

21.13 Specific Purpose (Ngā Hau e Whā) Zone

21.13.1 Introduction

This introduction is to assist the lay reader to understand how this chapter works and what it applies to. It is not an aid to interpretation in a legal sense.

This chapter relates to activities that may occur in the Specific Purpose (Ngā Hau e Whā) Zone. An objective, policies, rules, standards and assessment criteria provide for activities in this zone.

The Ngā Hau e Whā Zone only applies to the Ngā Hau e Whā National Marae on Pages Road. This chapter seeks to provide for the continued use of the marae as a major focal point for all people as a place to enhance the understanding of tikanga Māori, and to support social, cultural, and economic development for Māori. Provision is made in the zone for a range of residential activities and non-residential activities, while not detracting from neighbouring zones.

The provisions in this chapter give effect to the Chapter 3 Strategic Directions Objectives.

~~21.13.1~~ 21.13.2 Objectives and policies

~~21.13.1.1~~ 21.13.2.1 ~~21.13.1.1~~ Objective — Kaitiakitanga

- a. Ngā Hau e Whā National Marae continues as a major focal point for all people as a place to enhance the understanding of tikanga Māori, and to support social, cultural, and economic development for Māori.

~~21.13.1.1.1~~ 21.13.2.1.1 ~~21.13.1.1.1~~ Policy — Provision for a range of residential and non-residential activities

- a. Provide for a range of residential activities and non-residential activities to support the social, cultural and economic aspirations of Te Rūnanga o Ngā Maata Waka.

~~21.13.1.1.2~~ 21.13.2.1.2 ~~21.13.1.1.2~~ Policy — Minimise adverse effects on neighbouring zones

- a. Ensure that buildings and activities undertaken do not detract from the amenity values of neighbouring zones.

~~21.13.2~~ ~~21.13.3~~ ~~21.13.2~~ How to interpret and apply the rules ~~Rules~~ — Specific Purpose (Ngā Hau e Whā) Zone

~~21.13.2.1~~ How to interpret and apply the rules

- a. The rules that apply to activities in the Specific Purpose (Ngā Hau e Whā) Zone are contained in:
- i. ~~the activity status tables below~~ in Rules ~~21.13.2.2.1, 21.13.2.2.2, and 21.13.2.2.4.13~~; and ~~the~~
 - ii. ~~built form standards in~~ Rule 21.13.2.35.
- b. The activity status tables and standards in the following chapters also apply to activities in all areas of the Specific Purpose (Ngā Hau e Whā) Zone ~~(where relevant)~~:
- 5 Natural Hazards;
 - 6 General Rules and Procedures;
 - 7 Transport;
 - 8 Subdivision, Development and Earthworks;
 - 9 Natural and Cultural Heritage;
 - 11 Utilities ~~and~~, Energy ~~and Infrastructure~~; and
 - 12 Hazardous Substances and Contaminated Land

~~e. Where the word 'facility' or 'facilities' is used in the rules e.g. community facilities, it shall also include the use of a site/building for the activity that the facility provides for, unless expressly stated otherwise.~~

~~Similarly, where the word/phrase defined includes the word 'activity' or 'activities', the definition includes the land and/or buildings for that activity unless expressly stated otherwise in the activity status tables.~~

21.13.4 ~~21.13.2.2~~ Rules — Specific Purpose (Ngā Hau e Whā) Zone

~~21.13.2.1~~ 21.13.4.1 Activity status tables

~~21.13.2.1.1~~ 21.13.4.1.1 ~~21.13.2.2.1~~ Permitted activities

~~The activities listed below are permitted activities in the Specific Purpose (Ngā Hau e Whā) Zone, the activities listed below are permitted activities if they comply with~~ meet any ~~the~~ activity specific standards set out in this table and the built form standards in ~~Rule 21.13.25.3~~.

Activities may also be restricted discretionary or non-complying as specified in Rules 21.13. ~~24.21.2~~ and 21.13. ~~24.21.3~~.

Activity		Activity Specific Standards
P1	Marae complexes, including whareniui, wharekai, manuhiri noho (guest accommodation with or without tariff) and associated accessory buildings .	Nil
P2	Residential activity , including minor residential units, and kaumātua units.	Nil
P3	Home occupations	Nil
P4	Relocation of residential units	Nil
P5	Community activities-facilities and associated facilities, including whare hauora (health care facilities)	Nil
P6	Kohanga reo (preschool) and kura kaupapa (education activity and education facilities)	Nil
P7	Hākinakina (recreation activities and recreation facilities)	Nil
P8	Urupā	Nil
P9	Whare hoko (convenience activities) and arumoni (commercial services)	a. e –Maximum of 100 m ² GLFA per business.
P10	Offices (including justice facilities)	Nil
P11	Māketete (markets)	a. d –Not exceeding one event per week

21.13.2.1-21.13.4.1.2 21.13.2.2-2 Restricted discretionary activities

The activities listed in the table below are restricted discretionary activities.

Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in Rules 21.13.6, as set out in the following table.

Activity	The Council's discretion shall be limited to the following matters:
<p>RD1 Any permitted activity which <u>Any activity listed in Rule 21.13.4.1.1 P1 – P11 that</u> does not meet one or more of the activity specific standards in Rule 21.13.2.4-21.11.</p> <p>Any application arising from this rule shall not be limited or publicly notified. Any application arising from this rule will not require written approvals and shall not be publicly or limited notified.</p>	<p>a. e–Traffic generation and access – Rule 21.13.36.4</p> <p>b. f–Scale of non-residential business activity – Rule 21.13.36.5</p>
<p>RD2 Any permitted activity listed in Rule 21.13.4.1.21 P1 – P11 which <u>Any activity listed in Rule 21.13.4.1.21 P1 – P11 that</u> does not meet one or more of the built form standards in <u>Rule 21.13.25.3.</u></p> <p>Any application arising from Rule 21.13.25.5 shall not be publicly notified and shall, absent written approval, be limited notified only to the New Zealand Fire Service Commission. shall not be publicly notified and shall be limited notified</p>	<p>As relevant to the built form standard that is not met:</p> <p>a. g–Daylight recession planes – Rule 21.13.36.1</p> <p>b. 8 December CCC memoh. Internal boundary setback – Rule 21.13.36.2</p>

Activity	The Council's discretion shall be limited to the following matters:
<p><u>only to New Zealand Fire Service Commission (absent its written approval).</u></p> <p>Any application arising from Rules 21.13.2.35.1 to 21.13.2.35.4 shall not be publicly notified and may be limited notified only to directly abutting land owners (where the consent authority considers this is required, and absent written approval).</p>	<p>e. i. Road boundary setback — Rule 21.13.36.3</p> <p>d. j. Building height — Rule 21.13.36.7</p> <p>e. k. Water supply for firefighting — Rule 21.13.36.6</p>

21.13.4.1.3 21.13.2.2.3 Non-complying activities

The activities listed below are non-complying activities.

Activity	
NC1	Any other activity not listed <u>provided for</u> as a permitted or restricted discretionary <u>activity</u> .
NC2	<p>a. <u>Sensitive activities</u> and <u>buildings</u> (excluding <u>accessory buildings</u> associated with an existing activity) within 10 metres of the centre line of a 66kV <u>electricity distribution line</u> or within 10 metres of a foundation of an associated <u>support structure</u>.</p> <p>b. Fences within 5 metres of a 66kV <u>electricity distribution line support structure</u> foundation.</p> <p>Notes:</p> <p>1. — Any application arising from this rule shall not be publicly notified and shall be limited notified only to Any application made in relation to this rule shall not be publicly notified or limited notified other than to Orion New Zealand Limited or other <u>electricity distribution network utility operator (absent written approval).</u></p> <p><u>Advice Notes:</u></p> <p>21. <u>21.</u> Vegetation to be planted around the <u>electricity distribution lines</u> should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.</p> <p>32. <u>32.</u> The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) contains restrictions on the location of structures and activities in the vicinity of <u>electricity distribution lines</u>, which must be complied with.</p>

21.13.3 21.13.5 21.13.2.3 Built form standards

21.13.3.1 21.13.5.1 21.13.2.3.1 — Daylight recession planes

- a. Buildings and structures shall not project beyond a building envelope contained by recession planes, as shown in Appendix 14.14.2 Diagram A, from points 2.3 metres above the internal boundaries.

~~21.13.3.2~~21.13.5.2 ~~21.13.2.3.2~~—Internal boundary setback

- a. The minimum [setback](#) from zone [boundaries](#) for [buildings](#) and structures shall be 1.8 metres.

~~21.13.3.3~~21.13.5.3 ~~21.13.2.3.3~~—Road boundary setback

- a. The minimum [setback](#) distance from the [road boundary](#) shall be 4.5 metres.

~~21.13.3.4~~21.13.5.4 ~~21.13.2.3.4~~—Building height

- a. The maximum [height](#) of any [building](#) shall be 9 metres.

~~21.13.3.5~~21.13.5.5 ~~21.13.2.3.5~~—Water supply for firefighting

- a. Provision for sufficient water supply and access to water supplies for firefighting shall be made available to all [buildings](#) (excluding [accessory buildings](#) that are not [habitable buildings](#)) via [Council](#)'s urban reticulated system (where available) in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice (SNZ PAS: 4509:2008).
- b. Where a reticulated water supply compliant with SNZ PAS:4509:2008 is not available, or the only supply available is the controlled restricted rural type water supply which is not compliant with SNZ PAS:4509:2008, water supply and access to water supplies for firefighting shall be in accordance with the alternative firefighting water sources provisions of SNZ PAS 4509:2008.

~~21.13.4~~21.13.6 ~~21.13.3~~—Matters of discretion**~~21.13.4.1~~21.13.6.1 ~~21.13.3.1~~—Daylight recession planes**

- a. Any effect on amenity of [adjoining](#) properties, including visual dominance, daylight and sunlight admission, and loss of privacy from overlooking.
- b. Opportunities for [landscaping](#) and tree planting, as well as screening of [buildings](#).

~~21.13.4.2~~21.13.6.2 ~~21.13.3.2~~—Internal boundary setback

- a. The extent to which the [site](#) layout and use of spaces maintains adequate levels of privacy and outlook, taking into account:
- i. the need to enable an efficient, practical and/or pleasant use of the remainder of the [site](#);
 - ii. the need to provide future occupants with adequate levels of daylight and outlook from internal [living spaces](#), and privacy from neighbouring [residential units](#) or [sites](#) (particularly in relation to existing direct facing [windows](#) or [balconies](#)); and
 - iii. any adverse effects of the proximity or bulk of the [building](#) in terms of loss of access to daylight on and outlook from [adjoining sites](#).

~~21.13.4.3~~21.13.6.3 ~~21.13.3.3~~ Road boundary setback

- a. Any loss of privacy for adjoining properties through overlooking.
- b. Alternative practical locations for the building on the site.
- c. The compatibility of the building in terms of appearance, layout and scale of other buildings and sites in the surrounding area.
- d. Any detracting from the openness of the site to the street, or any visual dominance over the street.

~~21.13.4.4~~21.13.6.4 ~~21.13.3.4~~ Traffic generation and access

- a. The extent to which the traffic generated is appropriate to the character, amenity, safety and efficient functioning of the access and road network in the area.
- b. The ability to mitigate any adverse effects of the additional traffic generation.
- c. The location of the proposed access points in terms of road and intersection efficiency and safety, including availability or otherwise of space on the road for safe right hand turning into the site.
- d. Any significant increase in glare from headlights.
- e. Any marked reduction in the availability of on-street parking.

~~21.13.4.5~~21.13.6.5 ~~21.13.3.5~~ Scale of non-residential business activity

- a. The extent to which increased scale is appropriate in the context of the surrounding environment taking into account:
 - i. hours of operation;
 - ii. ~~traffic-~~vehicle movements or pedestrian movements generated;
 - iii. any adverse effects, in terms of unreasonable noise, and loss of privacy, which would be inconsistent with the respective environments;
 - iv. the compatibility of the scale of the activity and the proposed use of the buildings with the scale of other buildings and activities in the surrounding area;
 - v. extent to which the activity serves the needs of residents in the surrounding area; and
 - vi. the extent to which the business contributes to local employment and economic development.

~~21.13.4.6~~21.13.6.6 ~~21.13.3.6~~ Water supply for firefighting

- a. Whether sufficient firefighting water supply is available to ensure the health and safety of the community, including neighbouring properties.

~~21.13.4.7~~21.13.6.7 ~~21.13.3.7~~ Building height

- a. The extent to which an increase in building height and the potential resultant scale and bulk of the building:
- i. affects amenity values of adjoining properties, resulting from visual dominance, loss of daylight and sunlight admission, and loss of privacy from overlooking;
 - ii. is visually mitigated through the topography, location, design and appearance of the building;
 - iii. enables more efficient use of the site or meets the functional needs of the building; and
 - iv. is compatible with the scale, proportion and context of buildings and activities in the surrounding area.