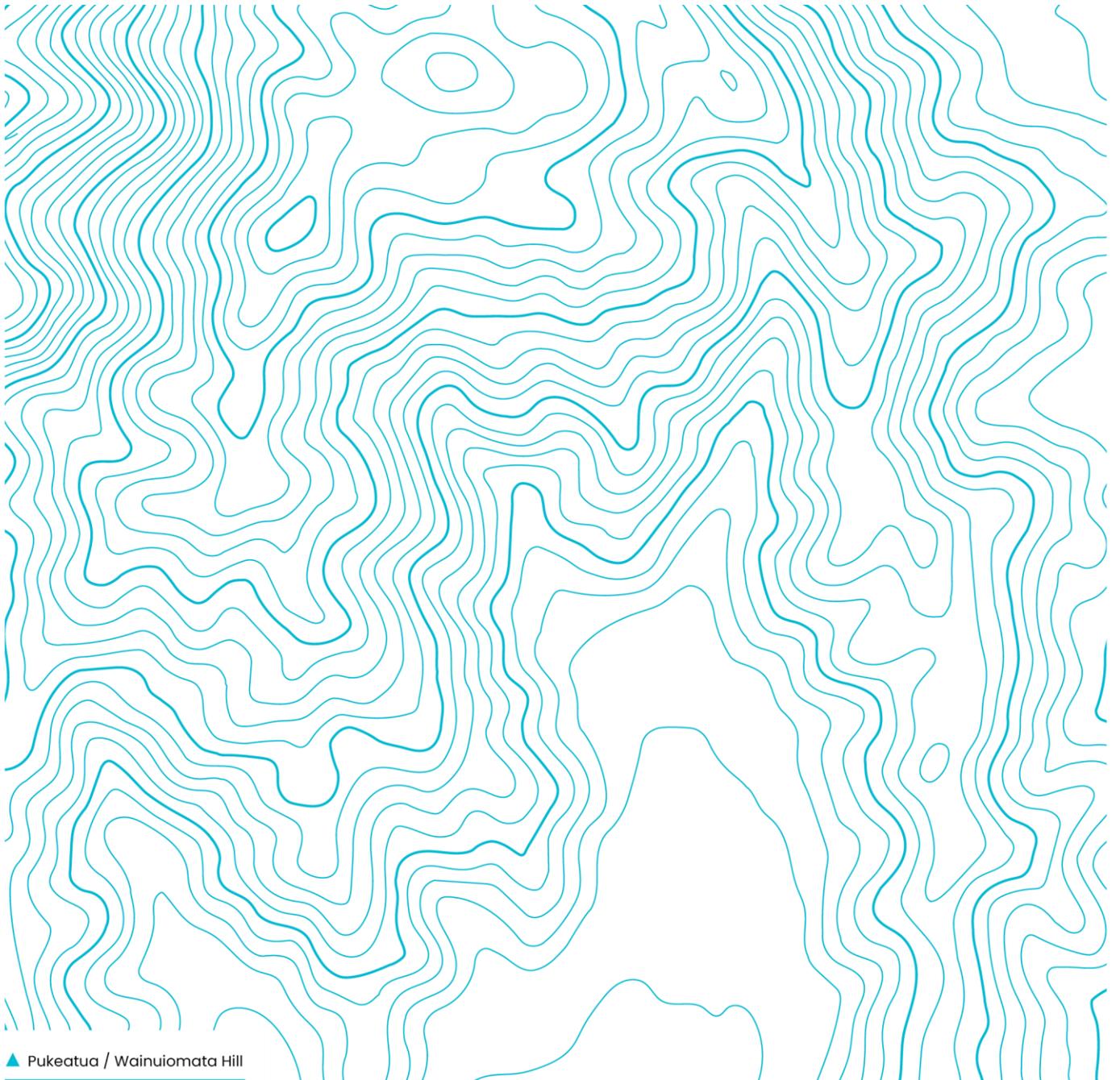


# Section 32 Evaluation MARAE ZONE



# 1 Contents

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1	Contents.....	2
2	Overview and Purpose.....	4
3	Statutory and Policy Context.....	6
3.1	Resource Management Act 1991.....	6
3.1.1	Section 5 – Purpose and Principles.....	6
3.1.2	Section 6 – Matters of National Importance.....	6
3.1.3	Section 7 – Other Matters.....	7
3.1.4	Section 8 – Treaty of Waitangi.....	8
3.2	National Policy Statements.....	8
3.3	New Zealand Coastal Policy Statement.....	9
3.4	National Environmental Standards.....	11
3.5	National Planning Standards.....	12
3.6	Regional Policy Statement for the Wellington Region.....	13
3.6.1	Proposed RPS Change 1.....	14
3.7	Natural Resources Plan for the Wellington Region.....	15
3.8	Iwi Management Plans.....	15
3.9	Hutt City Council Plans, Policies, and Strategies.....	16
3.10	District plans of Adjacent Territorial Authorities.....	17
3.11	Other statutory and non-statutory plans, policies, strategies and guidance.....	18
3.12	Other legislation or regulations.....	19
4	Resource Management Issues.....	20
4.1	Background.....	20
4.2	Evidence Base.....	20
4.2.1	Existing Approach of City of Lower Hutt District Plan.....	20

4.2.2	Analysis of other District Plans .....	23
4.2.3	Advice from Mana Whenua.....	27
4.2.4	Stakeholder and Community Engagement.....	28
4.2.5	Technical Information and Advice .....	28
4.3	Summary of Issues Analysis.....	28
5	Scale and Significance Assessment .....	29
5.1	Evaluation of Scale and Significance .....	29
6	Proposed District Plan objectives and provisions.....	31
6.1	National Planning Standards Zoning .....	31
6.2	Application of the zone .....	31
6.3	Overview of proposed objectives, policies and rules .....	31
6.3.1	Objectives.....	31
6.3.2	Policies.....	32
6.3.3	Rules .....	33
6.3.4	Standards.....	34
6.3.5	Definitions.....	34
7	Evaluation of objectives .....	36
7.1	Evaluation of objective MAZ-O1.....	36
7.2	Evaluation of objective MAZ-O2.....	37
7.3	Evaluation of objective MAZ-O3.....	37
7.4	Evaluation of objective MAZ-O4.....	38
7.5	Summary of evaluation of objectives .....	39
8	Evaluation of Policies and Rules .....	40
7.6	Evaluation of policies and rules for the Marae Zone.....	42
8	Summary.....	47

## 2 Overview and Purpose

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- (1) Hutt City Council is reviewing the City of Lower Hutt District Plan. This is a full review of the District Plan, including the approach to zoning marae in the district, which are proposed to be included as a special purpose zone, the Marae Zone.
- (2) This report is a record of the review with regard to the Marae Zone, and includes an evaluation of objectives and provisions for the proposed District Plan in accordance with the requirements of section 32 of the Resource Management Act 1991 (RMA).
- (3) This report sits as one of a package of reports for the proposed District Plan and should be read alongside the General report for matters common to all Plan topics.

### **Marae of Lower Hutt**

- (4) There are seven existing marae within the district that are located within established residential and industrial areas:
  - Waiwhetū Marae (Puketapu Grove, Waiwhetū)
  - Te Tatau O Te Pō Marae (437 Hutt Road, Alicetown)
  - Kōraunui Marae (146 Stokes Valley Road, Stokes Valley)
  - Te Kākano o Te Aroha Marae (136 Randwick Road, Moera)
  - Te Mangungu Marae (77 Rata Street, Naenae)
  - Wainuiomata Marae (Parkway, Wainuiomata)
  - Kōkiri Marae (7-9 Barnes Street, Seaview)
- (5) Marae are used for a range of community, residential and commercial activities, therefore flexibility in the use of the marae is necessary to sustain and provide for these activities. The marae are currently zoned Community Iwi Activity Area in the operative District Plan.
- (6) The change from the Community Iwi Activity Area to the proposed Marae Zone is to align the chapter with the National Planning Standards, streamline and rationalise objectives and policies, and provide for a range of activities that specifically meet Māori cultural needs including social, cultural and economic development.

- (7) This report corresponds to the scale and significance of the proposed changes, noting that marae are very important places for Māori and the community, and while the proposed changes to the provisions are limited in scale, they are effective and enabling for tangata whenua to use and develop marae.
- (8) The evaluation in this s32 report demonstrates that the proposed provisions are the most appropriate option as:
- The objectives and policies provide direction and certainty to plan users on the outcomes expected for the Marae zone
  - The provisions provide for the efficient and effective use and development of marae to create a well-functioning urban environment, while enabling Māori communities to provide for their social, economic, and cultural needs.
  - Rules provide certainty to the community about the type and scale of activities that can occur as permitted activities and requiring certain standards to be met
  - Activities requiring resource consent are limited to those that breach the Permitted standards and/or have potential for adverse effects on the environment, which enables a case-by-case assessment.
  - The proposed objectives, policies and rules seek to achieve the strategic direction objectives of the Proposed District Plan.
  - The objective and policies give effect to the National Planning Standards and higher order direction including the Regional Policy Statement and Regional Plan, and achieve the purpose of the RMA.

## 3 Statutory and Policy Context

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- (9) The following sections discuss the national, regional, and local policy framework that are particularly relevant to the statutory and policy context for the Marae Zone for the District Plan Review.

### 3.1 Resource Management Act 1991

#### 3.1.1 Section 5 – Purpose and Principles

- (10) The purpose of the RMA is set out in Section 5. The purpose is to promote the sustainable management of natural and physical resources.
- (11) Under s5(2) of the Act, sustainable management means:

*managing the use, development, and protection of natural and physical 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 while—*

- (a) *sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) *safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- (c) *avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

#### 3.1.2 Section 6 – Matters of National Importance

- (12) Section 6 of the RMA sets out matters of national importance that all persons exercising functions and powers under the Act shall *recognise and provide for* in achieving the purpose of the RMA. The relevant s6 matters for the Marae Zone are:

Section	Relevant Matter
Section 6(e)	<p><i>“the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga”</i></p> <p>The overall purpose of the Marae Zone is to enable Māori to exercise their culture and traditions.</p> <p>Sites and areas of significance to Māori are managed by the provisions of the Sites and Areas of Significance to Māori chapter.</p>

### 3.1.3 Section 7 – Other Matters

- (13) Section 7 of the RMA sets out other matters that all persons exercising functions and powers under it shall *have particular regard to* in achieving the purpose of the RMA. The relevant s7 matters for the Marae Zone are:

Section	Relevant Matter
Section 7(a)	<p><i>“kaitiakitanga”</i></p> <p>The Marae Zone enables tangata whenua<sup>1</sup> to exercise kaitiakitanga over their natural and physical resources through the use and development of Marae in the district.</p>
Section 7(aa)	<p><i>“The ethic of stewardship”</i></p> <p>The Marae Zone ensures that marae are maintained through effective stewardship with tikanga Māori values by those responsible for managing them.</p>
Section 7(b)	<p><i>“the efficient use and development of natural and physical resources”</i></p> <p>Marae are an important physical resource for the community, that provide a space that caters for a range of activities.</p>

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<sup>1</sup> All references to *tangata whenua* throughout this report are references to the term as defined in section 2 of the RMA. This defines the term *tangata whenua* as: “in relation to a particular area, means the iwi, or hapu, that holds mana whenua over that area”.

Section 7(c)	<p><i>"the maintenance and enhancement of amenity values"</i></p> <p>The Marae Zone needs to recognise and provide for the surrounding amenity values within which the marae are located. In addition, facilities and services provided for by marae can make a positive contribution to amenity values.</p>
Section 7(f)	<p><i>"maintenance and enhancement of the quality of the environment"</i></p> <p>The Marae Zone needs to maintain and enhance the quality of the environment within which the marae are located.</p>

### 3.1.4 Section 8 – Treaty of Waitangi

- (14) Section 8 of the RMA requires Council to *take into account* the principles of the Treaty of Waitangi when exercising functions and powers under the Act.
- (15) The relevant principles of the Treaty of Waitangi for the Marae Zone are:

Principle	Comment
Partnership	<p>Consultation has been undertaken with marae leaders as part of the District Plan review. This includes consultation on provisions related to marae. Refer to the Overview Section 32 Evaluation Report for a summary of consultation undertaken as part of the preparation of the proposed District Plan.</p>
Rangatiratanga	<p>Rangatiratanga refers to the right of tangata whenua to manage their resources in accordance with tikanga Māori.</p> <p>Marae are specifically provided for in the Marae Zone as part of supporting the exercise of tikanga Māori.</p>

## 3.2 National Policy Statements

- (16) Section 75(3)(a) of the RMA requires district plans to give effect to any national policy statement.

(17) There are no national policy statements that are specifically relevant for the Marae Zone.

### 3.3 New Zealand Coastal Policy Statement

(18) Section 75(3)(b) of the RMA requires district plans to give effect to any national policy statement.

(19) The New Zealand Coastal Policy Statement 2010 (NZCPS) sets out the objectives and policies in order to achieve the purpose of the RMA in relation to the coastal environment.

(20) The Kōkiri Marae (7-9 Barnes Street, Seaview) is located in the coastal environment. The following objectives and policies are relevant for this marae:

Reference	Provision and comment
Objective 3	<p><i>To take account of the principles of the Treaty of Waitangi, recognise the role of tangata whenua as kaitiaki and provide for tangata whenua involvement in management of the coastal environment by:</i></p> <ul style="list-style-type: none"> <li>• <i>recognising the ongoing and enduring relationship of tangata whenua over their lands, rohe and resources;</i></li> <li>• <i>promoting meaningful relationships and interactions between tangata whenua and persons exercising functions and powers under the Act;</i></li> <li>• <i>incorporating mātauranga Māori into sustainable management practices; and</i></li> <li>• <i>recognising and protecting characteristics of the coastal environment that are of special value to tangata whenua.</i></li> </ul> <p>As outlined in section 3.1, the Marae Zone must take into account the principles of the Treaty of Waitangi, including tangata whenua’s role as kaitiaki.</p>
Objective 6	<p><i>To enable people and communities to provide for their social, economic, and cultural wellbeing and their health</i></p>

	<p><i>and safety, through subdivision, use, and development, recognising that:</i></p> <p>...</p> <ul style="list-style-type: none"> <li>• <i>some uses and developments which depend upon the use of natural and physical resources in the coastal environment are important to the social, economic and cultural wellbeing of people and communities;</i></li> </ul> <p>The Kōkiri Marae is an existing established marae in the coastal environment, which is important people and the communities social and cultural wellbeing.</p>
<p>Policy 2</p>	<p><i>In taking account of the principles of the Treaty of Waitangi (Te Tiriti o Waitangi), and kaitiakitanga, in relation to the coastal environment:</i></p> <p>(a) <i>recognise that tangata whenua have traditional and continuing cultural relationships with areas of the coastal environment, including places where they have lived and fished for generations;</i></p> <p>(b) <i>involve iwi authorities or hapū on behalf of tangata whenua in the preparation of regional policy statements, and plans, by undertaking effective consultation with tangata whenua; with such consultation to be early, meaningful, and as far as practicable in accordance with tikanga Māori;</i></p> <p>(c) <i>with the consent of tangata whenua and as far as practicable in accordance with tikanga Māori, incorporate mātauranga Māori in regional policy statements, in plans, and in the consideration of applications for resource consents, notices of requirement for designation and private plan changes;</i></p> <p>(d) <i>provide opportunities in appropriate circumstances for Māori involvement in decision making, for example when a consent application or notice of requirement is dealing with cultural localities or issues of cultural significance, and Māori experts,</i></p>

	<p><i>including pūkenga, may have knowledge not otherwise available;</i></p> <p><i>(e) take into account any relevant iwi resource management plan and any other relevant planning document recognised by the appropriate iwi authority or hapū and lodged with the council, to the extent that its content has a bearing on resource management issues in the region or district; and</i></p> <p><i>(i) where appropriate incorporate references to, or material from, iwi resource management plans in regional policy statements and in plans; and</i></p> <p><i>(ii) consider providing practical assistance to iwi or hapū who have indicated a wish to develop iwi resource management plans;</i></p> <p>The Marae Zone takes into account the principles of the Treaty of Waitangi, and the provisions seek to enable the continued use of marae.</p>
Policy 6	<p><i>In relation to the coastal environment: ...</i></p> <p><i>(d) recognise tangata whenua needs for papakāinga, marae and associated developments and make appropriate provision for them;</i></p> <p>The Marae Zone provides for the Kōkiri Marae.</p>

### 3.4 National Environmental Standards

- (21) National environmental standards provide a nationally consistent set of standards that manage a range of activities nationwide. A district plan can only be more lenient or stringent than a national environmental standard where this is expressly specified in the national environmental standard.
- (22) However, no national environmental standards are particularly relevant to the Marae Zone.

## 3.5 National Planning Standards

- (23) Section 75(3)(ba) of the RMA requires district plans to give effect to National Planning Standards.
- (24) The first set of National Planning Standards was published in April 2019, with additional changes being incorporated into the standards since then.
- (25) The National Planning Standards provide for a range of zone options to be included in Part 3 – Area Specific Matters of District Plans, which includes special purpose zones. Clause 8(3) of the National Planning Standards states when a special purpose zone can be created:

*An additional special purpose zone must only be created when the proposed land use activities or anticipated outcomes of the additional zone meet all of the following criteria:*

- a. are significant to the district, region or country*
  - b. are impractical to be managed through another zone*
  - c. are impractical to be managed through a combination of spatial layers.*
- (26) The zone framework within the National Planning Standards suggest a special purpose Māori Purpose Zone, as follows:

<b>Zone</b>	<b>Description</b>
Special Purpose Zone – Māori Purpose Zone	Areas used predominantly for a range of activities that specifically meet Māori cultural needs including but not limited to residential and commercial activities.

- (27) The proposed Marae Zone is similar to this description of Māori Purpose Zone. However, the proposed Marae Zone has specifically been limited to sites of existing marae only, rather than including other Māori purpose activities such as urupā. The Marae Zone meets the requirements of Clause 8(3) as the marae are significant to the district and region, they are impractical to be managed through another zone due to their unique

combination of activities on site, and they are impractical to be managed through a combination of spatial layers.

## 3.6 Regional Policy Statement for the Wellington Region

- (28) Section 75(3)(c) of the RMA requires district plans to give effect to regional policy statements.
- (29) The Regional Policy Statement for the Wellington Region (the RPS) identifies the significant resource management issues for the region and outlines the policies and methods required to achieve the integrated sustainable management of the region’s natural and physical resources.
- (30) The relevant objectives and policies of the RPS as they relate to the Marae Zone are set out in Section 3.10 of the RPS (Resource Management with tangata whenua):

Reference	Comment
Objective 23 Working together	Objective 23 seeks to ensure iwi authorities and local authorities work together in resource management decisions-making for the benefit and wellbeing of the community, both now and in the future. Through Policy 66, this should be achieved through enhanced involvement of tangata whenua in decision-making.
Objective 24 Te Tiriti O Waitangi	Objective 24 and Policy 48 ensure that the principles of Te Tiriti O Waitangi are taken into account in decision-making.
Objective 25 Kaitiakitanga	Objective 25 seeks to ensure that kaitiakitanga is integrated into the management of the region’s resources. Policy 49 seeks that the District Plan recognise and provide for matters of significance to tangata whenua, including marae.
Objective 28 Cultural relationship	Objective 28 seeks to maintain the cultural relationship of Māori with their ancestral lands, water, sites, wāhi tapu and other taonga, through Policy 49, recognising

	and providing for matters that are significant to tangata whenua.
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### 3.6.1 Proposed RPS Change 1

- (31) Section 74(2)(a)(i) of the RMA requires Council to have regard to any proposed regional policy statement when preparing its district plan.
- (32) Greater Wellington Regional Council proposed a change to the RPS in August 2022 (Proposed RPS Change 1). The Regional Council notified its decisions on Proposed RPS Change 1 in October 2024. However, some aspects of the change have been appealed.
- (33) The following objectives and policies from Proposed RPS Change 1 are relevant:

Reference	Comment
Objective 22 Regional form, design, and function	<p>The changes to Objective 22 under Proposed Plan Change 1 shift the objective’s focus to enabling urban development where it achieves well-functioning urban environment principles, including:</p> <ul style="list-style-type: none"> <li>(c) Improving overall health, well-being, and quality of life</li> <li>(h) Enabling Māori to express cultural and traditional norms</li> </ul> <p>The Marae Zone plays a key role in creating well-functioning urban environments consistent with these principles.</p>
Policy UD.1	<p>Policy UD.1 introduced as part of Proposed Change 1 requires district plans to provide for the occupation, use, development, and ongoing relationship of mana whenua / tangata whenua with their ancestral lands.</p> <p>The Marae Zone directly gives effects to this policy through the provision of marae activities and tikanga Māori.</p>

Policy UD.2	<p>Policy UD.2 introduced as part of Proposed Change 1 requires district plans to enable Māori cultural and traditional norms.</p> <p>The Marae Zone directly gives effect to this policy through the provision of marae activities and tikanga Māori.</p>
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### 3.7 Natural Resources Plan for the Wellington Region

- (34) Section 75(4)(b) of the RMA states that the District Plan must not be inconsistent with a regional plan for any matter specified in section 30(1) of the RMA, which relates to functions of regional councils under the Act. The Natural Resources Plan for the Wellington Region (NRP) is the only operative regional plan for the Wellington region.
- (35) In addition, under section 74(2) of the RMA, Hutt City Council is required to have regard to proposed regional plans in regard to any matter of regional significance or for which the regional council has primary responsibility (under Part 4 of the Act). Greater Wellington Regional Council proposed a change to the Natural Resources Plan (Proposed NRP Change 1) in October 2023.
- (36) There are no provisions in the NRP or Proposed NRP Change 1 that are particularly relevant to the Marae Zone.

### 3.8 Iwi Management Plans

- (37) Section 74(2A) of the RMA requires territorial authorities, when preparing or changing a district plan, to take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district.
- (38) In addition, iwi authorities may have other planning documents that, while not mandatory considerations for the District Plan Review, should still be taken into account for the Review as they are a source of information on

the intentions of an iwi authority and considering these documents can aid integrated management.

- (39) There are no iwi management plans currently in place for the urban areas of Lower Hutt.

### 3.9 Hutt City Council Plans, Policies, and Strategies

- (40) There are other plans, policies, and strategies of Council that should be considered as part of the District Plan Review as they set Council's intentions on some matters that need to be addressed through the District Plan Review.
- (41) The following Council plans, policies and strategies are relevant for the Marae Zone:

Plan/Policy/Strategy	Comment
Te Herenga Kairangi 2024 (Māori Strategy)	<p>Te Herenga Kairangi is Council's first Māori strategy which sets the next three years for improving outcomes for Māori in the rohe. There are three outcomes for the strategy:</p> <ul style="list-style-type: none"> <li>• Strong and trusting relationships</li> <li>• Holistic and economic wellbeing</li> <li>• Te Ao Māori capability.</li> </ul> <p>One of the specific actions for Council committing to engaging effectively with all Māori in the community is that <i>Council develops and maintains relationships with the seven marae in Te Awa Kairangi.</i></p> <p>Providing specifically for the marae in the Marae Zone aligns with this strategy.</p>
Wainuiomata Development Plan 2015	This development plan articulates the community visions for Wainuiomata, summarises the priority aspirations for the next 20 years and provides strategic direction. A

	specific action is to: <i>Develop sustainability initiatives and an eco-hub based around the Wainuiomata Marae.</i>
Long Term Plan 2024 - 2034	The Long Term Plan sets out Council’s planned investments to provide infrastructure and public facilities to support growth in population, housing, and economic activity. A specific direction of the Long Term Plan is: <i>Our contribution to enhancing Māori wellbeing.</i>

### 3.10 District plans of Adjacent Territorial Authorities

- (42) Section 74(2)(c) of the RMA requires the Council to have regard to the extent to which the District Plan needs to be consistent with the plans or proposed plans of adjacent territorial authorities.
- (43) The following territorial authorities are adjacent to Lower Hutt or also form part of the Wellington urban area:
- Kāpiti Coast District Council,
  - Porirua City Council,
  - Upper Hutt City Council,
  - Wellington City Council, and
  - South Wairarapa District Council.
- (44) The Marae Zone is spatially separated from urban areas in neighbouring territorial authorities.
- (45) Cross-boundary issues typically relate to air emissions, noise, water quality and stormwater runoff, discharge, natural hazards, hazardous substances and contaminated sites, traffic generation, network and other utilities and management of sites at the boundaries. As such, there are no cross-boundary issues that are specifically relevant to the Marae Zone and little value in consistency with the plans or proposed plans of adjacent territorial authorities.

## 3.11 Other statutory and non-statutory plans, policies, strategies and guidance

- (46) In addition to Hutt City Council's plans, policies, and strategies (discussed above), there are regional and national plans, policies, and strategies that, while not mandatory considerations for the District Plan Review, should still be considered as they form part of the management regime for natural and physical resources in the district, and considering these documents can aid integrated management.
- (47) The following other statutory and non-statutory plans, policies and strategies are relevant for the Marae Zone:

Plan, Policy, Strategy, or Guidelines	Comments
Te Rūnanganui O Te Āti Awa Strategic Report 2019	Te Rūnanganui o Te Āti Awa ki Te Upoko o Te Ika a Māui Incorporated represents Te Āti Awa as an iwi-based organisation in Te Whanganui a Tara. Their 2019 strategic report sets a vision, purpose, aims and values for the organisation. The strategic report highlights the importance of marae in the delivery of important social and cultural services.
Wainuiomata Marae Development Plan February 2021	The Wainuiomata Marae Trust prepared this development plan to guide future management decisions, investments, and actions to achieve a range of cultural, community, and sustainability outcomes that are integral to the marae's purpose.  The development plan sets out the vision, purpose, values, goals, and objectives of the marae, as well as how it is currently used.

## 3.12 Other legislation or regulations

(48) In addition to the RMA, other legislation and regulations can be relevant considerations for a district plan, particularly where management of an issue is addressed through multiple pieces of legislation and regulatory bodies.

(49) The following legislation or regulations are relevant to the Marae Zone:

Legislation or regulation	Comments
Te Ture Whenua Māori Act 1993	<p>The objectives of this Act are to retain Māori land in the hands of its owners, and to promote and assist the use, management and development of Māori land.</p> <p>Te Tatau o te Pō Marae, Waiwhetu Marae and Wainuiomata Marae are located on land held under this Act.</p>
Building Act 2004	<p>The Building Act 2004 provides for the regulation of building work and sets performance standards for buildings through the New Zealand Building Code. The Building Act is relevant in the same way as it is for all other zones in the district.</p>

# 4 Resource Management Issues

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## 4.1 Background

- (50) There are seven marae located across the district:
- Waiwhetū Marae (Puketapu Grove, Waiwhetū)
  - Te Tatau O Te Pō Marae (437 Hutt Road, Alicetown)
  - Kōraunui Marae (146 Stokes Valley Road, Stokes Valley)
  - Te Kākano o Te Aroha Marae (136 Randwick Road, Moera)
  - Te Mangungu Marae (77 Rata Street, Naenae)
  - Wainuiomata Marae (Parkway, Wainuiomata)
  - Kōkiri Marae (7-9 Barnes Street, Seaview).
- (51) The marae are part of and support the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga which is a matter of national importance under section 6(e) of the RMA.
- (52) The marae are used by Māori communities (and sometimes the wider community) for social, cultural, health and wellbeing, and economic activities.
- (53) The marae are located within established neighbourhoods, surrounded by residential or business activity.

## 4.2 Evidence Base

### 4.2.1 Existing Approach of City of Lower Hutt District Plan

- (54) The operative District Plan uses 'activity areas' instead of zones, one of which is the Community Iwi Activity Area. All seven marae are currently zoned Community Iwi Activity Area under the operative District Plan. Chapter 2 of the operative District Plan (*Resource Management and the Tangata Whenua of Lower Hutt*) provides the regional and local context as

well as explaining the District Plan approach of using the Community Iwi Activity Area.

## Overview of the operative Community Iwi Activity Area

- (55) The Community Iwi Activity Area identifies the following resource management issues:
- *Crucial to the overall wellbeing of Māori is the opportunity to maintain an association with land of historical importance and to undertake appropriate activities on that land which reflect their cultural aspirations. This must be managed to ensure that the amenity values of adjoining areas are maintained and enhanced.*
  - *The amenity values of neighbouring activity areas are influenced by elements such as the extent and position of buildings, the character of those buildings, and the effects of the activity which extend beyond the boundaries of the Community Iwi Activity Area. It is necessary to ensure that activities in the Community Iwi Activity Areas have no more than minor adverse effects on the amenity values of neighbouring, business and residential activity areas.*
- (56) The Community Iwi Activity Area is split into three sub areas: Area 1 – Marae, Area 2 – Urupa, Area 3 – Kokiri Centres. Appendix 10A includes maps of the specific sites within each activity area.
- (57) The Community Iwi Activity Area provides for the following activities subject to conditions:

Activity	Community Iwi Activity Area 1 – Marae	Community Iwi Activity Area 2 – Urupa	Community Iwi Activity Area 3 – Kokiri Centres
Marae	Permitted	No equivalent rule	Permitted
Health Clinics	Permitted	No equivalent rule	No equivalent rule
Kohanga Reo	Permitted	No equivalent rule	No equivalent rule

Kokiri Centres	Permitted at Te Tatau O Te Po Marae, Waiwhetu Marae and Wainuiomata Marae	No equivalent rule	Permitted
	Restricted discretionary at Te Mangungu Marae, Koraunui Marae and Te Kakano O Te Aroha Marae	No equivalent rule	No equivalent rule
Cultural Centre	Restricted discretionary at Waiwhetu Marae	No equivalent rule	No equivalent rule
Urupa	No equivalent rule	Permitted	No equivalent rule

(58) The Community Iwi Activity area applies provisions of other zones to each of the individual marae depending on the surrounding zone. For example, *all provisions of the Medium Density Residential Activity Area shall apply to the Waiwhetu Marae (Puketapu Grove, Waiwhetu), Te Mangungu Marae (Rata Street, Naenae), and Koraunui Marae (Stokes Valley).*

### **Effectiveness of the operative District Plan Approach**

- (59) The Community Iwi Activity Area has been effective in enabling marae activities on these sites, but is restrictive in terms of future use of the sites for educational and cultural activities (being kokiri centres and cultural centres).
- (60) The Community Iwi Activity Area includes activities beyond marae (urupā) that are better dealt with in other zones of the District Plan.
- (61) The Community Iwi Activity Area cross-references to other sections of the District Plan for permitted activity conditions which adds complexity to the application of the rules.
- (62) The Community Iwi Activity Area cannot be retained in its current form due to its inconsistency with the National Planning Standards.

## 4.2.2 Analysis of other District Plans

- (63) Current practice has been considered in respect of this topic, with a review undertaken of the Proposed Porirua City District Plan, the Proposed Wairarapa Combined District Plan and the Wellington City District Plan.
- (64) These plans were selected because:
- They have been subject to a recent plan review that has addressed similar issues relating to this topic; and
  - The Councils are nearby, and are of a similar scale to Lower Hutt, and are confronting similar issues relating to this topic.

Plan	Description of approach
Proposed Porirua District Plan (decisions Version)	The Proposed Porirua District Plan has a Special Purpose Zone – Māori Purpose Zone (Hongoeka). This zone applies to a continuous area at the coastal end of Plimmerton and includes a marae, whareniui, residential area and surrounding land.
	<p>There are five objectives including the purpose of the zone, character and amenity values, Hongoeka being a unique Kāinga, use, development and recognition of natural environmental overlays.</p> <p>The four policies relate to appropriate activities, buildings and structures, potentially inappropriate activities and avoiding inappropriate activities.</p>
	<p>Building and structures including additions and alterations are permitted provided they comply with standards. Fences and standalone walls are permitted by a separate rule also subject to complying with standards.</p> <p>The zone permits a number of activities subject to compliance with standards, including residential activity and residential unit, home business, visitor accommodation, community facility, healthcare activity, educational facility, entertainment facility, food and beverage activity, office and papakāinga.</p> <p>Permitted activities include construction activity, customary activity, conservation activity, primary production, rural activities.</p>

	<p>Discretionary activities include commercial service activities, emergency services facilities, hospital, pet and animal boarding and breeding, retail activities, retirement village, rural industry, community corrections activities and any activity not provided for.</p> <p>Non-complying activities include drive-through activities, industrial activities, large format retail activities, intensive indoor primary production, quarrying activities and mining.</p> <p>The zone contains six standards:</p> <ul style="list-style-type: none"> <li>• Height (8m, with exclusions for pou and tekoteko),</li> <li>• Height in relation to boundary (3m+45°),</li> <li>• Setback of buildings and structures (1m),</li> <li>• Firefighting water supply and access,</li> <li>• On-site services, and</li> <li>• Fences and standalone walls (2m).</li> </ul>
<p>Proposed Wairarapa Combined District Plan</p>	<p>The Proposed Wairarapa Combined District Plan has a Special Purpose Zone – Māori Purpose Zone that applies to various sites across the district that are either:</p> <ul style="list-style-type: none"> <li>• Existing or proposed marae or urupā,</li> <li>• Māori Freehold Land and Māori Customary Land under the Te Ture Whenua Māori Act 1993,</li> <li>• Treaty settlement land, or</li> <li>• Existing or proposed papakāinga.</li> </ul> <p>The Māori Purpose Zone has four objectives:</p> <ul style="list-style-type: none"> <li>• The purpose of the zone (MPZ-O1),</li> <li>• Carrying capacity of the land (MPZ-O2),</li> <li>• Exercising kaitiakitanga (MPZ-O3), and</li> <li>• Avoiding, remedying or mitigating adverse effects (MPZ-O4).</li> </ul> <p>And five policies that contribute towards achieving the objectives including compatible, potentially compatible and incompatible activities, maintaining character and amenity and relocatable buildings.</p> <p>The chapter includes rules for development (buildings and structures) and various activities.</p>

	<p>Building and structures, including construction, additions and alterations are permitted activities provided they meet standards, otherwise become restricted discretionary activities. Demolition or removal of buildings and structures is permitted.</p> <p>Permitted activities (without standards) include papakāinga, marae, customary activities, urupā, residential activities, residential visitor accommodation, primary production (with exclusions), conservation activities, educational facilities, community facilities and healthcare activities.</p> <p>Home business, intensive primary production, rural produce retail, quarrying activities and seasonal worker accommodation are permitted subject to standards.</p> <p>Rural industry, commercial activities, industrial activities and any other activity not listed are discretionary.</p>
	<p>The chapter has 10 standards including bulk and location standards:</p> <ul style="list-style-type: none"> <li>• Maximum height (10m for residential units, 12m for all other buildings/structures),</li> <li>• Maximum height in relation to boundary (applying the adjacent zone requirement for residential and open space and recreation zone),</li> <li>• Minimum setbacks (applying the adjacent zone requirement), and</li> <li>• Maximum fence height (1.8m).</li> </ul> <p>Specific standards for activities and infrastructure:</p> <ul style="list-style-type: none"> <li>• Intensive primary production,</li> <li>• On-site services,</li> <li>• Drinking water supply,</li> <li>• Wastewater disposal,</li> <li>• Stormwater management, and</li> <li>• Relocatable buildings.</li> </ul>
	<p>The Wellington District Plan does not have a specific Māori Purpose or Marae Zone. Rather, marae are listed as Sites and</p>

Wellington District Plan	Areas of Significance to Māori and provided for as specific activities within other zones.
	<p>Policy SASM-P3 provides for the ongoing use and development of marae.</p> <p>Rule SASM-R4 specifically permits new buildings and structures within sites and areas of significance to Māori if the building is a marae. Similarly, additions to the footprint of an existing building within a site or areas of significance to Māori is only permitted if the building is a marae (Rule SASM-R5).</p>

(65) A summary of the key findings is as follows:

- The Proposed Porirua District Plan and the Proposed Wairarapa Combined District Plan apply the National Planning Standard Special Purpose Zone of Māori Purpose Zone, compared to Wellington City District Plan which uses the District-Wide Matters of Sites and Areas of Significance to Māori for protecting and providing for marae.
- The Māori Purpose Zone has been used in the Proposed Porirua District Plan to apply to a single continuous area of land, rather than spot zoning across the district like that in Wairarapa.
- The objectives and policies of the Māori Purpose Zone are similar for Porirua and Wairarapa where the purpose of the zone provides for Māori cultural needs. The policies set out which activities are appropriate/not appropriate in the zone.
- The Māori Purpose Zone in Wairarapa applies to a range of land used for Māori purpose and includes land which is proposed to be used for such activities. Much of the zone therefore applies to greenfield areas and the rules/standards reflect this to provide for a range of uses and ensure adequate infrastructure to service future activities.
- All plans are enabling of marae, including the exercising of customary practices and buildings/structures associated with the marae.

### 4.2.3 Advice from Mana Whenua

(66) The Council has engaged with its Mana Whenua partners throughout the process of preparing the proposed District Plan, including the preparation of the Marae Zone chapter. This involved seeking feedback on the Marae Zone chapter through hui with marae leaders. All seven marae were contacted for feedback.

(67) The following hui took place, and the key issues are summarised below:

- Wainuiomata and Te Mangungu Marae, 21 May 2024
  - Dislike for the naming of 'Māori Purpose Zone' as the marae serve diverse communities. Suggested the Marae Zone was more appropriate.
  - Discussed the issues of council supporting insurance for marae.
- Te Tatau o Te Pō Marae, 27 May 2024
  - The leaders expressed dislike for Māori Purpose Zone naming as it sounds like a 'reservation', the Marae Zone was discussed instead.
  - The nearby reserves and streams have strong connections to the marae.
  - There needs to be a clear distinction between mana whenua marae and mataawaka marae.
- Kōkiri Marae, 11 June 2024
  - The marae leaders summarised the current and planned marae activities which include healthcare services, kōhanga, community kitchen and Kāinga ora housing.
  - The main issues of concern for the marae include space, flooding, parking, conflicts with industrial activities and their emissions, building a waka shelter, traffic safety, conflicts with surrounding businesses activities and tikanga such as tangi.
- Te Kākano o Te Aroha Marae, 12 June 2024
  - The current marae activities include working with Corrections and prisons teaching skills, Pathway programmes for gang members, providing support to those who are homeless, health services, foodbank, kapa haka, Te

Tiriti o Waitangi courses and Pākehā groups also use the marae.

- The current district plan provisions do not fit with the marae Kaupapa or provide for tikanga or cultural wellbeing.
- There is not enough parking available for the marae and issues arise during tangihanga.
- Desire to not limit the ability for the marae to develop and grow.
- Ensure the zone respects, enables and protects marae customs and tikanga, rather than a high density residential zone.

#### **4.2.4 Stakeholder and Community Engagement**

(68) To help inform the proposed District Plan, a draft District Plan was released for public feedback in late 2023. This did not include a Marae Zone, and therefore no specific feedback was provided with regard to this zone.

#### **4.2.5 Technical Information and Advice**

(69) No technical information or advice has informed the development of the Marae Zone chapter.

### **4.3 Summary of Issues Analysis**

(70) The following key resource management issues have been identified for the Marae Zone:

- Issue 1: The need to recognise and provide for marae as a place for tikanga Māori (giving effect to section 6(e) of the RMA).
- Issue 2: The need to allow flexibility in the use of marae and the important function they have as places for social, cultural, health and wellbeing, and economic activities.
- Issue 3: The need to manage use and development of marae to manage their effects on the amenity values of the surrounding environment.

# 5 Scale and Significance Assessment

## 5.1 Evaluation of Scale and Significance

- (71) Under section 32(1)(c) of the RMA, this evaluation report needs to contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.
- (72) This section assesses the scale and significance of the Marae Zone provisions to determine the level of analysis required. In assessing the scale and significance the Council has had regard to:

<b>Matters of national importance</b>	High – The provisions address the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga, and protection of customary rights, which are matters of national importance under section 6(e) and (g) of the RMA.
<b>Other matters</b>	High – The provisions address matters (a) and (aa) of section 7 of the RMA.
<b>Degree of change from the operative plan</b>	Moderate – The zone approach is similar to the operative District Plan. However, the rule framework provides greater clarity about the activities that are provided for in the zone.
<b>Geographic scale of effects</b>	Low – The Marae Zone covers a small spatial area.
<b>Number of people affected</b>	Low – Due to the small spatial area of the zone.

<b>Duration of effects</b>	Moderate – The proposed provisions will not have immediate legal effect, but are anticipated to be in effect for the next 10 years (medium term).
<b>Economic impacts</b>	Low – The proposed provisions could economically affect Māori communities by controlling what could occur on marae sites. However, this is limited by the small number of marae in the district.
<b>Social and cultural impacts</b>	High – The proposed provisions would recognise and protect marae which provide a social and cultural function in the community.
<b>Environmental impacts</b>	Low – Due to the small spatial extent of the zone, and the largely developed nature of the marae sites.
<b>Health and safety impacts</b>	Low – Due to the small spatial extent of the zone.
<b>Degree of interest from mana whenua</b>	High – The proposed provisions are anticipated to be of high interest to mana whenua, particularly with regard to Te Tatau o te Pō Marae and Waiwhetū Marae, marae of Mana Whenua.
<b>Degree of interest from the public</b>	Low – Due to the small spatial extent of the zone.
<b>Degree of risk or uncertainty</b>	Low – The application of a special purpose zone is consistent with the National Planning Standards and other recent district plans in the Wellington region.

(73) Accordingly, the overall scale and significance of the effects of the Marae Zone are **moderate**.

# 6 Proposed District Plan objectives and provisions

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## 6.1 National Planning Standards Zoning

(74) Consistent with the National Planning Standards, the objectives and provisions for marae operate as a zone. The Marae Zone has not adopted the Māori Purpose Zone naming from the National Planning Standards, as the zone is restricted to marae only and does not include other Māori purpose uses such as urupā.

## 6.2 Application of the zone

(75) The Marae Zone applies to seven existing marae in the district. The extent of the zone application has been agreed in partnership with marae partners and is different from the zoning applied in the operative District Plan Community Iwi Activity Area. For example, the extent of the Community Iwi Activity Area for the Waiwhetu Marae included surrounding residential sites that were once owned by Māori. These have not been included in the proposed Marae Zone extent as they do not form part of marae activities, and the residential zone is more appropriate.

## 6.3 Overview of proposed objectives, policies and rules

(76) The following section sets out the proposed objectives, policies, rules and standards for the Marae Zone.

### 6.3.1 Objectives

(77) The proposed objectives for the Marae Zone are:

- **MAZ-O1: Purpose of the Marae Zone** (*which responds to resource management issue 1*)

Māori communities are able to provide for their culture and traditions, and their social and economic aspirations in the Marae Zone.

- **MAZ-O2: Activities in the Marae Zone** (*which responds to resource management issue 2*)

The Marae Zone provides for Marae and a range of activities that support the function or operation of the Marae and the purpose of the Marae Zone.

- **MAZ-O3: Characteristics of built development** (*which responds to resource management issue 3*)

The Marae Zone is characterised by development that:

- Includes buildings of a sufficient scale to accommodate Marae and ancillary activities;
- Supports the creation of liveable, well-functioning urban environments;
- Is not incompatible with adjoining zones.

- **MAZ-O4: Adverse effects** (*which also responds to resource management issue 3*)

Adverse effects of activities and development are effectively managed within the zone, and at interfaces with adjoining zones.

## 6.3.2 Policies

(78) The first four policies relate to the activities anticipated in the zone, responding to Objectives MAZ-O1 and MAZ-O2. They are:

- MAZ-P1: Existing activities,
- MAZ-P2: Marae activities,
- MAZ-P3: Residential activities, and
- MAZ-P4: Non-residential activities.

(79) Policy MAZ-P5 responds to MAZ-O3 and MAZ-O4 to maintain and enhance character and amenity of the zone and manage adverse effects on adjoining zones.

### 6.3.3 Rules

- (80) The relatively simple rule framework provides for marae activity (see definition below), while restricting residential and commercial activity to certain standards. Built development is permitted, provided standards can be met.

Activity	Activity status
MAZ-R1: Repair and maintenance of buildings and structures MAZ-R2: Demolition or removal of buildings and structures	Permitted
MAZ-R3: Construction of new buildings and structures and alterations to existing buildings and structures	Permitted, subject to standards Restricted discretionary where standards not met
MAZ-R4: Marae MAZ-R5: Papakāinga	Permitted
MAZ-R6: Commercial activity	Permitted, subject to standards Discretionary where standards not met
MAZ-R7: Residential activities MAZ-R8: Visitor accommodation MAZ-R9: Health care activities MAZ-R10: Educational facilities MAZ-R11: Childcare services MAZ-R12: Community facilities	Discretionary
MAZ-R13: Activities not otherwise provided for	Non-complying
MAZ-R14: Outdoor storage and work areas	Permitted, subject to standards

MAZ-R15: Servicing	Restricted discretionary where standards not met
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### 6.3.4 Standards

- (81) The Marae Zone chapter includes standards that control the bulk and location of buildings and structures. The standards are similar to the standards for the Medium Density Residential Zone.

### 6.3.5 Definitions

- (82) The proposed definition for marae is intended to capture the range of activities that occur at marae. Tikanga Māori is also defined (on the basis that these terms are referred to in policies and standards).

Definitions
<p><b>Marae</b></p> <p>means the use of land and buildings by Māori communities (and from time to time the wider community) as a focal point for their social, cultural, health and wellbeing, and economic activity, which may include:</p> <ul style="list-style-type: none"> <li>a. Marae ātea (sacred courtyard);</li> <li>b. Wharenuī/wharehui (main building or meeting house);</li> <li>c. Kāuta (kitchen);</li> <li>d. Wharekai (dining hall);</li> <li>e. Mara kai (food garden);</li> <li>f. Ancillary residential units, including papakāinga housing and kaumātua housing;</li> <li>g. Education activities including kōhanga reo and educational facilities;</li> <li>h. Childcare facilities;</li> <li>i. Healthcare facilities;</li> <li>j. Ancillary commercial activities, including the manufacture and sale of Māori craft products;</li> <li>k. Overnight accommodation of visitors;</li> <li>l. Events, gatherings, and places of assembly;</li> <li>m. Civil defence or emergency management functions;</li> </ul>

n. Ancillary administrative activities, including offices.

Tikanga Māori [RMA definition]

Means Māori customary practices and values.

# 7 Evaluation of objectives

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- (83) This section is the evaluation of objectives, as required by section 32(1)(a) of the RMA.
- (84) An objective is a statement of what is to be achieved through the resolution of a particular resource management issue. A district plan objective should set out a desired end state to be achieved through the implementation of policies and rules.
- (85) Under section 75(1)(a) of the RMA, a district plan must state the objectives for the district.
- (86) Under section 32(1)(a) of the RMA, an evaluation report required under the RMA must examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of the RMA. The purpose of the RMA, as stated in section 5(1), is to promote the sustainable management of natural and physical resources.

## 7.1 Evaluation of objective MAZ-01

### **MAZ-01 – Purpose of the Marae Zone**

*Māori communities are able to provide for their culture and traditions, and their social and economic aspirations in the Marae Zone.*

### **Why this objective is included in the proposed District Plan**

This objective addresses resource management issue 1, which is the need to recognise and provide for marae as places that support tikanga Māori (giving effect to section 6(e) of the RMA, see section 4 of this report). For the same reason, the objective gives effect to higher-order planning documents including the Regional Policy Statement.

This objective is consistent with the strategic direction objectives for tangata whenua, particularly TW-O4 where the marae zone enables tangata whenua to protect, develop and use the land in a way that is consistent with their culture, traditions and their social and economic aspirations.

**How this objective achieves the purpose of the RMA**

This objective gives effect to section 6(e) and 6 (g) of the RMA.

This objective also provides for section 7(a) and 7(aa) of the RMA, having particular regard for kaitiakitanga and the ethic of stewardship.

This objective takes into account the principles of the Treaty of Waitangi (section 8 of the RMA), through partnership and rangatiratanga.

## 7.2 Evaluation of objective MAZ-O2

**MAZ-O2 – Activities in the Marae Zone**

*The Marae Zone provides for marae and a range of activities that support the function or operation of the marae and the purpose of the Marae Zone.*

**Why this objective is included in the proposed District Plan**

This objective allows flexibility in the range of activities provided for in the zone.

This objective gives effect to resource management issue 2, which is the need to allow flexibility in the use of marae and the important function they have as places for social, cultural, health and wellbeing, and economic activities.

This objective is consistent with strategic direction objectives for tangata whenua and UFD-O9 Community Spaces.

**How this objective achieves the purpose of the RMA**

This objective provides for section 7(a) kaitiakitanga and 7(aa) the ethic of stewardship, as well as being an efficient use and development of physical resources (7(b)).

## 7.3 Evaluation of objective MAZ-O3

**MAZ-O3 – Characteristics of built development**

*The Marae Zone is characterised by development that:*

<p>a. <i>Includes buildings of a sufficient scale to accommodate Marae and ancillary activities;</i></p> <p>b. <i>Supports the creation of liveable, well-functioning urban environment;</i></p> <p>c. <i>Is not incompatible with adjoining zones.</i></p>
<p><b>Why this objective is included in the proposed District Plan</b></p>
<p>This objective sets the characteristics of built development anticipated within the Marae Zone.</p> <p>This objective addresses resource management issue 3, the need to manage use and development of marae to protect the amenity values of the surrounding environment.</p> <p>This objective is consistent with the strategic direction objective UFD-O3 Well-functioning urban environments.</p>
<p><b>How this objective achieves the purpose of the RMA</b></p>
<p>This objective gives effect to section 7(b), 7(c) and 7(f) of the RMA, by providing for efficient use of the marae as physical resources, while characterising the built development to maintain and/or enhance the amenity values and quality of the surrounding environment.</p>

## 7.4 Evaluation of objective MAZ-O4

<p><b>MAZ-O4 – Adverse effects generated by activities in the Marae Zone</b></p> <p><i>Adverse effects of activities and development are effectively managed within the zone, and at interfaces with adjoining zones.</i></p>
<p><b>Why this objective is included in the proposed District Plan</b></p>
<p>The objective seeks to control the off-site effects of use and development in the Marae Zone, to manage adverse effects on individuals and the wider community.</p> <p>This objective addresses resource management issue 3, the need to manage use and development of marae to protect the amenity values of the surrounding environment.</p> <p>This objective is consistent with the strategic objective UFD-O3 – Well-functioning urban environments.</p>

**How this objective achieves the purpose of the RMA**

This objective gives effect to section 7(c) and 7(f) by avoiding, remedying and mitigating adverse effects to maintain and/or enhance amenity values and the quality of the environment surrounding the marae.

This objective reflects the sustainable management purpose of the RMA (section 5), specifically 5(2)(c) by avoiding, remedying or mitigating any adverse effects of activities on the environment.

## **7.5 Summary of evaluation of objectives**

(87) The proposed objectives are the most appropriate means of achieving the purpose of the RMA because:

- The proposed objectives address the relevant resource management issues,
- The proposed objectives are consistent with higher order planning direction, including the Regional Policy Statement,
- The proposed objectives achieve the purpose of the RMA by recognising and providing for section 6 matters of national importance, having particular regard to section 7 other matters, and taking into account section 8 Treaty of Waitangi principles.

## 8 Evaluation of Policies and Rules

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- (88) Policies and rules seek to achieve the objectives of a plan.
- (89) Policies of a district plan are the course of action to achieve or implement the plan's objective (i.e. the path to be followed to achieve a certain, specified, environmental outcome). Rules of a district plan implement the plan's policies and have the force and effect of a regulation.
- (90) Under section 32(1)(b) of the RMA, an evaluation report required under the RMA must examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by—
- (i) *identifying other reasonably practicable options for achieving the objectives; and*
  - (ii) *assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*
  - (iii) *summarising the reasons for deciding on the provisions.*
- (91) Under section 32(2) of the RMA, the assessment of the efficiency and effectiveness of the provisions must:
- (a) *identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—*
    - (i) *economic growth that are anticipated to be provided or reduced; and*
    - (ii) *employment that are anticipated to be provided or reduced; and*
  - (b) *if practicable, quantify the benefits and costs referred to in paragraph (a); and*

- (c) *assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.*

### **Structure of this evaluation**

- (92) This evaluation evaluates the policies and rules for the Marae Zone as a single package of policies and rules. This is due to the policies and rules collectively implementing the proposed objectives for the Zone. As a result, this evaluation includes a single evaluation table for the proposed policies and rules, along with a consideration of alternatives.

### **Quantification of benefits and costs**

- (93) Section 32(2)(b) of the RMA requires that, where practicable, the benefits and costs of a proposal are to be quantified.
- (94) Specific quantification of all benefits and costs associated with the proposed District Plan is considered neither practicable nor readily available. In general, a qualitative assessment of costs and benefits associated with the proposed District Plan is considered sufficient, and this is provided for in the assessment of policies, rules and other methods contained in section 8 of this report.

### **Risk of acting / not acting if information is uncertain or insufficient**

- (95) Under Section 32(2)(c) the assessment of efficiency and effectiveness of provisions must include an assessment of the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.
- (96) Information for this topic is relatively certain. There is a high degree of certainty on where land use and development enabled by the proposed provisions will take place (being the locations of the seven existing marae).

(97) However, regardless of whether information is uncertain or insufficient, the risk of acting is acceptable. While there was little specific feedback from tangata whenua on the proposed provisions, the provisions are generally more flexible and enabling of marae activities than the operative District Plan, while still managing adverse effects on the surrounding environment.

## 7.6 Evaluation of policies and rules for the Marae Zone

<b>Evaluation of policies and rules for the Marae Zone</b>	
<i>These provisions are outlined in more detail in section 6.3 of this report.</i>	
<b>OBJECTIVES</b>	
<ul style="list-style-type: none"> <li>MAZ-O1: Purpose of the Marae Zone</li> <li>MAZ-O2: Activities in the Marae Zone</li> </ul>	<ul style="list-style-type: none"> <li>MAZ-O3: Characteristics of built development</li> <li>MAZ-O4: Adverse effects</li> </ul>
<b>POLICIES</b>	
<ul style="list-style-type: none"> <li>MAZ-P1: Existing activities</li> <li>MAZ-P2: Marae activities</li> </ul>	<ul style="list-style-type: none"> <li>MAZ-P3: Residential activities</li> <li>MAZ-P4: Non-residential activities</li> </ul>
<b>RULES AND STANDARDS</b>	
<ul style="list-style-type: none"> <li>MAZ-R1: Repair and maintenance of buildings and structures</li> <li>MAZ-R2: Demolition or removal of buildings and structures</li> <li>MAZ-R3: Construction of new buildings and structures and alterations to existing buildings and structures</li> </ul>	<ul style="list-style-type: none"> <li>MAZ-R10: Educational facilities</li> <li>MAZ-R11: Childcare services</li> <li>MAZ-R12: Community facilities</li> <li>MAZ-R13: Activities not otherwise provided for</li> <li>MAZ-R14: Outdoor storage and work areas</li> </ul>

<ul style="list-style-type: none"> <li>• MAZ-R4: Marae</li> <li>• MAZ-R5: Papakāinga</li> <li>• MAZ-R6: Commercial activity</li> <li>• MAZ-R7: Residential activities</li> <li>• MAZ-R8: Visitor accommodation</li> <li>• MAZ-R9: Health care activities</li> </ul>	<ul style="list-style-type: none"> <li>• MAZ-R15: Servicing</li> <li>• MAZ-S1: Building coverage</li> <li>• MAZ-S2: Building height</li> <li>• MAZ-S3: Height in relation to boundary</li> <li>• MAZ-S4: Setbacks</li> <li>• MAZ-S5: Permeable surface</li> </ul>
<b>Efficiency and effectiveness</b>	
<b>Costs</b>	<b>Benefits</b>
<p><b>Environmental</b></p> <p>Potential for incompatibility between activities in the Marae Zone and adjoining zones. However, the bulk and location standards will constrain the development of the marae so not to adversely effect the overall character of surrounding zones. Other district-wide provisions (including for Noise and Light) will also manage adverse effects of development within the Zone on the surrounding environment.</p> <p><b>Economic</b></p> <p>There will continue to be consenting costs where applicants want to undertake activities that do not meet permitted standards.</p> <p><b>Social</b></p> <p>The enabling provisions could cause neighbourly disputes where a change in use is proposed.</p>	<p><b>Environmental</b></p> <p>The proposed standards for built form will help protect the character and amenity values of the area.</p> <p>Potentially inappropriate activities will be managed through the resource consent process to ensure adverse effects are avoided, remedied, or mitigated.</p> <p><b>Economic</b></p> <p>Less costs and a reduction in barriers to use the marae for a broad range of activities.</p> <p>May result in fewer resource consent applications.</p> <p><b>Social</b></p> <p>Enabling activities that provide a social and economic benefit at marae would enhance socio-economic wellbeing for Māori and the wider community.</p>

<p><b>Cultural</b></p> <p>No cultural costs identified.</p>	<p><b>Cultural</b></p> <p>The recognition and protection of marae through their own zone supports cultural wellbeing and rangatiratanga.</p>
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**Effectiveness and efficiency summary**

This approach provides clear direction and tailored provisions to provide for the use and development of marae. The rule framework is more enabling by including a broad definition of marae.

The social, cultural and economic benefits outweigh the potential environmental costs, and adverse effects can be managed through the resource consent process where necessary.

This option will be effective at implementing the objectives.

This option is the most appropriate means of achieving the objectives and is consistent with section 6(e) of the RMA.

**Other reasonably practicable options for achieving the objectives**

**No Special Purpose Zone, relying on the District-Wide provisions**

Under this alternative, the District Plan would not include a Special Purpose Zone for marae, but instead would rely on the protection of the District-Wide provisions for Sites and Areas of Significance to Māori. Marae would be zoned in accordance with the surrounding zoning. There would be no specific provisions enabling marae activities. Rather, marae would be subject to the activities provided for by the underlying zone provisions.

This alternative would likely result in a greater number of resource consent applications for activities not provided for in the zone, or for additions/alterations to Sites and Areas of Significance to Māori. In addition, it would not provide flexibility in the use of marae, including as community spaces and for healthcare services.

The zone provisions including rules and standards would be the same as surrounding sites, therefore ensuring the same potential built form development outcome as adjacent sites.

This approach would not meet the objective of enabling a range of activities on marae, therefore resulting in social, cultural and economic costs.

Overall, while this approach would see the protection of existing marae through the Sites and Areas of Significance to Māori provisions, this approach would not achieve the objectives because it does not provide for the further use and development of marae.

### **The Status quo – a Māori Purpose Zone**

This alternative would continue the existing approach of the operative District Plan, with a Māori Purpose Zone applying to marae and urupā (the approach of the operative District Plan through the Community Iwi Activity Area).

Under this approach, the provisions of the zone of the surrounding area would apply to each site *plus* specific policies and rules to provide for activities associated with the marae and urupā.

There is no evidence that the status quo is failing to sustainably manage resources from an environmental perspective.

However, it does not provide for flexibility in use of all marae sites. For example, kokiri and cultural centres are often restricted under the operative District Plan. These potentially restrict the use of the marae and could impose costs on marae by requiring resource consents for new activities.

In addition, the existing approach of applying the policies and rules of the surrounding area (as a sort of *underlying zone* approach) can be confusing for plan users.

Overall, while this option would continue to recognise and provide for marae as being specifically for Māori purpose, the provisions are less enabling and less clear than those of the proposed Marae Zone chapter. On this basis, this option is a less appropriate means of achieving the objectives.

## 8 Summary

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- (98) This evaluation has been undertaken in accordance with Section 32 of the RMA to identify the need, benefits and costs, and the appropriateness of the proposal having regard to its effectiveness and efficiency relative to other means of achieving the purpose of the RMA.
- (99) The evaluation demonstrates that the proposed Marae Zone is the most appropriate option as:
- The objectives and policies provide direction and certainty to plan users on the outcomes expected for the Marae Zone.
  - The provisions provide for the efficient and effective use and development of marae to create a well-functioning urban environment, while enabling Māori communities to provide for their social, economic, and cultural needs.
  - Rules provide certainty to the community about the type and scale of activities that can occur as permitted activities and requiring certain standards to be met.
  - Activities requiring resource consent are limited to those that breach the permitted standards and/or have potential for adverse effects on the environment, which enables a case-by-case assessment.
  - The proposed objectives, policies and rules seek to achieve the strategic direction objectives of the Proposed District Plan.
  - The objective and policies give effect to the National Planning Standards and higher order direction, including the Regional Policy Statement for the Wellington Region, and are the most appropriate means of achieving the sustainable management purpose of the RMA.