

Before the Independent Hearings Panel at Gore District Council

Under Schedule 1 of the Resource Management Act 1991

In the matter of Hearing Submissions and Further submissions on the Proposed
Gore District Plan.

Statement of supplementary planning evidence of Courtney Bennett on behalf of Gore District Council for Hearing Stream 4.

Date: 19 August 2024

Introduction:

1. My full name is Courtney Bennett.
2. My Section 42A report sets out my qualifications and experience as an expert in planning.
3. I confirm that I am continuing to abide by the Code of Conduct for Expert Witnesses set out in the Environment Court's practice Note 2023, as applicable to this independent hearing panel.
4. I have prepared this statement of evidence to provide a response to expert evidence and written statements presented in relation to Hearing Stream 4 – Māori Purpose Zone chapter. This includes the evidence and written statements of:

New Zealand Transport Authority Waka Kotahi (FS20)

- a. Helen Dempster

Hokonui Rūnanga (S139, FS20)

- a. Amy Beran

5. As directed by Minute 13, I acknowledge deferral of consideration of specific submission points from McNabb Management Ltd to Hearing Stream 8. I have not, therefore, provided any further evidence on those submission points.

Recommendations Overview

6. The Section 42A report provides an overview of issues raised in submissions and the changes recommended relating to Hearing Stream 4. I do not propose to repeat those here but instead focus on responding to submitters evidence.
7. Recommended changes to the chapters are shown in **Appendix 1**.

Detailed Responses to Evidence and Written Statements Responding to s42A Recommendations

New Zealand Transport Authority Waka Kotahi (FS20)

8. Helen Dempster tabled a written statement on behalf of New Zealand Transport Authority Waka Kotahi. Regarding the Māori Purpose Zone chapter, Ms Dempster notes that:
 - a. they support the s42A report recommendation for deferred consideration of their further submission point FS14.058, relating to the McNabb Management Limited submission to develop a Māori Purpose Zone at McNab, until Hearing Stream 8;
 - b. They accept the recommendation in the Section 42A report regarding their further submission point FS14.052
9. I acknowledge these two positions.

Hokonui Rūnanga (s139, FS20)

10. Amy Beran tabled planning evidence on behalf of Hokonui Rūnanga.
11. This evidence, prepared for HS4, refers back to her HS3 evidence which outlines the statutory context under the RMA generally and provides a synopsis of the relevant provisions of the Ngāi Tahu Claims Settlement Act 1998, the Southland Regional Policy Statement, and Te Tangi a Tauira. I still agree with these summaries.
12. Ms Beran's HS4 evidence focuses on the following key issues:
 - a. amendments to the Overview and Purpose of the Māori Purpose Zone;
 - b. amendments to various objectives and policies to ensure mana whenua rangatiratanga and kaitiakitanga is appropriately recognised in the PDP;
 - c. inclusion of reference to 'kāinga nohoanga' in the PDP; and
 - d. activities anticipated in the Māori Special Purpose Zone.
13. As mentioned in Ms Beran's evidence, we have engaged in informal conferencing which has resulted in us being in alignment on all matters within this chapter bar one. Since the lodging of her evidence, we have now reached agreement on this final outstanding matter, and are therefore in agreement on all outstanding matters relating to the Hokonui Rūnanga submission on this chapter.

Māori Purpose Zone – Overview and Purpose

14. Ms Beran has outlined the reasoning behind the amendments Hokonui Rūnanga sought to this part of the chapter, highlighting that she does not entirely agree with some of the S42A reasoning that has led to several Hokonui Rūnanga submission points being rejected. However, she states that after informal conferencing, we have agreed on alternative wording for this section that addresses the underlying concerns raised in the Hokonui Rūnanga submission. I confirm that this is the case.
15. This agreed alternative wording clarifies that some MPZ are affiliated with mana whenua, and some are affiliated with mātāwaka (local Māori communities who are not mana-whenua). Ms Beran considers this differentiation important because it allows the chapter to more accurately outline that, whilst the activities permitted across all MPZ may be similar, the underlying purpose of these two types of MPZ are fundamentally different: the Ngāi Tahu Mana Whenua MPZ are a reflection of mana whenua rangatiratanga and their identity as ahi kā, whilst the Mātāwaka MPZ provide a dedicated space for all Māori within the District to engage in kaupapa Māori activities to support their cultural wellbeing.
16. I do not consider this clarification to fundamentally change the way that the MPZ chapter functions at a practical level, and I accept that Hokonui Rūnanga as mana whenua should have the ability to reflect their rangatiratanga in the PDP in this manner. Therefore, I support the amended Overview and Purpose wording set out in the evidence of Ms Beran at para. 20, and in **Appendix 1** below.

17. I also agree with the S42AA assessment included in the evidence of Ms Beran at para 51.

Māori Purpose Zone - Objectives

18. Ms Beran outlines in her evidence that she agrees with my S42A reasoning for not adopting the reworded versions of MPZ-O1, MPZ-O2, and MPZ-O3 provided in the Hokonui Rūnanga submission. She does, however, maintain that these objectives need to be revised to better reflect mana whenua rangatiratanga and the underlying differences between mana whenua and mātāwaka MPZ.
19. Again, as discussed in Ms Beran's the evidence, informal conferencing allowed us to reach agreed alternative wording for the MPZ chapter objectives. These are set out in Ms Beran's evidence at para 28, and in **Appendix 1** below.
20. Our amended suite of objectives differs from my S42A recommended wording in the following ways
- a. MPZ-O1 has been reworded to better reflect the purpose of activities provide for within the Zone
 - b. MPZ-O2 has been reworded to apply specifically to Ngāi Tahu Mana Whenua MPZ
 - c. MPZ-O3 has been renumbered to MPZ-O4
 - d. A new objective, now called MPZ-O3, has been drafted to apply specifically to Mātāwaka MPZ. This new objective identifies the underlying purpose of a Mātāwaka MPZ in the same way that MPZ-O2 identifies the underlying purpose of a Ngāi Tahu Mana Whenua MPZ.
21. I agree with Ms Beran that these amendments are required to clearly differentiate between mana whenua and mātāwaka MPZ, which, in turn, enables mana whenua to assert their rights and interests within the PDP in a way that they deem more appropriate, whilst still recognising the importance of mātāwaka MPZ.
22. I do not consider these amendments to fundamentally change the way that the MPZ chapter functions at a practical level, and I accept that Hokonui Rūnanga as mana whenua should have the ability to reflect their rangatiratanga in the PDP in this manner. Therefore, I support the amended MPZ Objectives as set out in the evidence of Ms Beran at para. 28, and in **Appendix 1** below.
23. I also agree with the S42AA assessment included in the evidence of Ms Beran at para 53.

Kāinga Nohoanga

24. In my S42A, I state that I am unsupportive of s139.005 that requests the addition of the term 'kāinga nohoanga' alongside the term 'papakāinga' to MPZ-P2. This is because I did not consider there to be sufficient information in the submission to fully consider this

relief. I did note, however, that if the submitter provided additional information on this term such as an appropriate definition/local meaning and information on how it relates to the term 'papakāinga' that is already used within the PDP, I would change my position to support this submission point.

25. Ms Beran states in her evidence that she is unable to source the requested information, and therefore agrees with my recommendation to not add the term 'kāinga nohoanga' to MPZ-P2. I acknowledge this position.

MPZ-P2

26. Ms Beran is generally supportive of my S42A recommendations as they relate to MPZ-P2. She does, however, disagree with my recommendation to not expand MPZ-P2 to include reference to 'primary production' activities.
27. After discussions with Ms Beran, I have now changed my position and support adding reference to 'primary production' to a reworded MPZ-P2. This is because I now have a clearer understanding of why Hokonui Rūnanga sought this amendment and can see how referencing this activity specifically may avoid confusion about anticipated MPZ activities that Ngāi Tahu have experienced in other districts within their takiwā.
28. As part of informal conferencing, Ms Beran and I have agreed on minor amendments to MPZ-P2 that both align this policy with our newly proposed wording for MPZ-O1, and incorporate reference to 'primary production'. I consider that both changes add clarity and consistency to MPZ-P2 which will benefit both plan users and decision-makers.
29. After the lodging of Ms Beran's evidence, we have also agreed on further minor amendments to the wording of MPZ-P2 as set out in the evidence of Ms Beran at para. 35. As primary production is not a permitted activity across all MPZ, it was agreed that it would be more appropriate to use the term "provided for" as opposed to "enable" within MPZ-P2. This is because the term "enable" typically refers to activities that hold a permitted activity status, whereas the term "provide for" covers activities that range from permitted to restricted-discretionary.^{1,2} Our updated agreed wording is as follows, and is also included below in **Appendix 1**:

MPZ-P2 Provide for a range of activities in the Māori Purpose Zone which support hauora Māori (Māori holistic wellbeing) including but not limited to:

- 1. residential uses (including papakāinga);*
- 2. Marae and/or Papatipu Rūnanga complexes, and other Māori cultural facilities and activities;*
- 3. environmental-focused activities including restoration, and mahinga kai practices;*

¹ Primary Production is a permitted activity at the Hokonui Rūnanga, Mātaura Marae, and O Te Ika Rama Marae MPZ, but restricted-discretionary at the Hokonui Marae MPZ.

² Refer Wellington City Council District Plan Drafting Style Guide

4. *primary production;*
5. *social, recreational, educational facilities, and economic facilities.*

30. The following evaluates the amendments to MPZ-P2 under section 32AA of the RMA, in response to S139.005. The recommended amendments will provide clearer guidance to plan users, particularly for decision makers. As such, it will enable more efficient and effective decision-making. The amendments also provide consistency both within the chapter and across the PDP. Overall, the recommended additional wording is considered to be a more appropriate way to achieve the purpose of the Act.

MPZ-P4

31. Ms Beran discusses MPZ-P4 (under its PDP title of MPZ-P3, which my S42A recommends changing to MPZ-P4) and recounts my recommend rejection the relief Hokonui Rūnanga sought to this policy. Ms Beran notes, however, that after informal conferencing, we have reached agreement on alternative wording that she considers addresses the underlying issue Hokonui Rūnanga had with MPZ-P4 – that is, its perceived ambiguity. I agree that the amended wording clarifies the scope of the policy and reflects the amendments we have jointly proposed to the objectives within this chapter.
32. The minor amendments to this policy are set out in the evidence of Ms Beran at para 40, and in **Appendix 1** below.
33. I also agree with the S42AA assessment included in the evidence of Ms Beran at para 57.

MPZ-P5

34. In her evidence, Ms Beran proposed a new policy, MPZ-P5, be added to this chapter to signpost the intent for future Ngāi Tahu Mana Whenua MPZ to be provided within the district. She records my opposition to the inclusion of this policy based on my perspective that future development of this nature is already addressed under existing provisions in the proposed UFD chapter. I confirm that this is still my position.
35. Ms Beran does not share this perspective, and considers the UFD provisions too narrow to have the same effect as her proposed MPZ-P5. She notes in her evidence though that we have agreed to continue discussing this matter in an attempt to reach mutual agreement in this point before the commencement of Hearing Stream 4.
36. I can confirm that, since Ms Beran's evidence was lodged, we have continued to discuss this matter and have reached an agreed position. After further considering the content of the UFD chapter, Ms Beran is now of the perspective that there is sufficient policy direction in the UFD chapter to give effect to the matters covered in her proposed MPZ-P5. Therefore, she is no longer seeking the inclusion of the proposed MPZ-P5 in the MPZ chapter.
37. We do, however, both agree that there needs to be a clear wording within the Overview and Purpose section of the MPZ chapter highlighting that additional MPZ are both expected over time, and within the scope of provisions in the UFD chapter. Therefore,

we both recommend the following wording be added to the end of the Overview and Purpose section of the MPZ chapter:

“The UFD chapter, specifically UFD-O1 and UFD-O2, provides context for future MPZ to be considered by Council, if deemed necessary by mana whenua or mātāwaka Māori within the Gore District.”

38. The following evaluates the recommended additional *Māori Purpose Zone - Overview and Purpose* wording under section 32AA of the RMA, in response to S139.006. The recommended additional wording will provide clearer guidance to plan users, particularly for decision makers that may be considering opportunities for new Māori Purpose Zones in the district (noting that a plan change would still be required). As such, it will enable more efficient and effective decision-making. Overall, the recommended additional wording is considered to be a more appropriate way to achieve the purpose of the Act.

MPZ-R8 & MPZ-R9

39. Ms Beran accepts my reasoning and recommendation to reject the relief sought by Hokonui Rūnanga to MPZ-R8 and MPZ-R9. I acknowledge this position.

New Rules

40. Ms Beran accepts my S42A reasoning and recommendation to reject the relief sought by Hokonui Rūnanga to add a new rule, MPZ-R12 to the chapter. I acknowledge this position
41. Ms Beran also accepts my S42A reasoning and recommendation to accept the relief sought by Hokonui Rūnanga to add a new rule, MPZ-R11 to the chapter. I acknowledge this position.

Appendix 1 – Proposed amendments

Note: additions proposed within the Māori Purpose Zone chapter S42A report are red underlined, and deletions proposed within the Māori Purpose Zone chapter S42A report are in ~~red strikethrough~~. Further additions proposed as part of this supplementary evidence are blue underlined, and further deletions are in ~~blue strikethrough~~.

MĀORI PURPOSE ZONE - MPZ

Overview and Purpose

Māori Purpose Zones recognise and enable the use and development of land in these zones to provide for a variety of social, economic, cultural, and environmental activities of benefit to mana whenua and mātāwaka Māori communities ~~whānau Māori, in accordance with tikanga. & further enable whānau Māori within the Gore District to provide for their cultural, social, environmental, and economic wellbeing in ways that reflect their unique rights and interests as mana whenua and tangata whenua.~~ The Ngāi Tahu Mana Whenua Māori Purpose Zones support mana whenua to exercise their rangatiratanga, and recognise their ahi kā, to the fullest extent practicable. The Mātāwaka Māori Purpose Zones recognise the unique roles these spaces play in the community for supporting the cultural wellbeing of the wider Māori community.

~~This~~ All of the Māori Purpose Zones ~~zone~~ provides for a range of activities to be undertaken, such as Māori cultural hubs (including marae complexes), papakāinga, community-focused activities, and environmental activities, and economic activities (including both commercial and primary production) which support Māori values & aspirations. The plan provides for some activities as permitted activities across all MPZ, whilst other activities require resource consents ~~These provisions recognise that there are some activities that should be permitted across all Māori Purpose Zones (such as cultural activities), whilst other activities (such as residential activities or commercial activities) may be appropriate only in specific zones,~~ depending on the constraints of the site.

There are currently four Māori Purpose Zones included in the Gore District Plan that are split into two categories. They are:

- Ngāi Tahu Mana Whenua Māori Purpose Zones
 - Hokonui Rūnanga (Charlton Road, Gore)
 - Te Ika Rama Marae (McKinnon Road, McNab)
- Mātāwaka Māori Purpose Zones
 - Mataura Marae (Dorset Street, Mataura)
 - Hokonui Marae (Hyde Street, Gore)

The UFD chapter , specifically UFD-O1 and UFD-O2, provides context for future MPZ to be considered by Council, if deemed necessary by mana whenua or mātāwaka Māori within the Gore District.

Objectives

MPZ-O1 The Māori Purpose Zone enables a range of social, cultural, environmental, educational and economic development opportunities that support the occupation, use, and development of these sites for the purpose of supporting hauora Māori (Māori holistic wellbeing). ~~and ongoing relationship between mana whenua and tangata whenua, and both their ancestral lands and the natural environment.~~

MPZ-O2 ~~Mana whenua~~ and tangata whenua are able to exercise rangatiratanga and kaitiakitanga to the fullest extent practicable when undertaking land use and development activities within a the Ngāi Tahu Mana Whenua Māori Purpose Zones.

MPZ-O3 Mātāwaka Māori are able to undertake land use and development activities that support their cultural wellbeing within the Mātāwaka Māori Purpose Zone, guided by tikanga Māori.

MPZ-O34 Use and development in the Māori Purpose Zone is enabled where adverse *effects* on the health and safety of people and the environment are avoided or mitigated.

Policies

MPZ-P1 Enable the incorporation of ~~whā~~naungatanga, mātauranga and tikanga in relation to the use, design, layout, and decision-making relating to development within the Māori Purpose Zone.

MPZ-P2 Provide for a range of activities in the Māori Purpose Zone which support hauora Māori (Māori holistic wellbeing) whānau Māori to provide for their economic social, and cultural well-being, the use and development of the Māori Purpose Zone for a range of appropriate activities that enable the Māori community to support itself, including but not limited to:

1. residential uses (including papakāinga);
2. Marae and/or Papatipu Rūnanga complexes, and other Māori cultural facilities and activities;
3. environmental-focused activities including restoration, and mahinga kai practices;
4. environment-related employment opportunities primary production;
45. social, recreational, *educational facilities*, and economic facilities;
- ~~while:~~
5. ~~ensuring any significant adverse effects from these activities on adjoining properties beyond the zone and the wider environment are mitigated; and~~
6. ~~requiring that all activities are adequately serviced.~~

MPZ-P3 Ensure activities within the Māori Purpose Zone:

1. Do not create or significantly exacerbate natural hazard risk;
2. Have appropriate standards of access and infrastructure; and
3. Mitigate any significant adverse effects they cause on adjoining properties beyond the zone or on the wider environment .

~~MPZ-P3~~ Restrict activities that are inconsistent with the relevant objectives, policies, or rules related to Māori Purpose Zones unless it can be demonstrated that they are appropriate, having regard to:

- MPZ-P4
1. its appropriateness in the context of MPZ-O1, ~~and~~ MPZ-O2 and MPZ O3;
 2. the *site* design, layout, and scale of the activity, and its integration or relationship with existing *land* uses;
 3. whether there is adequate *infrastructure* and services available to service the activity;
 4. any *reverse sensitivity* or adverse *effects* on anticipated activities within the Māori Purpose Zone; and
 5. the ecological impacts of the proposed activity.

Notes

Note 1 Provisions in Other Chapters

The provisions in this chapter apply in addition to the provisions of the other chapters in the District Plan and the plan should be read as a whole. This chapter also implements other chapters in the District Plan that do not have specific rules such as Sites and Areas of Significance to Māori and Mana Whenua.

Rules

MPZ-R1 Māori Customary Activities**MPZ-R2****Conservation Activity****All Māori Purpose MPZ-R1 to MPZ-R2
Zones****Activity status:** Permitted

Where:

1. The GFA of any ancillary structure does not exceed 30m²; and

2. Any ancillary structures comply with Māori Purpose Zone standards MPZ-S1, MPZ-S2, MPZ-S3, MPZ-S4, MPZ-S5, MPZ-S6, and MPZ-S7.

Activity status where compliance is not achieved:

Restricted Discretionary

Matters of discretion:

1. The matters of discretion of any infringed standard;
2. The extent to which all activities are adequately serviced;
3. The extent to which adverse effects on adjoining properties beyond the zone and the wider environment are mitigated; and
4. Any functional or tikanga related requirements.

MPZ-R3		<i>Marae or Papatipu Rūnanga Complex</i>	
All Māori Zones	Purpose Activity status: Permitted	Activity status where compliance not achieved with:	
	Where: 1. Any new, relocated , or extended buildings or structures comply with Māori Purpose Zone standards MPZ-S1, MPZ-S2, MPZ-S3, MPZ-S4, MPZ-S5, MPZ-S6, and MPZ-S7.	Restricted Discretionary Matters of discretion: 1. The matters of discretion of any infringed standard; 2. The extent to which adverse effects on adjoining properties beyond the zone and the wider environment are mitigated; 3. The extent to which all activities are adequately serviced; and 4. Any functional or tikanga related requirements.	
MPZ-R4		<i>Emergency Services Facility</i>	
MPZ-R5		<i>Primary Production</i>	
All Māori Zones	Purpose Activity status: Permitted	Activity status where compliance not achieved with:	
	Where: 1. The activity is not at the Hokonui Maraе Site; 2. Any new, relocated , or extended <i>buildings or structures</i> comply with Māori Purpose Zone standards MPZ-S1, MPZ-S2, MPZ-S3, MPZ-S4, MPZ-S5, MPZ-S6, and MPZ-S7; and 3. <i>Primary Production</i> complies with RLZ-R6.	Restricted Discretionary Matters of discretion: 1. The matters of discretion of any infringed standard; 2. The extent to which adverse effects on adjoining properties beyond the zone and the wider environment are mitigated; 3. The extent to which all activities are adequately serviced; and 4. Any functional or tikanga related requirements.	
MPZ-R6		Cluster Housing	
MPZ-R7		Residential Activity	
MPZ-R8		Community Facility	
MPZ-R9		Commercial Activity	
MPZ-R10		Visitor Accommodation	

All Māori Purpose MPZ-R6 to MPZ-R10 Zones

Activity status: Permitted

Where:

1. The activity is not at the Te Ika Rama Marae site;
2. Any new, relocated, or extended buildings or structures comply with Māori Purpose Zone standards MPZ-S1, MPZ-S2, MPZ-S3, MPZ-S4, MPZ-S5, MPZ-S6, and MPZ-S7; and
3. *Retail Activities* are limited to 100m2 *Gross Floor Area*.

Activity status where compliance is not achieved:

Restricted Discretionary

Matters of discretion:

1. The matters of discretion of any infringed standard;
2. The extent to which all activities are adequately serviced;
3. The extent to which adverse *effects* on adjoining properties beyond the zone and the wider *environment* are mitigated;
4. Any functional or tikanga related requirements; and
5. For non-residential activities matters relating to:
 - (a) traffic generation
 - (b) *noise*
 - (c) scale
 - (d) access
 - (e) *reverse sensitivity*.

MPZ-R11

Education Facility

All Māori Purpose Zones **Activity status: Permitted**

Where:

1. Any new, relocated, or extended buildings or structures comply with Māori Purpose Zone standards MPZ-S1, MPZ-S2, MPZ-S3, MPZ-S4, MPZ-S5, MPZ-S6, and MPZ-S7

Activity status where compliance is not achieved:

Restricted Discretionary

Matters of discretion:

1. The matters of discretion of any infringed standard;

2. The extent to which adverse effects on adjoining properties beyond the zone and the wider environment are mitigated;

3. The extent to which all activities are adequately serviced; and

4. Any functional or tikanga related requirements.

MPZ-R12

Urupā

Mataura Marae

Activity status: Permitted

Where:

1. The GFA of any ancillary structure does not exceed 30m2
2. Any new or relocated buildings or structures comply with relevant standards Māori Purpose Zone standards MPZ-S1, MPZ-S2, MPZ-S3, MPZ-S4, MPZ-S5, MPZ-S6, and MPZ-S7.

Activity status where compliance is not achieved:

Restricted Discretionary

Matters of discretion:

1. The matters of discretion of any infringed standard;
2. The extent to which all activities are adequately serviced;
3. The extent to which adverse effects on adjoining properties beyond the zone and the wider environment are mitigated; and
4. Any functional or tikanga related requirements.

MPZ-R13

All other activities

All Māori Purpose Zones **Activity status: Discretionary**

1. Any activities, including associated buildings, not otherwise provided for in the list of rules.

Activity status where compliance is not achieved: N/A

Standards

MPZ-S1		Height	
All Māori Purpose Zones	Purpose	1. Any building must not exceed a maximum height of 8 metres above ground level.	Activity status where compliance is not achieved:
		Excluding any art, carvings, or other cultural symbols fixed to buildings or roof mounted structures such as: panels, architectural features, satellite dishes or antennas, aerials or flues, provided these do not exceed the height by more than 1m and is no more than 1 metre in width or length.	Restricted Discretionary Matters of discretion: 1. The adverse effects on adjoining sites including privacy, shading, outlook and dominance; 2. The reason for the increase in height; 3. The ability to mitigate adverse effect on adjoining sites through layout, building design and landscaping; 4. Any functional or tikanga related requirements; and 5. Impacts on Ngāi Tahu cultural values, including those listed in MW-2.3
MPZ-S2		Height in relation to boundary	
All Māori Purpose Zones	Purpose	1. No part of any building shall project beyond the height in relation to boundary plane, measured from points 2.6 metres above ground level at site boundaries adjoining a Residential Zone.	Activity status where compliance not achieved with:
		See Appendix 2 for boundary plane angles. Except that: (a) this standard does not apply to road boundaries. (b) the following intrusions are permitted: (i) for any roof with a slope of 15 degrees or greater and the roof ridge generally at right angles to the boundary, the end of the ridge may be up to 1.5 metres above the indicator plane and the end area up to 2.5 square metres when viewed in elevation. (ii) roof mounted structures such as panels, architectural features, satellite dishes or antennas, aerials, flues as long as these are not more than 1m above height limit in MPZ-S1 and not more than 1m in width or length. Note: Where a boundary forms part of a legal right of way, entrance strip, access site or pedestrian access way, the rule applies from the farthest boundary of that legal right of way	Restricted Discretionary Matters of discretion: 1. The matters of discretion of any infringed standard; 2. The extent to which adverse effects on adjoining properties beyond the zone and the wider environment are mitigated; 3. The extent to which all activities are adequately serviced; and 4. Any functional or tikanga related requirements.

MPZ-S3		Setbacks to boundaries	
Te Ika Rama Marae and Hokonui Runanga Sites	1. Any building must be setback at least 10 metres from the Māori Purpose Zone boundary. Except that: (a) eaves, gutters and associated downpipes on any building may intrude into the setback by up to 600mm. (b) no setback is required for buildings that share a common wall along the boundary. (c) a carport or garage, either standalone or attached to the dwelling may be located up to 500mm from a side or rear boundary provided that the maximum length of the building adjacent to the property boundary does not exceed 6 metres and contains no doors or windows.	Activity status where compliance not achieved with: MPZ-S3(1) or MPZ-S3(2): Restricted Discretionary Matters of discretion: 1. The adverse effects on adjoining sites including privacy, shading, outlook and dominance; 2. The ability to mitigate adverse effect on adjoining sites through layout, building design and landscaping; and 3. The extent to which the reduction in the setback is necessary due to the shape or natural and physical features of the site.	
	Mataura and Hokonui Marae Sites	2. Any building must be setback at least 1 metre from the Māori Purpose Zone boundary. Except that: (d) eaves, gutters and associated downpipes on any building may intrude into the setback by up to 600mm. (e) no setback is required for buildings that share a common wall along the boundary. (f) a carport or garage, either standalone or attached to the dwelling may be located up to 500mm from a side or rear boundary provided that the maximum length of the building adjacent to the property boundary does not exceed 6 metres and contains no doors or windows.	
MPZ-S4		Setbacks from Roads	
Te Ika Rama Marae and Hokonui Runanga Sites	1. Any building or structure must be setback a minimum of 10 metres from any road boundary. Except that: (a) fences are permitted within the setback (b) eaves, gutters and associated downpipes on any building may intrude into the setback by a maximum of 600mm.	Activity status where compliance is not achieved with: MPZ-S4(1) or MPZ-S4(2): Restricted Discretionary Matters of discretion: 1. The safety and efficiency of the road network; 2. The adverse effects on adjoining sites including privacy, and shading; 3. The ability to mitigate adverse effect on adjoining sites through layout, building design and landscaping; and 4. The reason for the reduced setback including any functional or tikanga related requirements.	
	Mataura and Hokonui Marae Sites	2. Any building or structure must be setback a minimum of 3 metres from any road boundary. Except that: (c) fences are permitted within the setback (d) eaves, gutters and associated downpipes on any building may intrude into the setback by a maximum of 600mm.	

MPZ-S5	<i>Setbacks to rivers and streams</i>	
All Māori Purpose Zones	- Any building or structure is set back from the top of the closest bank of any stream or river the minimum distance as follows: 20m for high order rivers or streams (order 5 and above) 10m for middle order rivers or streams (order 3 and 4) 5m for low order rivers or streams (order 1 and 2). Refer to Appendix 3 for river and stream orders	Activity status where compliance is not achieved: Restricted Discretionary Matters of discretion: - Whether there is a functional or tikanga related need for the building or structure to locate in a riparian margin, and the extent to which alternative practicable options have been considered and their feasibility; - The effects on water quality and the stability and health of the stream bed and banks, including erosion and sedimentation control measures; - The nature of existing riparian vegetation and the effects of proposed planting or modification on indigenous biodiversity and /or habitats; - The natural character of the riparian margin and the effects of the activity on landscape values and the ability to restore, rehabilitate or enhance riparian areas; - Impacts on Ngāi Tahu cultural values, including those listed in MW-2.3; - The effects on public and customary access to the stream or river; and - The potential for flooding and to create new or exacerbate existing natural hazards, impact natural drainage patterns, redirect overland flow paths or flood flows, including on to other sites.
MPZ-S6	Building Coverage	
Te Ika Rama Marae	1. The maximum building coverage shall not exceed 1000m ² per site.	Activity status where compliance is not achieved with:
Mataura and Hokonui Marae sites and Hokonui Rūnanga Site	2. The maximum building coverage shall not exceed 50 percent per site.	MPZ-S6(1) or MPZ-S6(2): Restricted Discretionary Matters of discretion: - The adverse effects on adjoining sites including privacy, shading, and dominance; - The ability to mitigate adverse effect on adjoining sites through layout, building design and landscaping; - The effects on water management; and - Ecological and biodiversity impacts.
MPZ-S7	Servicing	

MPZ-S5		Setbacks to rivers and streams
All Māori Purpose Zones	- Any building or structure is set back from the top of the closest bank of any stream or river the minimum distance as follows: 20m for high order rivers or streams (order 5 and above) 10m for middle order rivers or streams (order 3 and 4) 5m for low order rivers or streams (order 1 and 2). Refer to Appendix 3 for river and stream orders	Activity status where compliance is not achieved: Restricted Discretionary Matters of discretion: - Whether there is a functional or tikanga related need for the building or structure to locate in a riparian margin, and the extent to which alternative practicable options have been considered and their feasibility; - The effects on water quality and the stability and health of the stream bed and banks, including erosion and sedimentation control measures; - The nature of existing riparian vegetation and the effects of proposed planting or modification on indigenous biodiversity and /or habitats; - The natural character of the riparian margin and the effects of the activity on landscape values and the ability to restore, rehabilitate or enhance riparian areas; - Impacts on Ngāi Tahu cultural values, including those listed in MW-2.3; - The effects on public and customary access to the stream or river; and - The potential for flooding and to create new or exacerbate existing natural hazards, impact natural drainage patterns, redirect overland flow paths or flood flows, including on to other sites.
MPZ-S6		Building Coverage
All Māori Purpose Zones	- Any residential unit or place of employment shall be connected to a Council reticulated water supply, or have access to on-site water of a potable standard. - Any residential unit or place of employment shall be connected to a Council reticulated wastewater network, or have on-site wastewater management systems with sufficient capacity. - If reticulated Council water or wastewater is unavailable, on-site systems must have sufficient capacity.	Activity status where compliance is not achieved: Non-complying