zone prevails over any underlying zone.</li> </ul>	Reject	Topic 2 Overview
FS104.76	Fonterra	Overview	Support	<b>AMEND</b> the Overview of the Māori purpose zone to include a description that the Māori purpose zone prevails over any underlying zone.	<ul style="list-style-type: none"> <li>Further submitter supports Te Uri o Hau's submission.</li> </ul>	Reject	Topic 2 Overview