

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.** 1. owned by Te Rūnanga o Ngāi Tahu or Te Rūnanga o Arowhenua; or
- b.** 2. Māori communal land gazetted as Māori reservation under section 338 Te Ture Whenua Maori Act 1993; or
- c.** 3. Māori customary land and Māori freehold land as defined in section 4 and section 129 Te Ture Whenua Maori Act 1993; or
- d.** 4. ~~Q~~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.** 5. ~~is~~ 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 whānaukata, 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

MPZ-O1 Enabling use and development of Māori land

The occupation of ancestral land by mana whenua is recognised and provided for within the Māori Purpose Zone.

MPZ-O2 Purpose of the Māori Purpose Zone

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

MPZ-P1 Whānaukata, Mātauraka and Tikaka

Enable the incorporation of whānaukataka, mātauraka and tikaka in relation to the use, design and layout of development within the Māori Purpose Zone.

MPZ-P2**Papakāika**

Enable the use and development of the Māori Purpose Zone for papakāika while:

1. ensuring any significant adverse effects from these activities on adjoining landowners beyond the Zone and the wider environment are minimised; and
2. requiring that activities are adequately serviced.

MPZ-P3**Infrastructure provision**

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.

MPZ-P4**Compatible activities**

Enable the establishment of compatible activities within the Māori Purpose Zone, while ensuring that:

1. the activities and development are complementary and consistent with the purpose of the Zone;
2. the well-being of the communities are sustained;
3. cultural values are maintained or enhanced; and
4. the quality of the environment is not adversely affected.

MPZ-P5**Incompatible activities**

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.

MPZ-P6**Future zone locations**

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.

MPZ-P7**Rural Activities**

Enable rural activities on any land in a manner that is consistent with the purpose of the Māori Purpose Zone.

Rules

Note: For certain activities, consent may be required by rules in more than one chapter in the District 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.

MPZ-R1 Papakāika not otherwise listed in this chapter		
Māori Purpose Zone	Activity status: Permitted Where: PER-1	Activity status when compliance not achieved with PER-1: Restricted Discretionary Matters of discretion are restricted to:

	<p>All the <u>Standards</u> of this chapter are complied with; <u>and</u></p> <p>PER-2 It does not involve any habitable buildings on the riverside of a <u>CRC regional council</u> stop bank.</p>	<p>1. the matters of discretion of any infringed standard.</p> <p>Activity status when compliance not achieved with PER-2: Prohibited</p>
MPZ-R2	Manuhiri noho (visitor accommodation) that is not within a marae complex	
Māori Purpose Zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The maximum occupancy is six persons per night per household unit; <u>and</u></p> <p>PER-2 All the <u>Standards</u> of this chapter are complied with.</p>	<p>Activity status when compliance not achieved with PER-2: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the matters of discretion of any infringed standard. <p>Activity status when compliance not achieved with PER-1: Discretionary</p>
MPZ-R3	Primary Production not otherwise listed in this chapter	
Māori Purpose Zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The activity and its buildings and structures comply with all the <u>Standards</u> of this chapter; <u>and</u></p> <p>PER-2 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>Activity status when compliance not achieved with PER-1: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the matters of discretion of any infringed standard. <p>Activity status when compliance not achieved with PER-2: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the ability to manage grazing practices to ensure amenity effects on adjoining neighbours are minimised.
MPZ-R4	Pig production for domestic self-subsistence home use	
Māori Purpose Zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 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; <u>and</u></p>	<p>Activity status where compliance not achieved with PER-4: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the matters of discretion of any infringed standard.

	<p>PER-2 There <u>are</u> is no more than six pigs located on the site; and</p> <p>PER-3 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>PER-4 The activity and its buildings and structures comply with all the Sstandards of this chapter.</p>	<p>Activity status where compliance not achieved with PER-1, PER-2 or PER-3: Discretionary</p>
MPZ-R5	<p>Keeping of poultry for domestic self-subsistence home use</p> <p>Māori Purpose Zone</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 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>PER-2 There <u>are</u> is no more than 30 birds located on the site; and</p> <p>PER-3 Any building or structure with an <u>a</u> <u>gross</u> floor¹ area of less than 50m² 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>PER-4 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>PER-5 The activity and its buildings and structures comply with all the Sstandards of this chapter.</p>	<p>Activity status whenre compliance not achieved with PER-5: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the matters of discretion of any infringed standard. <p>Activity status whenre compliance not achieved with PER-1, PER-2, PER-3 or PER-4: Discretionary</p>
MPZ-R6	<p>Public amenity buildings</p>	

¹ ECan [183.1]

Māori Purpose Zone	Activity status: Permitted Where: PER-1 All the S standards of this chapter are complied with.	Activity status when compliance not achieved with PER-1: Restricted Discretionary Matters of discretion are restricted to: 1. the matters of discretion of any infringed standard.
MPZ-R7	Conservation activities	
Māori Purpose Zone	Activity status: Permitted Where: PER-1 Land, buildings or structures are used for: <ol style="list-style-type: none"> 1. preservation, protection, restoration, promulgation, or enhancement or planting of indigenous species, or habitats of indigenous fauna; or 2. pest control and weed control; or 3. conservation education; or 4. observation or surveying; or 5. walking tracks, board walks, pedestrian bridges; and PER-2 The activity and its buildings and structures comply with all the S standards of this chapter.	Activity status when re compliance not achieved with PER-2: Restricted Discretionary Matters of discretion are restricted to: 1. the matters of discretion of any infringed standard. Activity status when re compliance not achieved with PER-1: Discretionary
MPZ-R8	<u>Crop support structures</u>	
Māori Purpose Zone	Activity status: Permitted Where: PER-1 MPZ-S1 and MPZ-S2 are complied with.	Activity status when re compliance not achieved: Restricted Discretionary Matters of discretion are restricted to: 1. the relevant matters of discretion of any infringed standard.
MPZ-R9	<u>Artificial crop protection structures</u>	
Māori Purpose Zone	Activity status: Permitted Where: PER-1 The structure(s) are either: <ol style="list-style-type: none"> 1. open at the side; or 2. use dark green or black cloth for all vertical faces; and PER-2 The structure meets the following setbacks:	Activity status when re compliance not achieved: Restricted discretionary Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. Tthe 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

	<p>1. For structure(s) less than 4m high, the structure(s) are setback a distance of:</p> <ol style="list-style-type: none"> 10m from road boundaries; 20m from road boundaries that are a national, regional or district arterial road; 15m from a non-road boundary of a site in different ownership; and <p>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</p> <p>PER-3 The structure(s) are collectively no longer than 100m (measured parallel to any common boundary with a site in different ownership).</p>	<p>2. the extent of shading adverse effects on adjoining sites, activities and roads; and</p> <p>3. mitigation measures.</p>
MPZ-R10	Rural produce retail <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 Retail sales must be limited to the sale of produce grown on the site; and</p> <p>PER-2 The retail area has a maximum gross floor area of 75m²; and</p> <p>PER-3 There is no more than one rural produce retail operation per site; and</p> <p>PER-4 The activity and its buildings and structures comply with all the Sstandards of this chapter.</p>	<p>Activity status when re compliance not achieved with PER-4: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> the matters of discretion of any infringed standard. <p>Activity status when re compliance not achieved with PER-1, PER-2 or PER-3: Discretionary</p>
MPZ-R11	Home businesses <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The home business is carried out entirely within the residential unit, or a building accessory to the residential unit; and</p>	<p>Activity status when re compliance not achieved with PER-1 to PER-4: Discretionary</p> <p>Activity status when re compliance not achieved with PER-5: Non-complying</p>

	<p>PER-2 The activity does not occupy a total area greater than 100m²; and</p> <p>PER-3 The resident(s) and no more than three other people <u>who do</u> not resident on the site are employed; and</p> <p>PER-4 No articles are sold or displayed for sale on the premises; and</p> <p>PER-5 The home business does not involve an offensive trade.</p>	
MPZ-R12	Supported residential care activity	
Māori Purpose Zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The activity and its buildings and structures comply with all the <u>S</u>tandards of this chapter.</p>	<p>Activity status when <u>re</u> compliance not achieved: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the relevant matters of discretion of any infringed standard.
MPZ-R13	Other commercial <u>activities services</u>, offices and retail activities	
Māori Purpose Zone	<p>Activity status: Restricted Discretionary</p> <p>Where:</p> <p>RDIS-1 All the <u>S</u>tandards of this chapter are complied with.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 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 2. any potential for reverse sensitivity effects or impacts on existing or potential permitted development in the <u>Z</u>one and surrounding land; and 3. whether the scale, intensity and/or character of the activity is appropriate in the context of the site, <u>Z</u>one and surrounding land. 	<p>Activity status when compliance not achieved with RDIS-1: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the matters of discretion of any infringed standard; and 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 3. any potential for reverse sensitivity effects or impacts on existing or potential permitted development in the <u>Z</u>one and surrounding land; and 4. whether the scale, intensity and/or character of the activity is appropriate in the context of the site, <u>Z</u>one and surrounding land.
MPZ-R14	Industrial <u>activities</u> and <u>R</u>rural industrial activities	

Māori Purpose Zone	Activity status: Discretionary	Activity status when re compliance not achieved: Not applicable
MPZ-R15	Seasonal workers accommodation	
Māori Purpose Zone	Activity status: Discretionary	Activity status when re compliance not achieved: Not applicable
MPZ-R16	Urupā	
Māori Purpose Zone	Activity status: Discretionary	Activity status when re compliance not achieved: Not applicable
MPZ-RX17	<u>Any activities not otherwise listed in this chapter</u>²	
Māori Purpose Zone	<u>Activity status: Discretionary</u>	<u>Activity status when re compliance not achieved: Not applicable</u>
MPZ-R17¹⁸	Mining, and Quarrying activities and associated buildings and structures	
Māori Purpose Zone	Activity status: Non-complying	Activity status when re compliance not achieved: Not applicable
MPZ-R18¹⁹	Plantation Commercial forestry and associated buildings and structures	
Māori Purpose Zone	Activity status: Non-complying	Activity status when re compliance not achieved: Not applicable
MPZ-R19²⁰	Intensive primary production Intensive indoor primary production, intensive outdoor primary production³, extensive pig farming (not provided in MPZ-R4), free range poultry farming (not listed in MPZ-R5) and associated buildings and structures	
Māori Purpose Zone	Activity status: Non-complying	Activity status when re compliance not achieved: Not applicable
MPZ-R20²¹	Farm effluent ponds and disposal areas	
Māori Purpose Zone	Activity status: Non-complying	Activity status when re compliance not achieved: Not applicable
MPZ-R21²²	Use of airstrips and helicopter landing sites	

² TDC [42.59]³ Te Rūnanga o Ngāi Tahu [185.11], Federated Farmers [182.15]

Māori Purpose Zone	Activity status: Non-complying	Activity status when re compliance not achieved: Not applicable
MPZ-R2223	Brothels or licenced premises, and associated buildings and structures	
Māori Purpose Zone	Activity status: Prohibited	Activity status when re compliance not achieved: Not applicable

Standards

MPZ-S1	Building and structure setbacks	
Māori Purpose Zone	<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"> 1. for pakakāika development <ol style="list-style-type: none"> a. 3m from any road boundary, unless the road is a Sstate Hhighway; b. 5m from any boundary fronting the Sstate Hhighway; c. 2m from any other boundary. 2. for milking sheds and buildings used to house or feed stock: <ol style="list-style-type: none"> a. 30m from any road boundary; b. 200m from any or land in different ownership; 3. for all other buildings or structures: <ol style="list-style-type: none"> a. 10m from a road boundary (excluding a state highway); b. 20m from a state highway; c. 10m from land in a different ownership. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. dominance, shading and loss of privacy and sunlight in relation to adjoining properties; and 2. any impacts on adjoining properties of the proposed activity on amenity and character; and 3. nuisance effects; and 4. mitigation measures.
MPZ-S2	Building and structure height of buildings and structures	
Māori Purpose Zone	<p>All new buildings or structures, or extensions to existing buildings or structures, must not exceed 9m in height measured from ground level.</p> <p><i>Note: Height shall be measure from the existing ground level prior to any works commencing.</i></p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 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; <u>and</u> 5. mitigation measures.
MPZ-S3	Outdoor storage	

Māori Purpose Zone	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.	Matters of discretion are restricted to: 1. visual impacts on neighbouring properties and roads; and 2. adequacy of fencing or landscaping; <u>and</u> 3. mitigation measures.
MPZ-S4	Servicing	
Māori Purpose Zone	All new buildings and activities shall ensure that: ⁴ 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 <u>4530⁵</u> ,000 litres of potable water from another source. 2. <u>All residential units or habitable buildings shall</u> ⁶ 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</u> has been consented <u>or approved</u> ⁷ by the <u>CRC Canterbury Regional Council</u> ; or be served by on-site holding tanks. ⁸	Matters of discretion are restricted to: 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.
MPZ-S5	Trees	
Māori Purpose Zone	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 of 1m vertical for every 3.5m horizontal that originates from the closest point of the residential unit; and 2. <u>T</u> rees are not in such a position that they cause icing of a road as a result of shading the road between <u>10.00am</u> and <u>2.00pm</u> on the shortest day.	Matters of discretion are restricted to: 1. height and setback of trees from property boundaries and roads; and 2. shading of houses; and 3. shading of roads; and 4. traffic safety; and 5. tree species.

⁴ Clause 16(2)⁵ Te Kotare [115.27], Waipopo Huts [189.38] – Evidence of Elizabeth Stevenson, paras 24, 28, 121-123 & 130⁶ Clause 16(2)⁷ Clause 10(2)(b) relating to ECan [183.155]⁸ Waipopo Huts [189.39]