



Land use consent application under Section 88 of the Resource Management Act 1991 for the staged redevelopment of Te Ngati Pare O Waihaha Marae, Waikare Road.

Prepared for:

Waihaha Marae Trustees

Prepared by:

29 April 2026
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Senior Planner
Terra Consultants

EXECUTIVE SUMMARY

This application has been prepared by Terra Consultants on behalf of Waihaha Marae Trustees, being the joint owners of a Māori reservation block located on Waikare Road, approximately 2km southwest of the settlement of Waikare.

The purpose of this application is to obtain land use consent for the staged development of a marae complex, comprising an ablutions block, a wharenuī and a wharekai. The primary consent triggers are in relation to the proposed future wharenuī, which straddles an internal boundary between two adjoining land parcels which are both owned by the applicant. Although the primary trigger is a non-compliant boundary setback, the proposal will also trigger a consent requirement due to a minor infringement with respect to site coverage and because part of the future wharekai is located within an Outstanding Landscape Overlay. There is also the potential for future traffic to exceed permitted thresholds, although the status of the site as an established meeting place arguably lends existing use rights with respect to traffic movements.

This Assessment of Environmental Effects has been prepared in accordance with the requirements of Section 88 and Schedule 4 of the Resource Management Act 1991 (RMA) and is intended to provide the information necessary for a full understanding of the activity for which consent is sought and any actual and potential effects the proposal may have on the environment.

The application includes the following:

- The details of the proposal.
- A relevant statutory and district plan assessment.
- An assessment of environmental effects.

The supporting information attached in the appendix includes:

- Appendix A: Record of Title and Interests
- Appendix B: Architectural Plans
- Appendix C: Rules Assessment
- Appendix D: Objectives and Policies

The proposed development will require building consents and this will be applied for separately once land use consents and development funding have been approved. To this end, an infrastructure services report is in the process of being prepared and this will be forwarded to Council staff once available. The infrastructure services report will determine to what extent, if at all, regional consent might be required for discharge purposes. But the absence of that report for the moment, should not affect Council's ability to accept this land use consent and enable that processing to get under way.

Overall, it is considered that any actual or potential adverse effects of the activity on the environment will be less than minor and, notwithstanding minor performance infringements, no persons other than the applicants - who own both adjoining properties - are affected by the proposal. That being the case, it is submitted that this application can be determined at a delegated level without recourse to either public or limited notification, and that the purpose of the RMA would be served by the granting of consent, with conditions as appropriate.

1.0 APPLICATION AND PROPERTY DETAILS

Applicant/Proprietor:	Brymer Group Ltd
Physical address:	Waikare Road
Legal Description:	Waihaha 2C1B Block ML 366688: Waihaha 2C3A Block
Total Site Area:	5058m ² 842m ² Total Combined area – 5900m ²
Relevant Instruments:	2C1B - A Maori reservation for the purpose of a meeting-place for the common use and benefit of the Ngati-Pare sub-tribe. Embodied in the register pursuant to Section 124(1) Te Ture Whenua Maori Act 1993. Interest 7040501.3 - Status Order determining the status of the within land to be Maori Freehold Land 2C3A - Set apart for the common use and benefit of the Ngati-Pare sub-tribe as a Maori Reservation for the purpose of a meeting place. Interest B381667.3 - Status Order determining the status of the within land to be Maori Freehold Land
Operative District Plan Zoning	Rural Production Zone
Proposed District Plan Zoning	Māori Purpose - Rural
Overlays	Outstanding Landscape Overlay Flood Hazard Overlay

2.0 SITE AND LOCALITY

2.1 Site Context

The subject property is located on Waikare Road in the Far North region, approximately 4.6km northeast of the settlement of Karetu and 2km southwest of Waikare. The application property, which comprises two adjoining land parcels, does not have a physical road number or address on Waikare Road, but is legally described as Waihaha 2C1B Block ML 366688 and Waihaha 2C3A Block. The property is a Māori reservation for the common use and benefit of the Ngati-Pare sub-tribe.

At present, Waihaha 2C1B Block M contains an existing weatherboard whare which is centrally located towards the northeastern boundary. The whare, which is of cultural significance and is considered a taonga to Ngati Pare, traditionally functioned as a marae. It is proposed to retain this whare as existing.

The site is accessed via Waikare Road, which is a winding local road with an approximate 5.2m wide metalled carriageway. The road has variable width grass berms.

Site topography is largely flat, except for the northwestern (rear) boundary which is largely defined by the riparian margins of the Waikare Stream. The site is laid to pasture and when not required for meeting purposes, is periodically grazed. For all intents and purposes, Waihaha 2C1B Block and Waihaha 2C3A Block are managed as a single property, and the existing fencing arrangement, which encompasses both properties, reflects this.

A locality plan is provided as **Figure 1** below.



Figure 1: Aerial photo of site and immediate surrounds.

2.2 District Plan Zoning

2.2.1 Far North District Plan (Operative 2009)

Under the Operative Far North District Plan (ODP), the subject site is zoned Rural Production, as is all adjoining land to the west and east fronting onto Waikare Road. Land to the north, and on the true left bank of the Waikare Stream is zoned General Coastal Zone. Excerpts from the ODP planning maps are provided as Figures 2 and 3 below.

The northern part of the site is affected by an Outstanding Landscape overlay. The extent of that overlay affects only the Waihaha 2C1B Block and does not extend into the Waihaha 2C3A Block.

Similarly, the rear (northern fringe) of the Waihaha 2C1B Block is also affected by a Flood Hazard notation, although the extent of that notation does not extend into any of the area affected by the development proposal. An excerpt from the Flood Hazard Maps is provided as Figure 4 below.

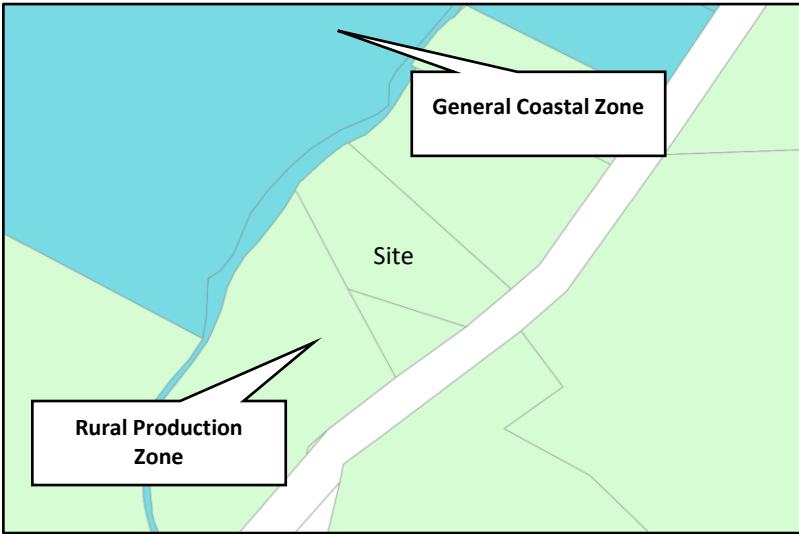


Figure 2: Operative Maps Zoning

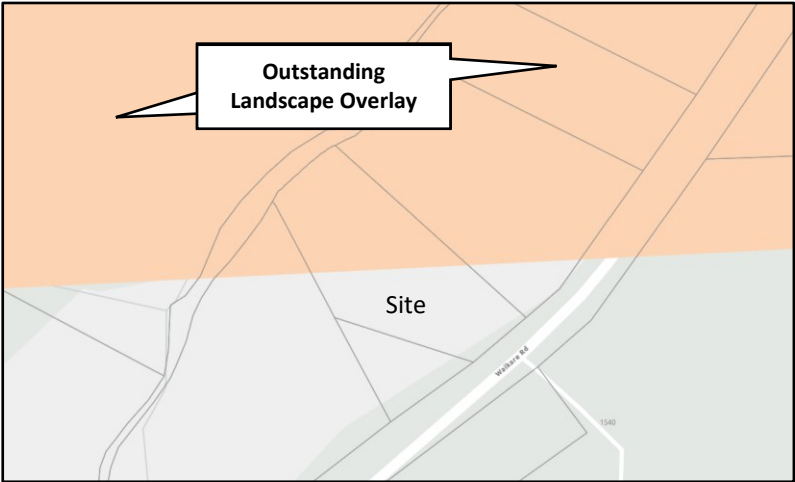


Figure 3: Operative Map Overlays

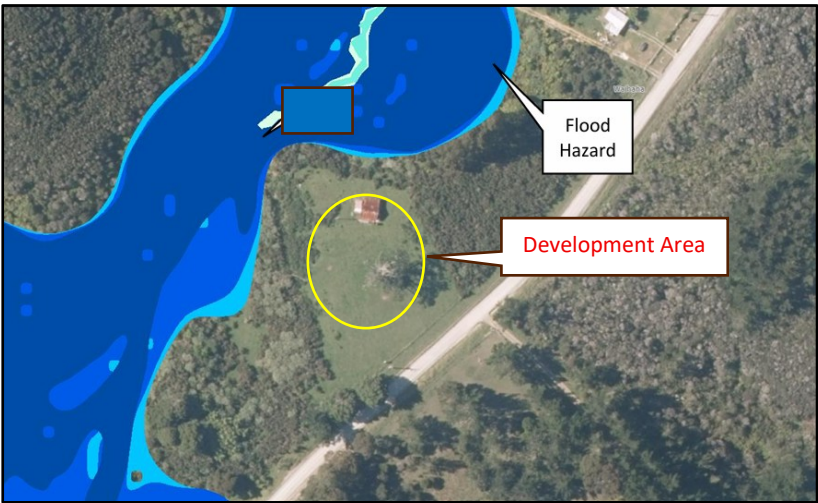


Figure 4: Flood Hazard Map

3.0 PROPOSAL

The application seeks land use consent for the staged re-development of Waihaha 2C1B Block and Waihaha 2C3A Block as a marae, comprising a new ablutions block, a future wharenuui and a future wharekai.

Stage 1 of the proposal entails development of the new ablutions block, which will also have provision for meeting rooms located to the front of the building. Although this stage of the development is loosely termed the 'ablutions block', it will function as a meeting house until such times as Stages 2 and 3 have been funded, designed and developed. The proposed ablutions block will have a mono-pitched roof with an east-facing veranda. The building will have a floor area of 169m² and a height of approximately 4.8m.

Stage 2 of the proposal entails the development of a wharekai, located to the north of the ablutions block. The wharekai will have a pitched, coloursteel roof (or equivalent) with weatherboard cladding. The wharekai will have a floor area of approximately 260m² and a height of 6.4m. Access to the wharekai will be via the east elevation, with wrap-around decking and verandas to the north and south elevations. Development of Stage 2 is dependent upon project funding but is expected to commence within 2 years of the completed ablutions block.

Stage 3 of the proposal relates to construction of a wharenuui, which is to be located to the south of the ablutions block. The wharenuui will be connected to the ablutions block via an enclosed walkway, and will have a pitched, coloursteel roof with weatherboard-clad walls (or equivalent). This structure will have a floor area of approximately 186m² and will have an overall height of approximately 5.2m. In common with cultural building traditions, the eastern entrance to the wharenuui will incorporate a mahu (front porch), a pou mataaho (central post) and maihi (bargeboards). Finalised embellishment of the wharenuui entrance will be determined at a later stage, in consultation with Ngati Pare. Development of Stage 3 is dependent upon project funding but is expected to commence within 2 years of the completed wharekai.

The siting of the wharenuui will straddle the internal boundary between Waihaha 2C1B Block and Waihaha 2C3A Block, and therefore this element of the proposal triggers the need for a boundary setback dispensation. As both of these land parcels are owned by the same landowners, this is a technical infringement only and approval is deemed to have been granted to each other.

The proposed wharekai is centrally located within the site but is partially located within an Outstanding Landscape Overlay. The consequences of this, such as they are, are addressed in Section 6.2 below.

The existing site entrance will be upgraded to Council standards. Car parking for the development will be unformed and informal, as is the norm for rural marae of this nature. As such, the site will have capacity to accommodate between 50-70 vehicles, which is significantly in excess of day-to-day needs.

The site will be serviced by a combination of water tanks for potable water supply and septic tank for wastewater disposal. Effluent disposal will be designed in accordance with the specification contained within the Core50 Engineering Assessment, a copy of which will be forwarded to Council once available.

A set of land use plans is provided as **Appendix B**. Excerpts from the site plans and elevations are included as **Figures 5 to 7** below.



Figure 5: Proposed Site Plan

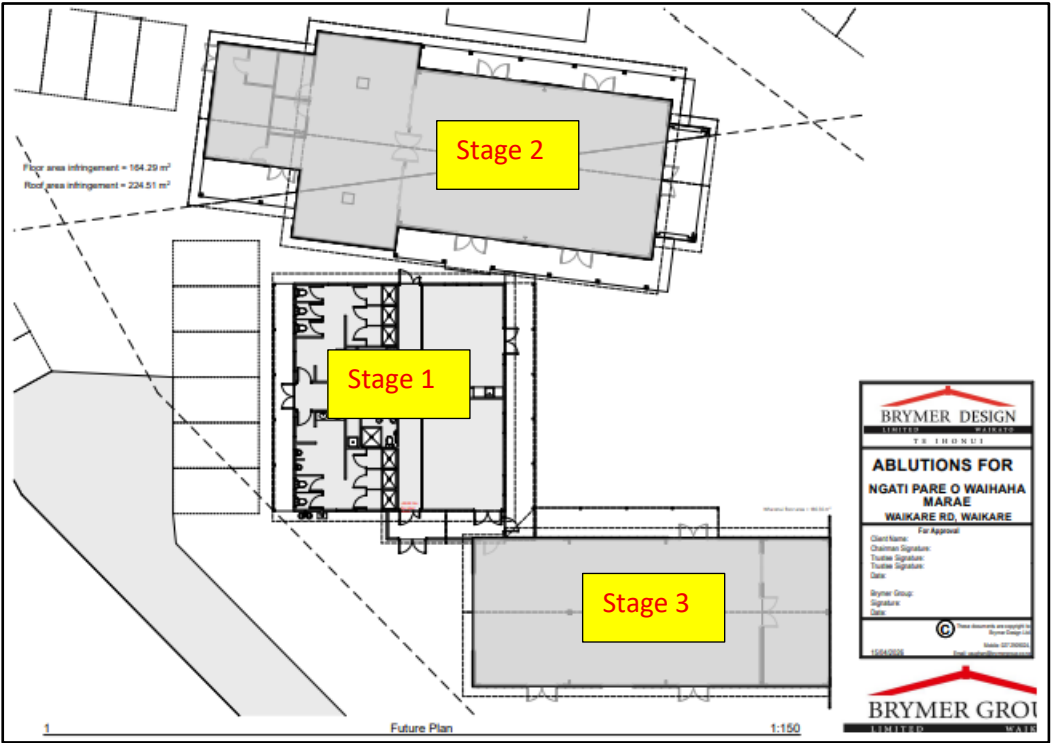


Figure 6: Staging Plans

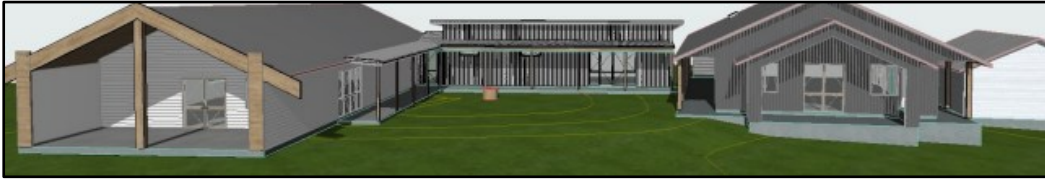


Figure 7: Schematics of completed development

4.0 PLANNING FRAMEWORK

4.1 District Plan Status

The ODP became operative on 18th of September 2009. A proposed Far North District Plan (PDP) was publicly notified in July 2022, with submission hearings now complete and decisions due to be notified in May or June 2026. Although some provisions of the PDP have immediate legal effect, as do the policies and objectives, the PDP is still in the post-hearing, pre-decision phase: the focus of this application is therefore on the ODP.

5.0 REASONS FOR CONSENT

5.1 Operative Far North District Plan – 16th June 2012

An assessment of the proposal against the relevant ODP provisions has been included as **Appendix C**. In summary, this proposal triggers resource consent under the following rules:

- Rule 8.6.5.1.2 ‘Sunlight’ – The proposed wharenuī in Stage 3 straddles a property boundary and therefore compliance cannot be achieved with respect to recession planes.
- Rule 8.6.5.1.3 ‘Stormwater Management’ – The proposal will result in 15.88% coverage by buildings which exceeds the 15% permitted limit.
- Rule 8.6.5.1.4 – ‘Setbacks from Boundaries’ - The proposed wharenuī will straddle the property boundary between Waihaha 2C1B and Waihaha 2C3A blocks resulting in a setback infringement.
- Rule 8.6.5.1.10 ‘Building Coverage’ – Building coverage will exceed the permitted 12.5% permitted threshold.

- Rule 12.1.6.1.5 'Buildings within Outstanding Landscapes' – Parts of the proposed wharekai will be located within the Outstanding Landscape Overlay and those elements will exceed 25m² in area.
- Rule 15.1.6A.2 'Traffic' – Up to twice per year, there is potential for meetings to generate between 61 and 200 traffic movements which will exceed permitted thresholds. These volumes require consent under Rule 15.1.6A.4 as a Restricted Discretionary Activity.

Based on the findings of the rule assessment in Appendix C, the overall status of the proposal is classified as a **Restricted Discretionary Activity**.

6.0 ACTUAL AND POTENTIAL EFFECTS (SECTIONS 104(1)(A) & 106)

6.1 Assessment of Actual and Potential Effects on the Environment s95A(2)(a)

Having regard to matters over which Council has restricted the exercise of its discretion, the actual or potential environmental effects that could arise from this proposal are considered to be 'character and amenity', 'landscape values', 'traffic effects' and 'cultural effects'. These are variously considered under the subheadings which follow.

6.1.1 Character and Amenity

The application site comprises two adjoining land parcels which are in the same multiple Māori ownership and which located within the Rural Production Zone. The site itself has an existing whare, which is of cultural significance to Ngati Pare with the site having historically been used as a meeting place and de facto marae. The proposed development purposely retains that whare due to its significance as a taonga.

Within the Rural Production Zone, the ODP seeks to maintain character and amenity through a range of controls, conventionally associated with bulk and location as well as site coverage limits. Those controls are typically more stringent when development affects outstanding landscapes and high amenity locations. In this instance, the proposed ablutions block (Stage 1) and the proposed whareniui (Stage 3) will both be located less than the required 10m from site boundaries and in the case of the whareniui, will be constructed over the property boundary between Waihaha 2C1B and Waihaha 2C3A. As noted, both of these land parcels are in the same ownership, and therefore conventional considerations such as reduced outlook or loss of privacy do not arise in this instance. Equally, whilst height in relation to boundary (HIRB) controls are also intended to maintain neighbour amenity by protecting access to sunlight, the infringement has no such impact in this instance.

Setbacks are also typically required to maintain streetscape values and to safeguard visibility for motorists accessing or exiting a site. In this instance, all 3 stages of the development will be set back in excess of the required distance from Waikare Road and driver visibility exiting this site will be unaffected by the development.

The ODP rules pertaining to building coverage are also intended to maintain amenity and landscape values by ensuring that development is an appropriate visual 'fit' for the rural environment and does not needlessly decommission productive land. The permitted threshold is 12.5% building coverage whereas 15.88% is proposed in this instance. The scale of exceedance is small, relative to the overall site area, and given the modular, segmental nature of the staged proposal, the built outcome will not appear as a

visually dominant and out of context development. The exceedance will not be perceived as affecting the visual amenity of neighbouring properties because, with the exception of the internal boundary infringement, the development is otherwise compliant with bulk and locational requirements and well below the maximum height permitted within the Rural Production Zone. Being a remote, rural property, the site also has a limited viewing catchment with few residential properties nearby or overlooking the subject site.

Overall, and recognising that developments of this nature are exempt from the 'scale of activities' provisions, any character and amenity effects are considered to be less than minor.

6.1.2 Landscape Values

The northern part of Waihaha 2C1B Block is located within an Outstanding Landscape Overlay (landscape overlay) and approximately 164m² of the proposed wharekai will be located within that area: this exceeds the 25m² which is otherwise provided for as a permitted activity under the ODP. The intent of the landscape overlay is not to prevent development within these locations, but rather to ensure that activities avoid significant adverse effect on identified landscape values, and to ensure that any such effects are avoided, remedied or mitigated; hence the low threshold for permitted development in these locations.

In this instance, only part of the marae development will be located within the landscape overlay, equating to less than 25% of the overall combined floor area. This limited extent represents a minor exceedance relative to both the overall scale of the development and the wider identified outstanding landscape; it will not result in a substantive modification of the landscape's defining characteristics or values.

With retention of the adjacent heritage whare, the proposed wharekai arguably forms part of an existing marae complex that already accommodates cultural infrastructure. The proposal does not introduce sporadic or visually dominant development into an otherwise undeveloped landscape but rather consolidates culturally appropriate development within an established cultural platform. As such, the proposal maintains the coherence of the landscape and avoids adverse effect on the landscape's overall legibility, openness, and natural character. This part of the landscape overlay has in any case, already been highly modified, having been cleared of native vegetation and used for sporadic pastoral needs when not required for meeting purposes.

In short, the proposal avoids significant adverse effects on the landscape overlay through the marae's careful siting and design, its limited scale of encroachment, and its functional relationship with the existing marae. The development remains subordinate to the wider outstanding landscape values, and any adverse effects, such as they are, can reasonably be assessed as less than minor.

6.1.3 Traffic Effects

Reference is made to traffic effects for the sake of completeness because on occasion – estimated once or twice per year following completion of all three stages – vehicle movements associated with on-site activity could have the potential to exceed 60 daily one-way traffic movements, up to a maximum of 200 movements for a one-off event if the marae is at capacity. For the vast majority of day-to-day use, however, traffic movements are expected to be well within permitted limits.

Importantly, the proposed development is to be located on ancestral Māori owned land, which is already used for meeting purposes, and will simply continue in this use. No new access roads or major earthworks are required to support the land use, because vehicles will be able to park informally within the site, on grass, which is the norm for marae in rural locations. As to be expected, vehicle movements associated with rural marae are intermittent and event-based; the activity is not a daily high-volume traffic generator. As land already designated for

Waikare Road in this location is a low speed, low-volume road with estimated operating speeds in the region of 60kph or less, due to the unsealed nature of the road. Visibility sightlines are 80m+ in both directions, which is considered safe for vehicles exiting the marae to rejoin Waikare Road. The property has more than enough space for compliant on-site parking and an indicative parking layout is illustrated on the site plans contained within **Appendix B**. The proposed informal parking reflects the practical realities of marae operations while still supporting safe and efficient transport outcomes. As can be seen from the indicative layout, the design provides appropriate space for manoeuvring, to ensure that all vehicles enter and exit the site in a forward gear.

Recognising that the site is already Māori reservation which is set aside for the purpose of a meeting place, vehicle movements associated with site redevelopment are somewhat academic, given that the site arguably benefits from existing use rights. Nonetheless, given the small-scale nature of the development and its remote, rural location, traffic effects are anticipated to be less than minor and well within the safe operating capacity of the network.

6.1.4 Cultural Effects

The proposed marae development, including new ablutions and provision for future whareniui and wharekai, will have positive cultural effects for Ngāti Pare o Waihaha by enhancing the functionality, mana, and long-term use of the Waihaha Marae. The works support the ability of whānau and manuhiri to gather, host hui, tangihanga, and cultural events in a manner consistent with tikanga Māori, while improving health, safety, and accessibility. Locating the structures within the existing marae complex maintains the cultural coherence of the site and reinforces its role as a focal point for whakapapa, identity, and intergenerational connection, with no adverse effects on cultural values anticipated.

6.1.5 Summary of Effects

Taking the above into account, any adverse effects on character and amenity and landscape values will be less than minor and can be managed by way of standard consent conditions. The proposal will also give rise to positive cultural effects, being the establishment of a fit-for-purpose marae complex to meet current and future Māori community needs.

7.0 RELEVANT POLICY STATEMENTS, PLANS OR PROPOSED PLANS (SECTION 104(1)(B))

Section 104(1)(b) of the Act sets out that when considering an application for resource consent, the Council shall have regard to any relevant provisions of policy statements or plans or proposed plans. The

Operative Far North District Plan and the Resource Management Act 1991 are the relevant considerations for this proposal.

The purpose of the Resource Management Act (subsequently referred to as 'the Act') is stated in Part II of the Act, which includes the following sections:

5. Purpose
6. Matters of national importance
7. Other matters
8. Treaty of Waitangi

Section 5 states that the purpose of the Act is "to promote the sustainable management of natural and physical resources". Sustainable management is defined as "managing the use, development and protection of natural resources in a way or at a rate which enables people and communities to provide for their social, economic and cultural well-being and for their health and safety." The proposal outlined in this application directly supports the sustainable management of a cultural land resource.

As relevant, matters of national importance under Section 6 and other matters under Section 7 have been considered in the preceding sections of this report. Effects with respect to outstanding landscapes are shown to be less than minor, and overall, the proposal is shown to significantly benefit the relationship of Māori to their ancestral whenua, which is a taonga in its own right. The proposal does not offend Part 2 of the Act.

7.1 Operative and Proposed Far North District Plan

An assessment against the relevant rules of the ODP has been provided in **Appendix C**. Further assessment against relevant objectives and policies has been included in **Appendix** and the proposal is shown to support the strategic intent of both the ODP and the PDP.

7.2 National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES-CS)

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (**NES-CS**) were gazetted on 13th October 2011 and took effect on the 1st of January 2012.

The standards are applicable if the land in question is, or has been, or is more than likely than not to have been used for hazardous activity or industry and the applicant proposes to subdivide or change the use of the land, or disturb soil, or remove or replace a fuel storage system.

The application site is not known to have been occupied by any HAIL activities. On this basis, the site is not considered to be a 'piece of land' and the provisions of NES-CS need not be considered further.

7.3 National Policy Statement for Highly Productive Land 2022

The subject property is understood to be LUC Class 4w-2, which does not constitute 'highly productive land' for the purposes of NPS-HPL 2022. Class 4 has moderate limitations for arable use. Regardless, and

even allowing for HPL status in a worse case scenario, section 3.9(2)(d) of NPS-HPL enables use and development of highly productive land where it is on 'specified Māori land', which is the case here. NPS-HPL is not considered applicable in this circumstance, it is not considered further.

7.4 Other Statutory Matters

There are no other relevant statutory matters that are applicable to this application.

8.0 NOTIFICATION ASSESSMENT (SECTIONS 95A-95E)

Section 95 of the Resource Management Act sets out the notification and affected persons provisions to be considered in relation to applications for resource consent. The below provides an assessment against the notification steps provided under the RMA.

8.1 Public Notification

Step 1 – Mandatory Notification

Public notification is not mandatory because the applicant has not requested public notification, it is not required under section 95C and the proposal does not involve an exchange of reserve land under section 15AA of the Reserve Act.

Step 2 - Notification Precluded

The proposed activity is not precluded from public notification by a Plan rule or a national environmental standard. The activity is not a Controlled Activity and viewed as a whole, is not exclusively a boundary activity.

Step 3 - Public Notification Required in Certain Circumstances

There are no rules or national environmental standards which require public notification and the assessment contained within section 6.1 of this report demonstrates that any adverse effects on the environment will not be more than minor.

Step 4 – Special Circumstances

There are no special circumstances which would justify notification under s95A(9). The proposed activity is specifically provided for under the ODP, albeit with infringements in this instance, and development of this nature is neither exceptional nor unusual.

8.2 Limited Notification

Step 1 – Certain Persons Must be Notified

To the best of our knowledge, there are no affected protected customary rights groups or affected customary marine title Groups in relation to this site and the proposal is not on, or adjacent to land that is the subject of a statutory acknowledgement.

Step 2 – Limited Notification Precluded

The proposed activity is not subject to any rules or national environmental standard which precludes limited notification, and the proposal is for a Restricted Discretionary Activity rather than a Controlled Activity.

Step 3 – Affected Persons Must be Notified

Under Step 3, limited notification is not required because there are no affected persons as described in s95E. A person is 'affected' if the effects of the activity on that person are minor or more than minor, but not less than minor. The assessment in section 6.1 of this report demonstrates that environmental effects resulting from the proposal will be less than minor. Further, the applicant's own both of the land parcels potentially affected by the internal setback infringement and the respective owners are deemed to have provided written approval. With effects overall being assessed as less than minor, no other persons can be deemed to be affected.

Step 4 – Further Notification in Special Circumstances

There are no special circumstances which would justify notification under s95B(10). As already noted, the activity is specifically provided for under the ODP and development of this nature is neither exceptional nor unusual, especially in the context of a Māori reservation which is used for the purpose of a meeting place.

8.3 Notification Conclusion

Overall, there are no circumstances which trigger the need for public or limited notification under sections 95A or 95B of the RMA. The environmental effects resulting from the proposal are shown to be less than minor and, in the circumstances, no persons can be considered to be affected under section 95E. The application can be processed at a delegated level without the need for written approvals.

9.0 APPLICATIONS FOR RESTRICTED DISCRETIONARY ACTIVITIES – SECTION 104C

Section 104C of the RMA states that a consent authority may grant or refuse consent for a Restricted Discretionary Activity and if it grants consent, it may impose conditions under s108 only for those matters over which it has restricted the exercise of its discretion in a plan or a proposed plan. The exercise of discretion is limited to character and amenity considerations, and to landscape considerations. The proposal is an anticipated form of development, especially for a Māori reservation which has historically been used for meeting purposes. Given alignment with the purpose of the RMA and with the strategic intent of the ODP, it is submitted that consent can be granted for this activity with restricted conditions as appropriate.

10.0 CONCLUSION

The applicants seek land use consent for the staged development of a marae complex, which will result in a setback infringement from an internal boundary, a structure partially located within an Outstanding Landscape Overlay and minor exceedances with respect to building coverage and traffic volumes. Any

actual or potential adverse effects resulting from the proposal have been assessed as less than minor and consequently, no persons are considered to be affected for the purposes of s95E. The setback infringement relates to an internal boundary only, with both land parcels being in the ownership of the applicants.

Activity of this nature is specifically anticipated by the ODP and is provided for within the Rural Production Zone. Notwithstanding Restricted Discretionary status due to minor performance infringements, the proposal is shown to be consistent with objectives and policies of the ODP and the PDP, the latter already having legal effect.

The proposal supports the purpose of the RMA by enabling people and communities to provide for their social and cultural wellbeing whilst at the same sustainably managing the use, development and protection of natural resources.

The purpose of the RMA would be served by the granting of consent with conditions, as appropriate.

APPENDIX A

RECORD OF TITLE



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy**




R. W. Muir
Registrar-General
of Land

Identifier 295900
Land Registration District North Auckland
Date Issued 26 June 2006

Prior References
NA58D/57

Estate Fee Simple
Area 842 square metres more or less
Legal Description Waihaha 2C3A Block
Purpose Set apart for the common use and benefit
of the Ngati-Pare sub-tribe as a Maori
Reservation for the purpose of a meeting-
place

Registered Owners

Karen Angela Hereora, Polly Tana, John Louis Hereora, Aaron Douglas Manuhua King, Grant Arthur Strachan, Mary Valenta, Te Araroa Rameka Peter Hereora, Riria Hiawe Kingii, Rebecca Te Aroha Hereora and Taukiri Tilly Hereora as trustees

Interests

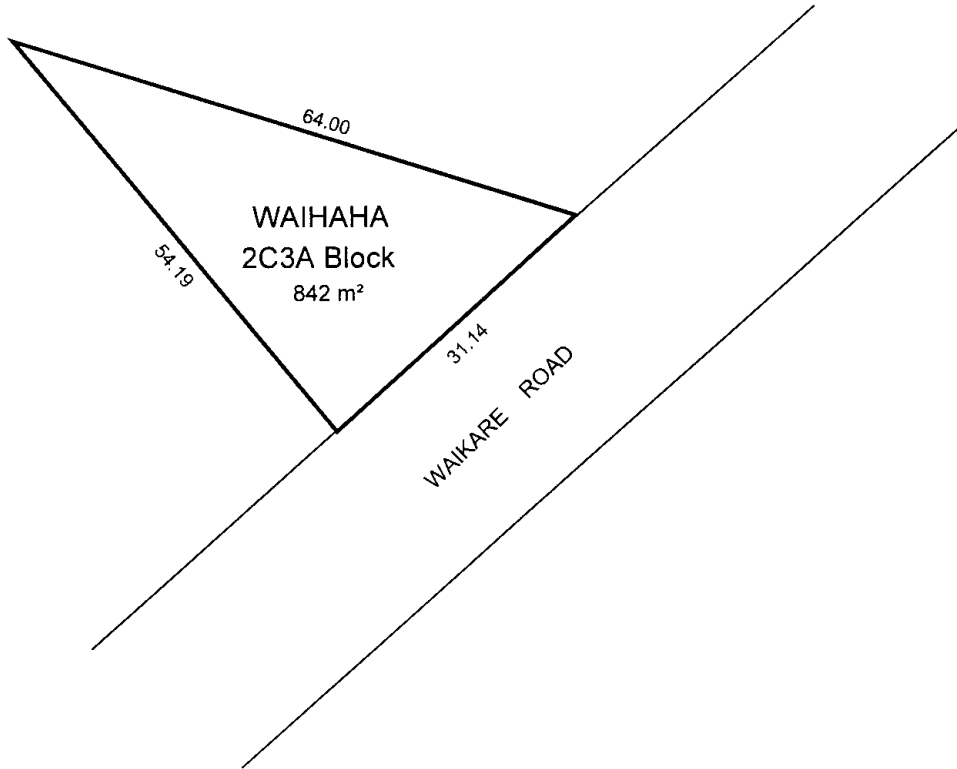
B381667.3 Status Order determining the status of the within land to be Maori Freehold Land - 15.2.1985 at 10:14 am

Title Diagram 295900

Cpy - 01/01, Pgs - 001, 04/07/06, 10:41



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ML 14831



Report on Maori Land details for the following Record(s) of Title



Record(s) of Title

295900

Identified as potentially Maori Freehold Land

***** End of Report *****

DETERMINATION OF STATUS OF LAND

The Maori Affairs Act 1953
Section 30(1)(i).

B381667.3 MLC0

IN THE MAORI LAND COURT
OF NEW ZEALAND
TOKERAU DISTRICT

IN THE MATTER of the land known as

WAIHAHA 2C3A

AT A SITTING of the Court held at Whangarei on the 16 day of
October 1984 before Ashley George McHugh, Esquire, Judge.

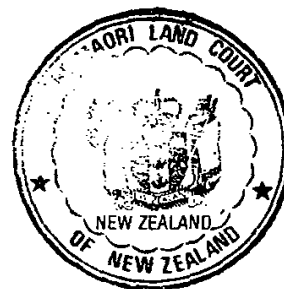
WHEREAS upon hearing evidence adduced in support of an application
to determine the status of land and being satisfied on all matters
on which it is by law required to be satisfied this Court DOETH HEREBY
ORDER pursuant to the provisions of Section 30(1)(i) of the Maori
Affairs Act 1953, that the land known as

WAIHAHA 2C3A

be and is hereby determined to be Maori freehold land.

AS WITNESS the hand of the Judge and the seal of the Court.

ashley george mchugh
Judge.



CERTIFIED A TRUE COPY
maria
DEPUTY REGISTRAR
30/1/85

✓

10.14 15.FEB85 B 381667 3

PARTICULARS INTERESTS REGISTERED
LAND REGISTRY AUCKLAND
ASST. LAND REGISTRAR

P.R. 58D/57





**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
QUALIFIED
Search Copy**




R. W. Muir
Registrar-General
of Land

Identifier 311954
Land Registration District North Auckland
Date Registered 22 September 2006 09:00 am

Type	Partition Order	Instrument	MFPO 7040501.1
Area	5058 square metres more or less		
Legal Description	Waihaha 2C1B Block		
Purpose	a Maori reservation for the purpose of a meeting-place for the common use and benefit of the Ngati-Pare sub-tribe		

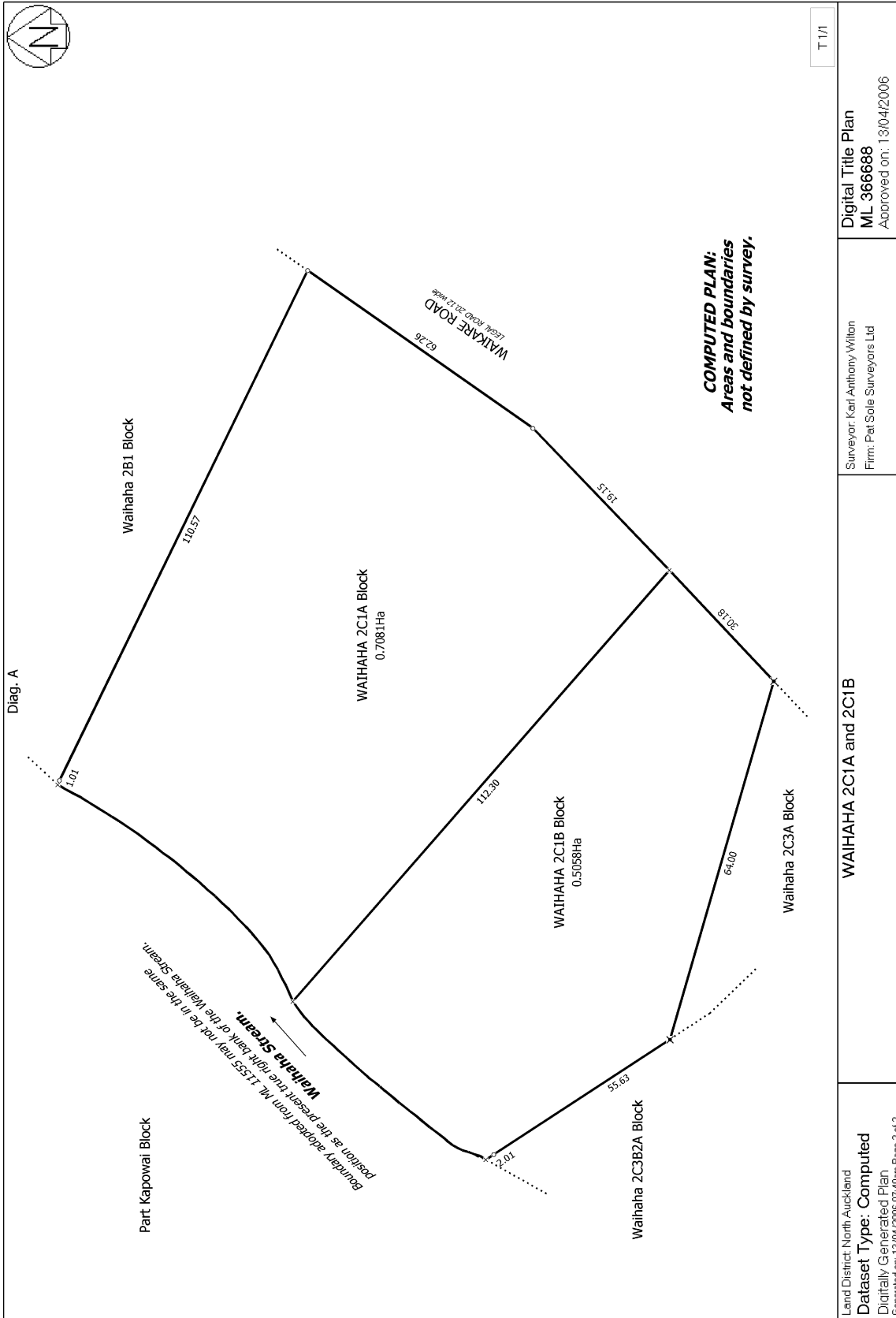
Registered Owners

Karen Angela Hereora, Polly Tana, John Louis Hereora, Aaron Douglas Manuhua King, Grant Arthur Strachan, Mary Valenta, Te Araroa Rameka Peter Hereora, Riria Hiawe Kingii, Rebecca Te Aroha Hereora and Taukiri Tilly Hereora as trustees

Interests

The within order has been embodied in the register pursuant to Section 124(1) Te Ture Whenua Maori Act 1993. It will not be finally constituted a folium of the register until a plan has been deposited pursuant to Section 167(5) Land Transfer Act 1952.

7040501.3 Status Order determining the status of the within land to be Maori Freehold Land - 22.9.2006 at 9:00 am





Report on Maori Land details for the following Record(s) of Title



Record(s) of Title

311954

Identified as potentially Maori Freehold Land

***** End of Report *****

ORDER DETERMINING STATUS OF LAND

Te Ture Whenua Maori Act 1993, Section 131

In the Maori Land Court
of New Zealand
Taitokerau District



IN THE MATTER

of the Maori freehold land
known as Waihaha 2C1B

AT a sitting of the Court held at Whangarei (Chambers) on the 20th day of July 2006, before David John Ambler, Judge

UPON hearing an application by the Deputy Registrar the Court DOTH HEREBY DETERMINE that the land known as Waihaha 2C1B, containing 0.5058 hectares, is Maori freehold land within the meaning of Te Ture Whenua Maori Act 1993 and it is hereby declared that this determination is made for the purpose of ensuring that the status of the land is correctly recorded in Land Information New Zealand office

And the Court DOTH FURTHER ORDER that this order shall issue forthwith pursuant to rule 66(3) of the Maori Land Court Rules 1994.

AS WITNESS the hand of the Judge and the Seal of the Court



Duplicate issued pursuant to Rule 67 of the
Maori Land Court Rules 1994 for registration
purposes.
Certified a correct copy



APPENDIX B


SITE PLANS AND ELEVATIONS



FLOOR AREAS:
 Ablutions = 169.29m²
 Wharekai = 260.95m²
 Wharenui = 186.56m²
 Existing whare = 78.83m²
Total floor area = 695.63m²

ROOF AREAS:
 Ablutions = 240.35m²
 Wharekai = 382.87m²
 Wharenui = 228.49m²
 Existing Whare = 85.48m²
Total Roof Area = 937.19m²

SITE COVERAGE:
 Site Area:
 Waihaa 2C1B = 5059m²
 Waihaa 2C3A = 842m²
 Total site area = 5901m²
 Roof Area = 937.19m² = 15.88%




BRYMER DESIGN
 LIMITED WAIKATO
 TE IHONUI

**ABLUTIONS FOR
 NGATI PARE O WAIHAHA
 MARAE
 WAIKARE RD, WAIKARE**

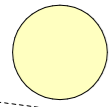
For Approval

Client Name:
 Chairman Signature:
 Trustee Signature:
 Trustee Signature:
 Date:

Brymer Group:
 Signature:
 Date:

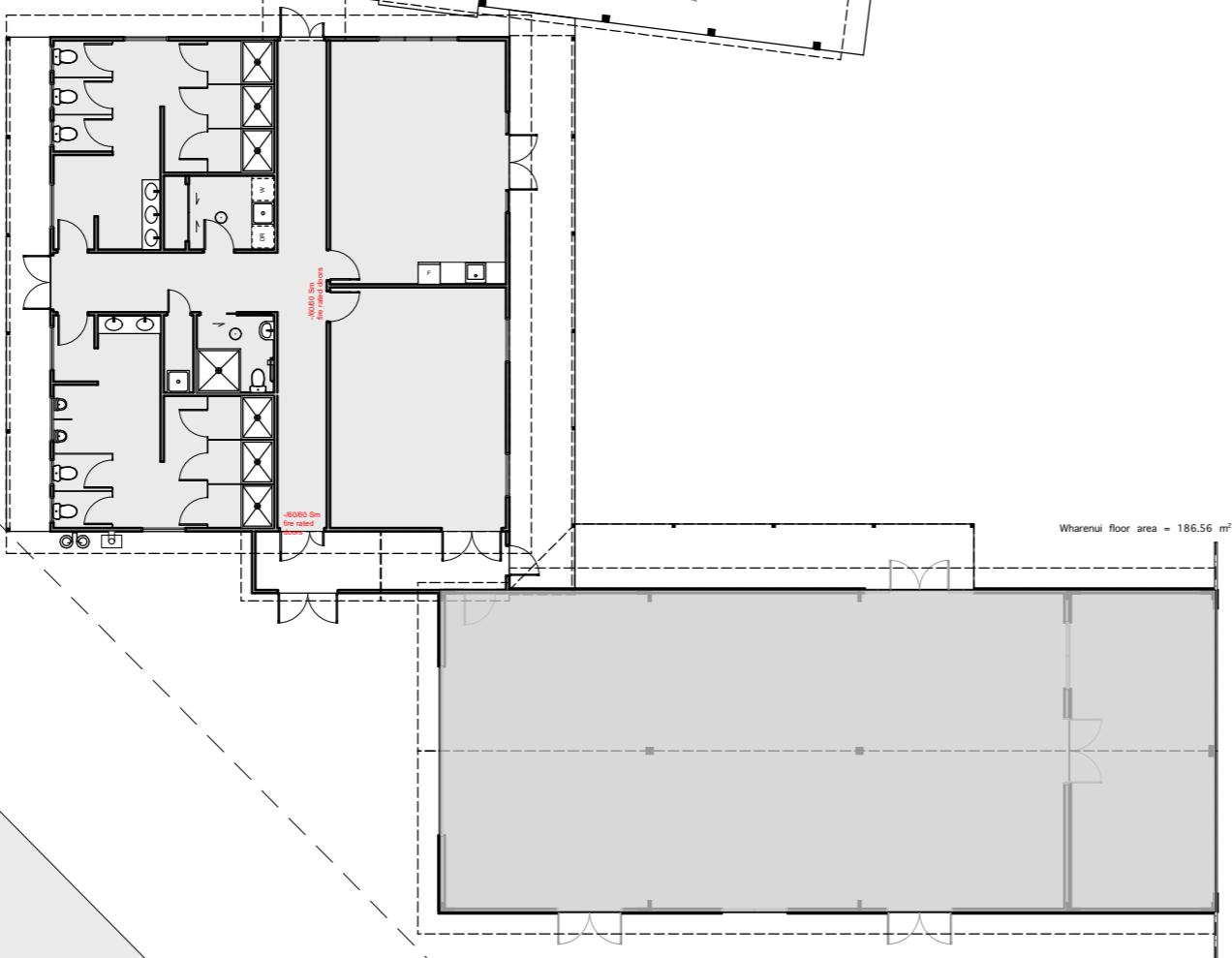
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10/04/2026



78.83 m²

Floor area infringement = 164.29 m²
Roof area infringement = 224.51 m²



Wharenui floor area = 186.56 m²



ABLUTIONS FOR NGATI PARE O WAIHAHA MARAE WAIKARE RD, WAIKARE

For Approval

Client Name:
Chairman Signature:
Trustee Signature:
Trustee Signature:
Date:

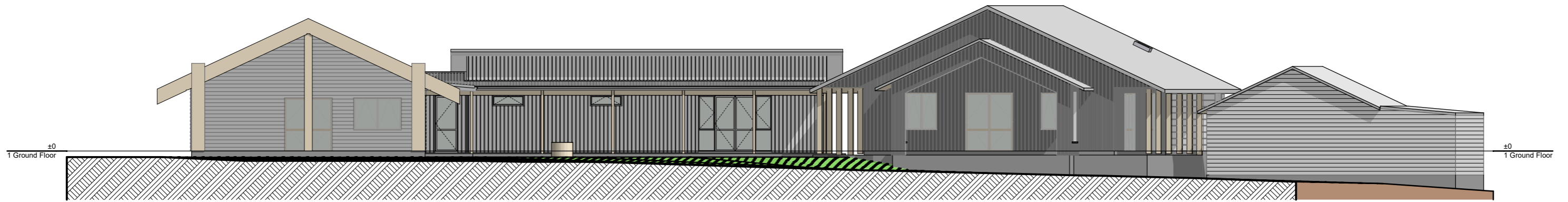
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Signature:
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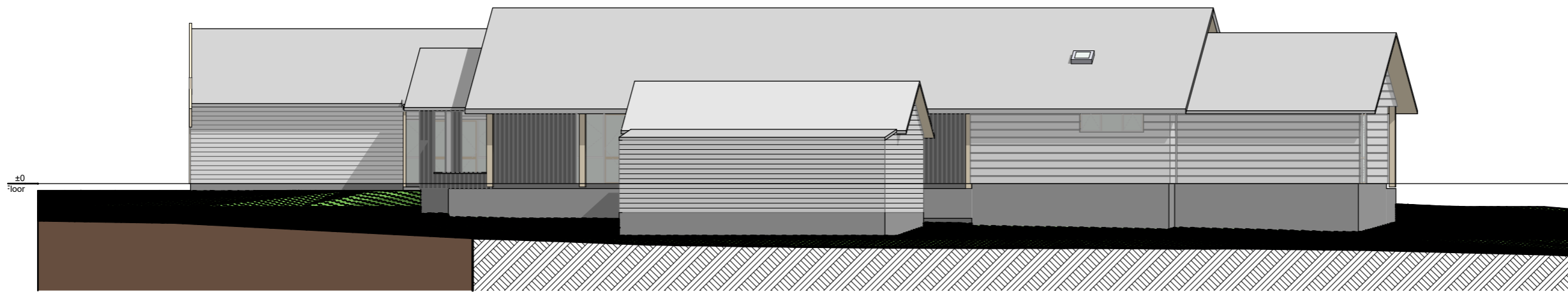
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East Elevation



North Elevation



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**ABLUTIONS FOR
NGATI PARE O WAIHAHA
MARAÉ
WAIKARE RD, WAIKARE**

For Approval

Client Name:

Chairman Signature:

Trustee Signature:

Trustee Signature:

Date:

Brymer Group:

Signature:

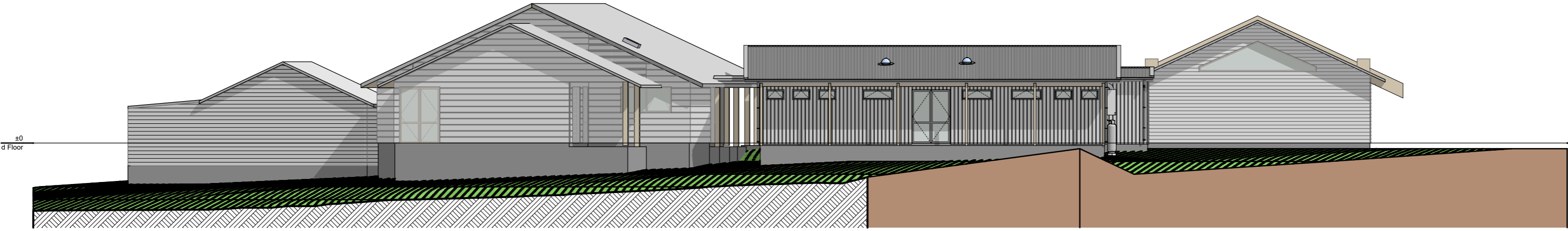
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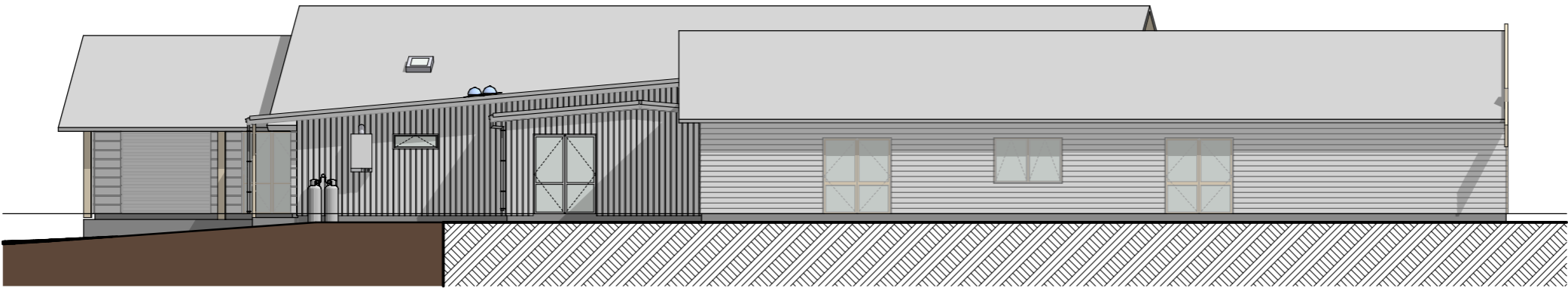
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West Elevation



South Elevation

1

1:150



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TE IHONU I

**ABLUTIONS FOR
NGATI PARE O WAIHAHA
MARA E
WAIKARE RD, WAIKARE**

For Approval

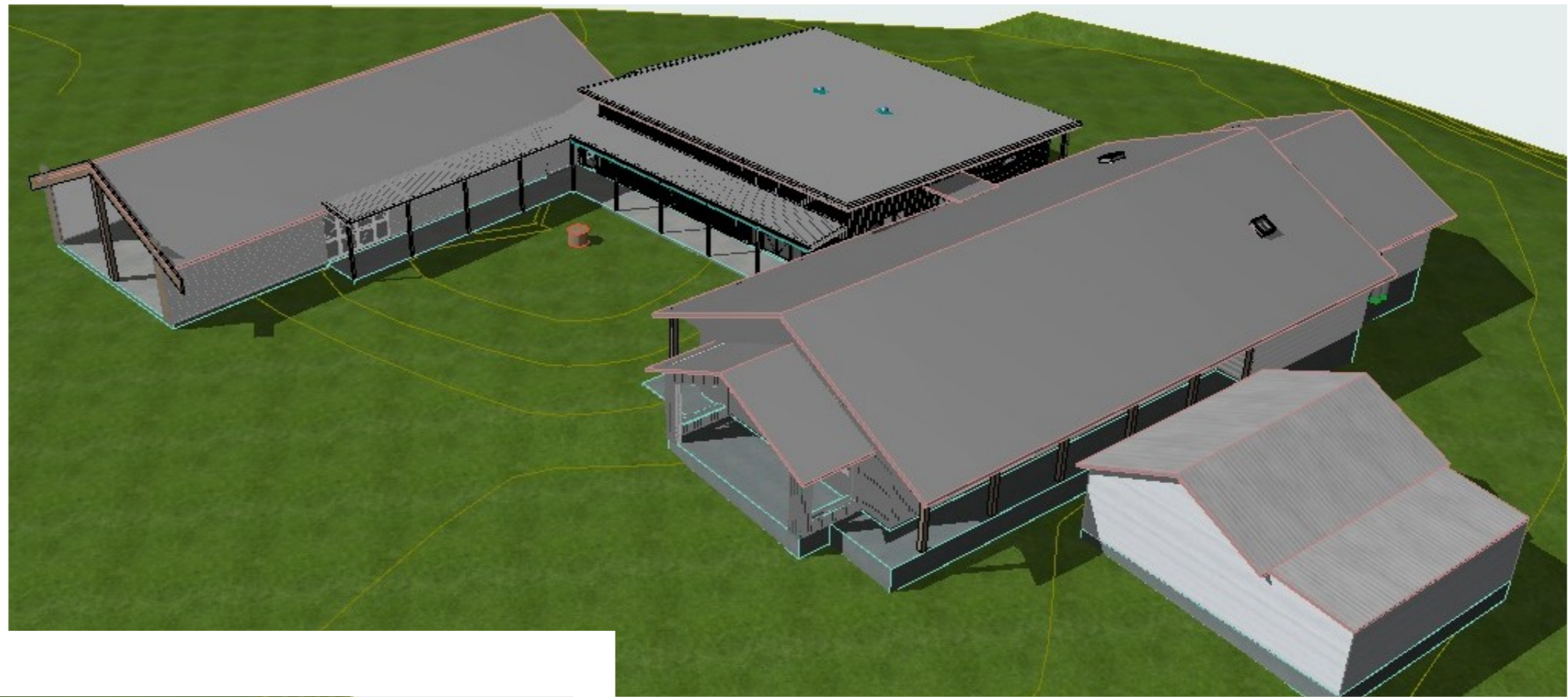
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 Trustee Signature:
 Trustee Signature:
 Date:



Brymer Group:
 Signature:
 Date:

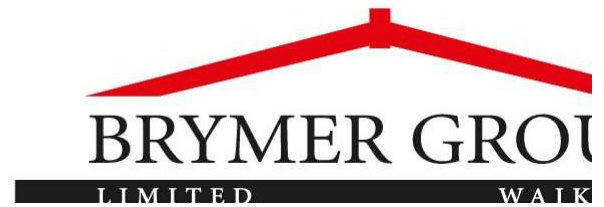
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For Approval	
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Brymer Group: Signature: Date:	
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 BRYMER DESIGN LIMITED WAIKATO TE IHONU I	
ABLUTIONS FOR NGATI PARE O WAIHAHA MARAE WAIKARE RD, WAIKARE	
For Approval	
Client Name:
Chairman Signature:
Trustee Signature:
Trustee Signature:
Date:
Brymer Group:
Signature:
Date:
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APPENDIX C

DISTRICT PLAN RULE ASSESSMENT

OPERATIVE FAR NORTH DISTRICT PLAN

8 RURAL ENVIRONMENT	Compliance	Comment
<p>8.6.5.1.2 SUNLIGHT</p> <p>No part of any building shall project beyond a 45 degree recession plane as measured inwards from any point 2m vertically above ground level on any site boundary (refer to definition of Recession Plane in Chapter 3 - Definitions), except where a site boundary adjoins a legally established entrance strip, private way, access lot or accessway.</p>	<p>Does not comply</p>	<p>The proposed wharenui straddles the boundary between Waihaha 2C1B Block and Waihaha 2C3A Block, and therefore compliance is technically not possible for that structure. However, as both parcels are in the same ownership, written approval is deemed to have been provided.</p>
<p>8.6.5.1.3 STORMWATER MANAGEMENT</p> <p>The maximum proportion of the gross site area covered by buildings and other impermeable surfaces shall be 15%.</p>	<p>Does not comply</p>	<p>The proposal will result in approximately 15.88% coverage by buildings – refer development plans</p>
<p>8.6.5.1.4 SETBACK FROM BOUNDARIES</p> <p>No building shall be erected within 10m of any site boundary; with the following exceptions;</p> <ul style="list-style-type: none"> (a) no accessory building shall be erected within 3m of boundaries other than road boundaries, on sites less than 5000m²; (b) no crop protection structures shall be located within 3m of boundaries; (c) no building shall be erected within 12m of any road boundary with Kerikeri Road on properties with a road frontage with Kerikeri Road between its intersection with SH10 and Cannon Drive; (d) no building for residential purposes shall be erected closer than 100m from any zone boundary with the Minerals Zone; (e) no building shall be erected within the building line restriction area as marked in Appendix 6C, located immediately north of the Te Waimate Heritage Precinct. Any proposed building to be erected within this building line restriction area shall be deemed a discretionary activity and the Heritage New Zealand Pouhere Taonga will be considered an affected party to any such application made under this rule. <p>Note: This rule does not apply to the below ground components of wastewater disposal systems. However, provisions in Chapter 12.7 – Lakes Rivers Wetlands and the Coastline still apply to below ground components of wastewater treatment systems.</p> <p>Attention is also drawn to the TP58 On-site Wastewater Systems: Design and Management Manual and the</p>	<p>Does not comply</p>	<p>As above, part of the proposed wharenui will straddle the legal boundary between Waihaha 2C3A Block and Waihaha 2C1B Block. This is a technical infringement only, given that both parcels are owned by the same landowner. Nonetheless, a land use dispensation is sought rather than amalgamation of the parcels (which would equally address the issue).</p>

Regional Water and Soil Plan for Northland, as consent may be required.		
8.6.5.1.8 BUILDING HEIGHT The maximum height of any building shall be 12m.	Yes	Buildings are single story and comply with a factor of safety.
8.6.5.1.10 BUILDING COVERAGE Any new building or alteration/addition to an existing building is a permitted activity if the total Building Coverage of a site does not exceed 12.5% of the gross site area.	Does not comply	Building coverage is approximately 15.88% - refer development plans.
8.6.5.1.11 SCALE OF ACTIVITIES For activities other than those provided for in the exemptions below, the total number of people engaged at any one period of time in activities on a site, including employees and persons making use of any facilities, but excluding people who normally reside on the site or are members of the household shall not exceed i. For activities ancillary to farming or plantation forestry activities, 8 persons per site or 2 person per 1 hectare of net site area, whichever is the greater ii. For all other activities, 4 persons per site or 1 person per 1 hectare of net site area, whichever is the greater. Provided that: (a) this number may be exceeded for a period totalling not more than 60 days in any 12 month period where the increased number of persons is a direct result of activities ancillary to the primary activity on the site; or (b) this number may be exceeded where persons are engaged in constructing or establishing an activity (including environmental enhancement) on the site; or (c) this number may be exceeded where persons are visiting marae. In determining the total number of people engaged at any one period of time, the Council will consider the maximum capacity of the facility (for instance, the number of beds in visitors accommodation, the number of seats in a restaurant or theatre), the number of staff needed to cater for the maximum number of guests, and the number and nature of the vehicles that are to be accommodated on site to cater for those engaged in the activity. Exemptions: the foregoing limits shall not apply to farming and forestry or Temporary Military Training activities. All other activities shall comply with the requirements of s16 of the Act.	N/A	The scale of activity limitations do not apply to persons visiting a marae.
8.6.5.2.1 STORMWATER MANAGEMENT	Yes	Total site coverage by roof area is 937.19m ² , which is less than

<p>The maximum proportion of the gross site area covered by buildings and other impermeable surfaces shall be 20%.</p> <p>In considering an application under this provision the Council will restrict the exercise of its control to:</p> <ul style="list-style-type: none"> (a) the extent to which building site coverage and impermeable surfaces contribute to total catchment impermeability and the provisions of any catchment or drainage plan for that catchment; (b) the extent to which Low Impact Design principles have been used to reduce site impermeability; (c) any cumulative effects on total catchment impermeability; (c) the extent to which building site coverage and impermeable surfaces will alter the natural contour or drainage of the site or disturb the ground and alter its ability to absorb water; (e) the physical qualities of the soil type; (f) the availability of land for the disposal of effluent and stormwater on the site without adverse effects on the water quantity and water quality of water bodies (including groundwater and aquifers) or on adjacent sites; (g) the extent to which paved, impermeable surfaces are necessary for the proposed activity; (h) the extent to which landscaping and vegetation may reduce adverse effects of run-off; (i) the means and effectiveness of mitigating stormwater runoff to that expected by permitted activity threshold. 		<p>the 1,1180m² permitted by this rule, and equates to only 15.88%.</p> <p>The balance of the site for vehicle parking will be permeable.</p>
<p>8.6.5.2.2 PAPAKAINGA HOUSING</p> <p>Papakainga housing is a controlled activity in the Rural Production Zone provided that:</p> <ul style="list-style-type: none"> (a) it complies with all the standards for permitted activities in this zone and in Part 3 - District Wide Provisions, except for the standards for residential intensity; and (b) each residential unit has at least 3,000m² surrounding the unit for its exclusive use; <p>provided that the amount of land elsewhere on the site, in addition to the 3,000m² surrounding the unit, is not less than that required for the discretionary activity residential intensity standard (refer to Rule 8.6.5.4.1).</p> <p>In considering an application under this provision, the Council will restrict the exercise of its control to the following matters:</p> <ul style="list-style-type: none"> (i) the number and location of dwellings; (ii) the location and standard of access; (iii) screening and planting. 	<p>N/A</p>	<p>The proposal is not for papakainga housing.</p>

<p>8.6.5.4.2 INTEGRATED DEVELOPMENT</p> <p>Notwithstanding the rules in this zone relating to the management of the effects of activities, an application for integrated development of activities only on Maori freehold land and Maori customary land and Crown land reserved for Maori (as defined in Te Ture Whenua Act 1993) may be made where the proposed development does not comply with one or more of the rules.</p> <p>This rule applies to Maori customary land, Maori freehold land and Crown land reserved for Maori for activities including papakainga housing and marae and associated buildings.</p> <p>Integrated development plans will be considered in the context of other whanau and hapu lands in the vicinity, including an acknowledgement of areas of open space, reserve, natural vegetation and other amenities already provided by the land owning groups concerned.</p> <p>A management plan for integrated development under this rule shall include information on the following where relevant and necessary for a sufficient understanding of the proposal:</p> <ul style="list-style-type: none"> (a) a plan showing the location of the property (including property boundaries), topography, adjoining uses, location of the activities proposed in the application, existing vegetation (type and location), drainage patterns, existing and proposed access road/s, location of any outstanding landscapes or natural features, location of any covenanted or otherwise protected areas; (b) a description of the purpose of the application and the activities which are proposed; (c) a description of the degree (if any) to which the proposed development will exceed the standards set for permitted, controlled, restricted discretionary and discretionary activities in the zone; (d) details of the staging (if any) which is proposed; (e) a description of any heritage resources on the property; (f) other information which is relevant to any assessment of the effects of the application, is as follows: <ul style="list-style-type: none"> (i) details of provisions made for sewage and stormwater disposal and the proposals for avoiding, remedying or mitigating any adverse effects on receiving environments of stormwater flows; (ii) details of any earthworks; 	<p>N/A</p>	<p>The proposal is not for an integrated development.</p>
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<p>(iii) details of the geotechnical aspects of the property;</p> <p>(iv) details of any natural hazard areas and the measures which will be taken to avoid any adverse effects;</p> <p>(v) details of the measures (if any) to protect indigenous vegetation and habitats, outstanding landscapes and natural features, heritage resources and riparian margins;</p> <p>(vi) the extent to which areas of open space, reserves, natural vegetation and other amenities are already provided by the land owning group on other whanau and hapu lands in the vicinity.</p> <p>(g) The extent to which the application promotes energy efficiency and renewable energy development and use as provided for in Policy 13.4.15 through incorporating the following initiatives:</p> <p>(i) development of energy efficient buildings (e.g. by providing a north-facing site with the ability to place a building on an east/west axis);</p> <p>(ii) reduced travel distances and car usage by designing a layout with as many links to adjacent sites and surrounding roads as practicable;</p> <p>(iii) encouragement of pedestrian and cycle use by designing a layout that allows easy direct access to and from, shops, schools, work places, reserves and other amenities;</p> <p>(iv) access to alternative transport facilities;</p> <p>(v) domestic scale renewable energy and/or community renewable energy development;</p> <p>(vi) solar street lighting.</p> <p>In assessing an application under this rule the Council will have regard to the following matters:</p> <p>(i) the objectives and policies of the Plan;</p> <p>(ii) the degree to which the application exceeds the standards for the zone;</p> <p>(iii) the degree to which the potential effects of the application have been avoided, remedied or mitigated;</p> <p>(iv) any other matter which it determines to be relevant to the application.</p> <p>Note: Attention is drawn to Rule 13.9.2 Management Plans which provides for a once-off opportunity for integrated development which results in superior</p>		
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<p>outcomes to more traditional forms of use and development for land which is not either Maori freehold land, Maori customary land or Crown land reserved for Maori (as defined in Te Ture Whenua Act 1993).</p>		
12 NATURAL AND PHYSICAL RESOURCES		
<p>12.1.6.1.1 - PROTECTION OF OUTSTANDING LANDSCAPE FEATURES</p> <p>(a) no tree planting consisting of more than 50 trees of a single species shall occur on any site in an Outstanding Landscape Feature as listed in Appendix 1B in Part 4, and shown on the Resource Maps;</p> <p>(b) above ground utility services shall not be located on or within an Outstanding Landscape Feature as listed in Appendix 1B in Part 4, and shown on the Resource Maps;</p> <p>(c) excavation and/or filling shall not occur within an Outstanding Landscape Feature as listed in Appendix 1B in Part 4, and shown on the Resource Maps;</p> <p>(d) no vegetation clearance shall occur within an Outstanding Landscape Feature as listed in Appendix 1B in Part 4, and shown on the Resource Maps, except that the clearance of pest plants where the clearance does not involve disturbance of the ground surface, is permitted.</p> <p>Note: This rule prevails over the National Environmental Standards for Plantation Forestry pursuant to Regulation 6(2)(a).</p>	N/A	<p>No tree planting is proposed.</p> <p>There are no Outstanding Landscape Features relevant to the development area.</p>
<p>12.1.6.1.2 - INDIGENOUS VEGETATION CLEARANCE IN OUTSTANDING LANDSCAPES</p> <p>Notwithstanding any rule in the Plan to the contrary but subject to Rules 12.5.6.1.1, 12.5.6.1.3 and 12.5.6.2.2 in the Heritage section of this Plan, indigenous vegetation clearance is a permitted activity in an Outstanding Landscape, as shown on the Resource Maps, where the clearance is for any of the following purposes:</p> <p>(a) to provide for a building platform for a building (where a rule in the Plan provides for this as a permitted activity), and/or access and/or construction of a boundary fence so long as the area cleared for that purpose is no more than 1,000m² per site; or</p> <p>(b) clearance arising from plantation forestry or the cultivation or harvesting of a plantations or crops including:</p>	Yes	<p>The proposal does not involve the clearance of indigenous vegetation as the site is essentially grassed for pastoral purposes. Regardless, vegetation clearance (such as it is) would be well below 1,000m².</p>

<p>(i) vegetation that has grown under and/or may have overtopped the plantation species; or</p> <p>(ii) areas of failed planting within the plantation forest in areas that have been cleared and planted within the past 30 years; or</p> <p>(iii) incidental damage and disturbance to indigenous vegetation adjacent to the crop where forestry best practice is followed; or</p> <p>(iv) clearance within 20m of river associated with a river crossing that is provided for by a rule in the Regional Plan for Northland or by a resource consent granted by the Northland Regional Council, provided that the clearance is less than 500m² in any one instance;</p> <p>provided that no clearance is permitted of indigenous vegetation more than 10 years old to establish new exotic plantation forest;</p> <p>(c) to provide clearance for existing overhead power and telephone lines, provided that no more vegetation is cleared or trimmed than is necessary for the safe operation of the utility service; or</p> <p>(d) the removal of trees and other vegetation which, as a result of old age or a natural event such as a storm or erosion, are a risk to the safety of people or property; or</p> <p>(e) the maintenance of existing roads, and private accessways and walkways including for the purposes of visibility and road safety; or</p> <p>(f) the formation and maintenance of walking tracks less than 1.2m wide using manual methods which do not require the removal of any tree over 300mm in girth; or</p> <p>(g) the maintenance of existing open space within 20m of an existing building; or</p> <p>(h) the removal of dead trees, provided that no more vegetation is cleared or trimmed than is necessary for safe removal; or</p> <p>(i) the sustainable harvest of plant material for rongoa Maori (customary medicine); or</p> <p>(j) the maintenance of existing fence lines, provided that the clearance does not exceed 3.5m in width either side of the fence line; or</p> <p>(k) normal gardening activities which result from the maintenance of lawn and gardens; or</p>		
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<p>tracks, dams, fences and fence lines, land cultivation, clearing of drains and obtaining roading materials for use on the same production unit , are excluded from the definitions of excavation and filling (refer to Chapter 3 Definitions), and are therefore not subject to this rule.</p> <p>Note 4: Attention is also drawn to the provisions of any Regional Water and Soil Plan currently in force.</p> <p>Note 5: This rule prevails over the National Environmental Standards for Plantation Forestry pursuant to Regulation 6(2)(a).</p>	<p>Noted</p> <p>N/A</p>	
<p>12.1.6.1.5 - BUILDINGS WITHIN OUTSTANDING LANDSCAPES</p> <p>The following are permitted activities in an Outstanding Landscape, as shown on the Resource Maps:</p> <p>(a) where the zoning of the building platform is General Coastal any new building(s) not for human habitation provided that the gross floor area of any new building or buildings permitted under this rule, does not exceed 25m²; and;</p> <p>(b) where that building will be visible from a viewing point on a public road, public reserve, coastal marine area or the foreshore that is within 500m of that building, the exterior is coloured within the BS5252 standard colour palette range with a reflectance value of 30% or less or is constructed of natural materials which fall within this range; or</p> <p>(c) any alteration/addition to an existing building where:</p> <p>i. the alteration/addition does not exceed 25m² in area or does not exceed 20% of the gross floor area of the existing building which is being altered or added to, whichever is the lesser; and</p> <p>ii. the alteration/addition does not exceed the height of the existing building.</p> <p>(d) where the building site is not in the General Coastal Zone construction of one residential dwelling per site, provided that the building is not visible from a public viewing point on a public road, public reserve, or the foreshore that is within 2km of the site;</p> <p>(e) where the building site is not in the General Coastal Zone any new building, including relocated buildings, with a gross floor area of less than 25m².</p> <p>Note : Some cladding materials may fail when painted with colours of reflectance value of 40% or less. Please check to ensure that the types of cladding used are suitable for using paints to comply with the above standards.</p>	<p>N/A</p> <p>Does not comply</p>	<p>No residential building proposed.</p> <p>The site is not in the General Coastal Zone and therefore any new buildings in excess of 25m² trigger the need for a resource consent. In this instance, approximately 164.29m² of the future whare kai will be located within the Outstanding Landscape Overlay, equating to approximately 224.51 m² roof area.</p>
<p>12.1.6.2.1 - BUILDINGS WITHIN OUTSTANDING LANDSCAPES</p>	<p>Noted</p>	<p>As above, more than 25m² of the whare kai will be located within</p>

<p>The following are restricted discretionary activities in an Outstanding Landscape, as shown on the Resource Maps:</p> <ul style="list-style-type: none"> (a) any new building, including relocated buildings, exceeding a gross floor area of 25m²; or (b) any alteration/addition to an existing building which does not exceed 40% of the gross floor area of the building which is being altered or added to, provided that any alteration/addition does not exceed the height of the existing building. 		<p>the Outstanding Landscape Area and this triggers the need for a Restricted Discretionary Consent.</p>
<p>12.1.6.3.2 - BUILDINGS WITHIN OUTSTANDING LANDSCAPE FEATURES</p> <p>Any new building, or any alteration or extension to an existing building, in an Outstanding Landscape Feature, as listed in Appendix 1B and shown on the Resource Maps is a discretionary activity.</p>	<p>N/A</p>	<p>The proposal does not affect an Outstanding Landscape Feature.</p>
<p>12.3.6.2.1 EXCAVATION AND/OR FILLING, EXCLUDING MINING AND QUARRYING, IN THE RURAL LIVING, COASTAL LIVING, SOUTH KERIKERI INLET, GENERAL COASTAL, RECREATIONAL ACTIVITIES, CONSERVATION, WAIMATE NORTH AND POINT VERONICA ZONES</p> <p>Excavation and/or filling, excluding mining and quarrying, on any site in the Rural Living, Coastal Living, South Kerikeri Inlet Zone, General Coastal, Recreational Activities, Conservation, Waimate North and Point Veronica Zones is a restricted discretionary activity, provided that:</p> <ul style="list-style-type: none"> (a) it does not exceed 2,000m³ in any 12 month period per site; and (b) it does not involve a cut or filled face exceeding 1.5m in height i.e. the maximum permitted cut and fill height may be 3m. <p>Note 1: When undertaking any excavation (including cellar construction), or filling, compliance with Council's earthworks bylaw (Bylaw 22) is required.</p>	<p>N/A</p>	<p>Not located within a Rural Living Zone.</p>
<p>12.7.6.1.4 LAND USE ACTIVITIES INVOLVING DISCHARGES OF HUMAN SEWAGE EFFLUENT</p> <p>Land use activities which produce human sewage effluent (including grey water) are permitted provided that:</p> <ul style="list-style-type: none"> (a) the effluent discharges to a lawfully established reticulated sewerage system; or (b) the effluent is treated and disposed of on-site such that each site has its own treatment and disposal system no part of which shall be located closer than 30m from the boundary of any river, lake, wetland or the boundary of the coastal marine area. Note: The discharge may also require consent under the Regional Water and Soil Plan. 	<p>Yes</p>	<p>Sewage treatment and disposal will be by way of septic tank and effluent field. This will be designed to comply with required separation distances.</p>

15 TRANSPORTATION 15.1 TRAFFIC, PARKING AND ACCESS 15.1.6 RULES		
15.1.6A TRAFFIC Table 15.1.6A.1 MAXIMUM DAILY ONE WAY TRAFFIC MOVEMENTS Rural Production Zone Permitted – 60 movements Controlled – No standard Restricted Discretionary – 61-200 movements	Noted	
15.1.6A.2 PERMITTED ACTIVITIES An activity is a permitted activity if: (a) it complies with the standards set out in Rule 15.1.6A.2.1; and (b) it complies with the relevant standards for permitted activities in the particular zone in which it is located set out in Part 2 of the Plan – Environment Provisions; and (c) it complies with all other relevant standards for permitted activities set out in Part 3 of the Plan - District Wide Provisions.	Does not comply	The proposed development will cater for a maximum of 200 persons on a bi-annual basis, but typically significantly less. This is conservatively assessed as having the potential to generate between 61 and 200 movements up to twice per year.
15.1.6A.2.1 TRAFFIC INTENSITY The Traffic Intensity threshold value for a site shall be determined for each zone by Table 15.1.6A.1 above. The Traffic Intensity Factor for a proposed activity (subject to the exemptions identified below) shall be determined by reference to Appendix 3A in Part 4. This rule only applies when establishing a new activity or changing an activity on a site. However, when considering a new activity or changing an activity, the Traffic Intensity Factor for the existing uses (apart from those exempted above) on site need to be taken into account in order to address cumulative effects.	Noted	At maximum bi-annual capacity catering for up to 200 people, the facility will have a traffic intensity value of approximately 400.
15.1.6A.4 RESTRICTED DISCRETIONARY ACTIVITIES An activity is a restricted discretionary activity in any zone if:	Consent required	Refer above.

<p>(a) it does not comply with the applicable permitted or controlled activity traffic intensity threshold value set out in Rules 15.1.6A.2.1 Traffic Intensity or 15.1.6A.3.1 Traffic Intensity but</p> <p>(b) it complies with Rule 15.1.6A.4.1 Traffic Intensity below; and</p> <p>(c) it complies with the relevant standards for permitted, controlled or restricted discretionary activities in the particular zone in which it is located set out in Part 2 of the Plan - Environment Provisions; and</p> <p>(d) it complies with all other relevant standards for permitted, controlled or restricted discretionary activities set out in Part 3 of the Plan - District Wide Provisions.</p>		
<p>15.1.6A.4.1 TRAFFIC INTENSITY</p> <p>The Traffic Intensity threshold value for a site shall be determined for each zone by Table 15.1.6A.1 above. The Traffic Intensity Factor for a proposed activity (subject to the exemptions identified below) shall be determined by reference to Appendix 3A in Part 4.</p> <p>This rule only applies when establishing a new activity or changing an activity on a site.</p> <p>However, when considering a new activity or changing an activity, the Traffic Intensity Factor for the existing uses (apart from those exempted below) on site need to be taken into account in order to address cumulative effects.</p>	Noted	
<p>15.1.6B 15.1.6B.1 PARKING PERMITTED ACTIVITIES</p> <p>An activity is a permitted activity if:</p> <p>(a) it complies with the standards set out in Rules 15.1.6B.1.1 to 15.1.6B.1.6; and</p> <p>(b) it complies with the relevant standards for permitted activities in the particular zone in which it is located set out in Part 2 of the Plan – Environment Provisions; and</p> <p>(c) it complies with all other relevant standards for permitted activities set out in Part 3 of the Plan - District Wide Provisions.</p> <p>15.1.6B.1.1 ON-SITE CAR PARKING SPACES</p> <p>Where:</p> <p>(i) an activity establishes;</p> <p>(ii) or the nature of an activity changes;</p>	Yes	Designed to comply - the site has capacity to accommodate a compliant level of parking.

<p>(ii) or buildings are altered to increase the number of persons provided for on the site; the minimum number of on-site car parking spaces to be provided for the users of an activity shall be determined by reference to Appendix 3C, unless an activity complies with the exemptions below.</p> <p>Note: Accessible car parking spaces are required for people with disabilities in accordance with Rule 15.1.6B.1.4 below.</p> <p>APPENDIX 3C: PARKING SPACES REQUIRED</p> <p>LAND USE ACTIVITY CAR PARKING SPACES REQUIRED</p> <p>Places of Assembly 1 per every 5 persons facility is designed for</p> <p>Other Buildings used for Social, Cultural or Recreational purposes (including Grandstands) 1 per every 4 persons facility is designed for</p>	<p>Yes</p>	<p>The maximum number of occupants will be 200 persons, which equates to the need for 40 car parks. A compliant level of parking can be accommodated on site.</p>
<p>15.1.6B.1.4 ACCESSIBLE CAR PARKING SPACES</p> <p>Where onsite parking is provided or is to be provided for all buildings and activities in accordance with Rule 15.1.6B.1.1, except dwellings, car parking spaces for those with disabilities will be provided as follows:</p> <p>(a) Accessible car parking spaces shall be provided at the following ratio:</p> <p>Number of General Car Parking Spaces Provided Number of Accessible Car Parking Spaces Required</p> <p>20 or less car parking spaces provided One accessible car parking space 21 – 50 car parking spaces provided Every additional 50 car parking spaces where more than 50 spaces are provided Two accessible car parking spaces One additional accessible car parking space</p> <p>(b) Accessible car parking spaces shall connect to an accessible route at the closest building entrance.</p> <p>(c) Accessible car parking spaces shall have clear ground marking in accordance with the international symbol of access.</p> <p>(d) All accessible car parking spaces must have a minimum width of 3.5m and a minimum depth of 5m,</p> <p>Note: The Building Code may require car parking spaces for people with disabilities. The size and location requirements for these spaces may be found in the Building Code or NZS</p>	<p>Yes</p>	<p>A compliant level of accessible parks can be accommodated on site.</p>

4121. Note: The number of car parking spaces required in (a) above are in accordance with NZS 4121.		
<p>15.1.6B.1.5 CAR PARKING SPACE STANDARDS</p> <p>(a) The required size of off-street car parking spaces, the manoeuvring space between, and the vehicle circulation routes providing access to them, shall be as set out in Appendix 3D.</p> <p>(b) Stacked parking will be permitted for one of two spaces associated with a specific residential unit. In determining the extent of area required for manoeuvring space, the Council will be guided by the Tracking Curve diagrams as shown in Appendix 3E.</p> <p>(c) All parking, loading, access drives and manoeuvring areas shall be formed and provided with an all-weather surface, drained, marked out and maintained to the satisfaction of the Council, and shall be kept free and available for the uses intended. Where a parking area provides four or more car parking spaces is adjacent to a road, a kerb or a barrier shall be provided to prevent direct access except at the designated vehicle access point.</p>	Yes	The proposal does not include sealed and marked out parking areas, but this is a long-established situation for rural marae and the proposal will not change or increase the associated effects.
<p>15.1.6B.2 RESTRICTED DISCRETIONARY ACTIVITIES An activity is a restricted discretionary activity if:</p> <p>(a) it does not comply with Rule 15.1.6B.1.1 Onsite Car Parking Spaces above; but</p> <p>(b) it complies with all other standards for permitted activities in 15.1.6B.1 above; and</p> <p>(c) it complies with Rules 15.1.6B.2.1 Cycling Facilities or 15.1.6B.2.2 Green Space below; and</p> <p>(d) it complies with the relevant standards for permitted, controlled or restricted discretionary activities in the particular zone in which it is located set out in Part 2 of the Plan - Environment Provisions; and</p> <p>(e) it complies with all other relevant standards for permitted, controlled or restricted discretionary activities set out in Part 3 of the Plan - District Wide Provisions.</p>	N/A	Rules 15.1.6B.2.1 Cycling Facilities or 15.1.6B.2.2 Green Space are not relevant
<p>15.1.6C.1.7 GENERAL ACCESS STANDARDS</p> <p>(a) Provision shall be made such that there is no need for vehicles to reverse off a site except where there are less than 4 parking spaces gaining access from a local road.</p>	Yes	Sufficient space is available on site to avoid the need for reverse manoeuvring.

<p>(b) All bends and corners on the private accessway are to be constructed to allow for the passage of a Heavy Rigid Vehicle.</p> <p>(c) Any access where legal width exceeds formation requirements shall have surplus areas (where legal width is wider than the formation) grassed.</p> <p>(d) Runoff from impermeable surfaces shall, wherever practicable, be directed to grass swales and/or shall be managed in such a way as will reduce the volume and rate of stormwater runoff and contaminant loads.</p>		
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APPENDIX D

DISTRICT PLAN OBJECTIVES AND POLICIES ASSESMENT

OBJECTIVES AND POLICIES – OPERATIVE DISTRICT PLAN

The following Objectives and Policies are considered relevant:

2.7 Tangata whenua Objectives

- 2.7.1 *Through the provisions of the Resource Management Act, to give effect to the rights guaranteed to Maori by Te Tiriti O Waitangi (Treaty of Waitangi).*
- 2.7.2 *To enable Maori to develop and manage their land in a manner which is consistent with sustainable management of the natural and physical resources of the District as a whole.*
- 2.7.3 *To recognise and provide for the protection of waahi tapu and other ancestral sites and the mauri (life force) of natural and physical resources.*

2.8 Tangata whenua Policies

- 2.8.4 *That development on ancestral land will be provided for, consistent with the requirement for sustainable management of resources.*

Commentary:

The proposal strongly supports Objectives 2.7.1 to 2.7.3 and its associated policies. It does so by giving practical effect to Te Tiriti, enabling Māori-led use of ancestral land, protection of cultural and environmental values, and aligning development with sustainable land management practices. These policy provisions are designed to *enable* marae development, and the proposal fits squarely within that intent.

8.3 and 8.6.3 – Rural Environment Objectives

- 8.3.1 *To promote the sustainable management of natural and physical resources of the rural environment.*
- 8.3.2 *To ensure that the life supporting capacity of soils is not compromised by inappropriate subdivision, use or development.*
- 8.3.5 *To protect outstanding natural features and landscapes.*
- 8.6.3.2 *To enable the efficient use and development of the Rural Production Zone in a way that enables people and communities to provide for their social, economic, and cultural well being and for their health and safety.*

8.4 Rural Environment Policies

- 8.4.4 *That development which will maintain or enhance the amenity value of the rural environment and outstanding natural features and outstanding landscapes be enabled to locate in the rural environment.*
- 8.4.5 *That plan provisions encourage the avoidance of adverse effects from incompatible land uses, particularly new developments adversely affecting existing land-uses (including by constraining the existing land-uses on account of sensitivity by the new use to adverse affects from the existing use – i.e. reverse sensitivity).*

Commentary:

The proposed marae development supports the concept of sustainable management by using land for cultural, social, and community purposes rather than intensive or high-impact activities, and by incorporating appropriate wastewater, stormwater, and access design to avoid environmental

degradation. It also enhances the concept of kaitiakitanga, which aligns with the RMA definition of sustainable management.

With respect to protecting the life-supporting capacity of soils, the proposal supports this by using only the land area necessary for buildings and parking, leaving surrounding soils undisturbed and available for rural or ecological functions. It also avoids activities that degrade soils (e.g., earthworks beyond what is necessary, industrial uses).

With respect to the protection of outstanding landscapes, the proposal supports that strategic intent by minimising the extent to which buildings are located within those sensitive overlays and by using low-profile, culturally appropriate architecture and landscaping that maintains rural character, as well as by avoiding vegetation clearance or earthworks that would adversely affect the values of those outstanding natural features.

The marae development specifically supports Objective 8.6.3.2 and its associated policies by providing a traditional community hub that supports cultural identity, education, health initiatives, and social cohesion. It also supports the efficient use of rural land by co-locating multiple community functions in one place, which is the norm for a marae.

15.1.3 – Transportation Objectives

15.1.3.1 To minimise the adverse effects of traffic on the natural and physical environment.

15.1.3.3 To ensure that appropriate provision is made for on-site car parking for all activities, while considering safe cycling and pedestrian access and use of the site.

15.1.4 Transportation Policies

15.1.4.1 That the traffic effects of activities be evaluated in making decisions on resource consent applications.

15.1.4.2 That the need to protect features of the natural and built environment be recognised in the provision of parking spaces.

15.1.4.3 That parking spaces be provided at a location and scale which enables the efficient use of parking spaces and handling of traffic generation by the adjacent roading network.

Commentary:

The plans show a compact development footprint, with total roof coverage of only 15.88% of the site. This reduces the extent of sealed or modified surfaces and therefore limits traffic-related environmental effects such as runoff, dust, and erosion. As the site is not over-intensified, it means that traffic volumes will remain low and manageable. Importantly, the marae is located on ancestral land already used for meeting purposes, so no new access roads or major earthworks are required to support the land use. Vehicle movements are intermittent and event-based, not daily high-volume traffic, and the layout allows vehicles to enter and exit safely without disturbing surrounding natural features.

The proposal provides more than enough space for compliant on-site parking and safe pedestrian/cyclist access, consistent with the strategic intent of the ODP.

OBJECTIVES AND POLICIES – PROPOSED DISTRICT PLAN

Tangata whenua Objectives

TW-O1 Tangata whenua and Council have a strong, high trust and enduring partnership based on the principles of Te Tiriti o Waitangi / The Treaty of Waitangi.

TW-O2 Tangata whenua are provided with opportunities to actively participate as kaitiaki in resource management processes.

TW-O3 Historic heritage, which includes sites and areas of significance to Māori and cultural resources, is managed to ensure its long-term protection for future generations.

TW-O4 Tangata whenua maintain mana whenua in their rohe through strong and enduring relationships with their culture and traditions, ancestral lands, water, sites, wāhi tapu, and other taonga.

TW-O5 The economic, social and cultural well-being of tangata whenua is enhanced through the development of Māori land administered under Te Ture Whenua Māori Act 1993 and land returned in the Treaty

Tangata whenua Policies

Policy TW-P2 Ensure that tangata whenua are provided with opportunities to actively participate in resource management processes which involve ancestral lands, water, sites, wāhi tapu and other taonga, including through:

- a recognition of the holistic nature of the Māori worldview;*
- b the exercise of kaitiakitanga;*
- c the acknowledgement of matauranga Māori;*
- d regard to Iwi/Hapū environmental management plans; and*
- e any other agreements.*

Policy TW-P3 Protect the values of Māori historic heritage, cultural resources, wāhi tapu and other taonga by:

- a collaborating with Iwi and Hapū to identify significant sites and cultural resources;*
- b scheduling significant sites and areas of significance to Māori; and*
- c recognising that sites and areas of significance to Māori are often associated with a wider cultural landscape which holds significance to tangata whenua.*

Policy TW-P6 Consider the following when assessing applications for land use and subdivision that may result in adverse effects on the relationship of tangata whenua with their ancestral lands, water, sites, wāhi tapu and other taonga:

- a. any consultation undertaken with Iwi, Hapū or marae with an association to the site or area;*
- b. any Iwi/Hapū environmental management plans lodged with Council;*
- c. any identified sites and areas of significance to Māori;*
- d. whether a cultural impact assessment has been undertaken by a suitably qualified person who is acknowledged/endorsed by the Iwi, Hapū or relevant marae, and any recommended conditions and/or monitoring to achieve desired outcomes;*
- e. any protection, preservation or enhancement proposed;*
- f. any relevant treaty settlement legislation;*

- g. any relevant statutory acknowledgement area identified in APP2- Statutory acknowledgement areas;*
- h. Te Rautaki o Te Oneroa-a-Tōhe/Te Oneroa-a-Tōhe (Ninety Mile Beach) Management Plan; and*
- i. any relevant relationship agreements or arrangement between Council and any Iwi Authority or Hapū.*

Commentary:

The marae development strongly supports all the above-listed tangata whenua objectives and policies because it is an expression of mana whenua exercising rangatiratanga over their ancestral land, while ensuring cultural, environmental and heritage values are protected for future generations.

By being a Māori-led project on whenua administered under Te Ture Whenua Māori Act, the proposal strengthens the partnership intent of Te Tiriti, provides a practical platform for kaitiakitanga and participation in resource management, and protects cultural landscapes, wāhi tapu and ancestral connections through sensitive site design and continued marae use.

The development enhances the social, cultural and economic wellbeing of tangata whenua by revitalising a key community hub and enabling sustainable use of Māori land. It also aligns with the policies by ensuring tangata whenua are central to decision-making, recognising the wider cultural landscape and protecting Māori heritage values, and addressing the considerations in TW-P6 through consultation, cultural oversight, and design that preserves and enhances ancestral relationships with the land and its taonga.

Transport Objectives

- TRAN-02 The transport network is designed and located to minimise adverse effects on historical, cultural and natural values.*
- TRAN-04 Parking, loading and access provisions support the needs of land use and subdivision activities, and ensure safe and efficient operation for users.*

Transport Policies

- TRAN-P4 Manage the design, location and supply of parking to:

 - a. achieve the safe, efficient and effective operation of the transport network;*
 - b. support the operational and functional requirements of activities;*
 - c. appropriately manage character and amenity effects on the local environment, including on the streetscape;*
 - d. minimise the impact of large parking areas on the stormwater network by encouraging low impact design;*
 - e. provide sufficient parking for persons with a disability or limited mobility; and*
 - f. comply with any relevant Parking Management Plans.**
- TRAN-P6 Provide flexibility for a reduction in on-site parking where it can be demonstrated that:*

- a. *there are no adverse effects on public parking or the transport network; or*
- b. *there is a lower parking demand; or*
- c. *alternative modes of transport are provided for, if appropriate; or*
- d. *the reduction will protect cultural or heritage values.*

Commentary:

The marae proposal aligns well with TRAN-P4 and TRAN-P6 because its parking approach reflects the practical realities of marae operations while still supporting safe and efficient transport outcomes. As shown in the site layout, the development provides generous open areas for informal parking, ensuring safe vehicle circulation and avoiding pressure on the wider transport network, while the low-intensity, event-based nature of marae activity means parking demand is intermittent and manageable. The rural setting allows parking to be located away from sensitive features, maintaining amenity and character, and the largely unsealed or low-impact parking areas help minimise stormwater effects. The design also allows for accessible parking close to key buildings, supporting mobility needs. Because marae typically generate lower daily parking demand and rely on flexible, culturally appropriate parking arrangements, the proposal fits the intent of TRAN-P6 by demonstrating that reduced formal parking will not create adverse effects, will not burden public parking, and in fact helps protect cultural values by avoiding unnecessary hardstand areas on ancestral land.

Māori Purpose Zone Objectives

- MPZ-02 The Māori Purpose zone enables a range of social, cultural and economic development opportunities that support the occupation, use, development and ongoing relationship with ancestral land.*
- MPZ-03 Use and development in the Māori Purpose zone reflects the sustainable carrying capacity of the land and surrounding environment.*

Māori Purpose Zone Policies

- MPZ-P2 Enable a range of activities on Māori land in the Māori Purpose zone including marae, papakāinga, customary use, cultural and small-scale commercial activities where the adverse effects can be avoided, remedied or mitigated.*
- MPZ-P3 Provide for development on Māori land where it is demonstrated:*
- a. *it is compatible with surrounding activities;*
 - b. *it will not compromise occupation, development and use of Māori land;*
 - c. *it will not compromise use of adjacent land or other zones to be efficiently and effectively used for their intended purpose;*
 - d. *it maintains character and amenity of surrounding area;*
 - e. *it provides for community wellbeing, health and safety;*
 - f. *it can be serviced by onsite infrastructure or reticulated infrastructure where this is available; and*
 - g. *that any adverse effects can be avoided, remedied or mitigated.*

Commentary:

The proposal aligns strongly with the Māori Purpose Zone objectives and policies because it enables culturally grounded social, cultural and economic activities on ancestral Māori land while ensuring development remains compatible with the land's sustainable capacity and rural surroundings.

As a marae-based project, it directly supports MPZ-O2 by strengthening occupation, use and ongoing relationships with whenua, and it reflects MPZ-O3 through its modest building footprint, low-impact infrastructure and sensitivity to the surrounding environment.

The proposal fits MPZ-P2 by enabling marae functions and associated activities while ensuring any effects can be avoided or mitigated, and it meets MPZ-P3 because the development is compatible with neighbouring rural uses, does not constrain adjacent land, maintains rural character and amenity, enhances community wellbeing, and can be serviced on-site. Overall, the proposal demonstrates an appropriate, sustainable and culturally aligned use of Māori land consistent with the purpose and intent of the Māori Purpose Zone.