

**UNDER** the Resource  
Management Act 1991

**AND**

**IN THE MATTER** of a hearing by Independent  
Commissioners on behalf of Waikato District Council

of the

Waikato -Tainui Submission to the Proposed  
Waikato District Plan

**Hearing 4 Tangata Whenua**

---

**STATEMENT OF EVIDENCE**

PROVIDED BY

Gavin Rhys Donald

ON BEHALF OF

WAIKATO – TAINUI

AND ENDORSED BY SUBMITTERS

TURANGAWAEWAE MARAE TRUST BOARD AND JACKIE COLLIAR

## **1.0 Introduction**

- 1.1 My name is Gavin Rhys Donald and I hold the position of Managing Director at GMD Consultants Limited. I have over 15 years' experience in the field of resource management and environmental planning. This experience has been gained in both council and consultancy settings, in both New Zealand and the United Kingdom.
- 1.2 Having represented Waikato-Tainui on different issues for nearly 10 years, I have significant experience with Waikato River legislation and in particular the Vision and Strategy for the Waikato River. This experience has been gained through assisting regional and district councils address the Vision and Strategy for the Waikato River through policy development and the review of resource consent applications.
- 1.3 I hold a Bachelor of Planning degree from the University of Auckland. I am also a full member of the New Zealand Planning Institute.

## **2.0 Expert Witness Code of Conduct**

- 2.1 I can confirm I am familiar with the Code of Conduct for Expert Witnesses as set out in the Environment Court Practice Note 2014. I have read and agree to comply with the Code. Except where I state that I am relying upon the specified evidence or advice of another person, my evidence is within my area of expertise.

## **3. SCOPE OF EVIDENCE**

- 3.1 This evidence is presented on behalf of Waikato-Tainui and supported by Turangawaewae Marae Trust Board and Jackie Colliar.
- 3.2 This evidence is provided to address the Tangata Whenua Chapter of the Proposed Waikato District Plan.
- 3.3 The process to which Waikato-Tainui have arrived at this point, in relation to this plan review process, has been a collaborative one.
- 3.4 Waikato-Tainui seek amendments to the Proposed Waikato District Plan. These amendments are sought to both improve usability of the proposed plan and to ensure the plan provides appropriate environmental protections, as sought by the Waikato-Tainui Environmental Plan, Tai Tumu, Tai Pari, Tai Ao.
- 3.5 The amendments sought by Waikato-Tainui on some occasions may be provided for in the S42A Reports for Hearing 1 (Introduction to the Waikato District Plan) and 2 (All of Plan). The ability to provide this evidence in a combined manner was provided for by the Hearings Panel, following a request from Waikato-Tainui.
- 3.6 **My evidence brief covers:**
- Waikato-Tainui areas of focus;
  - Waikato-Tainui submission points that are attributed to Hearing 4 – Tangata Whenua;
  - The S42A as it applies to the Waikato-Tainui submission; and
  - Submissions that Waikato-Tainui have further submitted to.

#### **4.0 WAIKATO-TAINUI AREAS OF FOCUS**

- 4.1 The Waikato-Tainui Submission to the Proposed Waikato District Plan was more all-encompassing and detailed than the tribe had imagined. It became obvious at an early stage of drafting the submission that there were significant gaps, oversights and general confusion as to what was being proposed in the Waikato District Plan.
- 4.2 Waikato-Tainui, as a responsible Joint Management Agreement Partner, have been available to Waikato District Council to provide assistance and guidance on issues relating to iwi throughout the process. This offer remains and the hearings panel will see at topic hearings that Waikato-Tainui are not only identifying problems or issues but are seeking to provide a way forward through mutually beneficial solutions.
- 4.3 Whilst the submission was broad in nature, the rationale behind changes sought are focused on key aspects of the Proposed Waikato District Plan. These being the concerns around unplanned development and the associated effects on receiving environments, the treatment of Maaori freehold land, the lack of recognition and protection of the Waikato River – Mana o Te Awa and the lack of recognition of iwi as kaitiaki and Mana Whakahaere.

#### **5.0 WAIKATO-TAINUI SUBMISSION POINTS TO THE TANGATA WHENUA CHAPTER**

- 5.1 The Waikato-Tainui submission to the Proposed Waikato District Plan sought to ensure that Tangata Whenua and Maatauranga Maaori values are wound through the plan (submission number 286.10). The submission also sought greater recognition and understanding of the Waikato-Tainui Environmental Plan, Tai Tumu, Tai Pari, Tai Ao.
- 5.2 The promotion of 2.11 Strategic Objective – Tautoko te Whakatupuranga to the introduction, 1.13.1 Strategic Objective – Tautoko te Whakatupuranga, is viewed as a positive amendment. This change provides for an iwi focused objective, that groups it with all other objectives and provides the reader with an understanding that this objective applies across the plan.
- 5.3 The Tangata Whenua chapter stands in isolation from remainder of the plan. There does not appear to be good linkages to it throughout the plan and users may be mistaken that it only applies to Sites of Significance to Maaori and Maaori freehold land. In my opinion clear linkages should be made obvious throughout the plan including through specific reference by way of cross referencing to content that is included in the Tangata Whenua chapter.
- 5.4 Furthermore, I anticipate that Te Ture Whaimana – the Vision and Strategy for the Waikato River, maatauranga maaori and tikanga provides context for these linkages. However, there have been some recommended amendments and explanations in S42A reports for Hearing 1 (Introduction) and Hearing 4 (Tangata Whenua and Maaori Freehold Land) that do not provide for a consistent approach. An example of this is in the strikethrough version of the Introduction Chapter where 1.6.4 Values of Importance, 1.6.4.1 Kaitiakitanga, 1.6.4.2 Manaakitanga, 1.6.4.3 Tikanga have all been recommended for relocation to Chapter 2 Tangata Whenua. However, the S42A for this topic does not indicate this shift. In other terms, the S42A reports simply do not speak to each other in this regard. As a result, through this S42A report, values of importance to iwi may be inadvertently removed from the Proposed District Plan.
- 5.5 In my opinion the hearings panel should direct S42A report authors to clearly show any recommendations made in previous hearings relevant to the content of the topic at hand. The Strategic Objectives S42A report demonstrates how this can take place.

- 5.6 A further concern that is carried through from the Introduction Chapter but influences the Tangata Whenua Chapter is the recommended deletion of and lack of referencing of the Vision and Strategy for the Waikato River. The Introduction chapter S42A recommends deleting 1.7.2.2 Vision for the Waikato River, 1.7.2.3 Strategy for the Waikato River, 1.7.2.4 Issues – Health and wellbeing for the Waikato River, 1.7.2.5 Objectives and 1.7.2.7 Definition of Waikato River and catchment areas. These deletions become more important when considered in conjunction with the Tangata Whenua chapter, where amendments sought by Waikato- Tainui and iwi have been recommended for rejection in the S42A Report.
- 5.7 Paragraph 41 of the S42A report for this hearing acknowledges the importance of settlement legislation, however it recommends rejection of increased reference to it in this chapter on the basis that it is addressed in the Introduction chapter. But considering the above referenced deletions this recommendation does not remain consistent with what remains in the strikethrough version of the plan.
- 5.8 I am of the opinion that the status of the Vision and Strategy for the Waikato River has been undermined by a series of deletions and relocations that have not been accurately recorded through into the Hearing 4 S42A report. Furthermore, in my opinion that there is a need to include as a minimum, the objectives of the Vision and Strategy for the Waikato River at 2.5 of the Tangata Whenua Chapter. This amendment will leave the readers in no doubt as to the importance of this legislation in this rohe. This amendment is also consistent with the approach in the Operative District Plan (Waikato and Franklin Sections).
- 5.9 This will address the need for improved visibility of the Vision and Strategy for the Waikato River, at the front end of the proposed district plan. This visibility and referencing needs to occur throughout the plan. I consider the Waipaa District Plan a good example of how this can be achieved, whilst not perfect, the Waipaa District Plan provides an objective in zones that could potentially affect the Waikato or Waipaa Rivers. These objectives inform resource users and consenting staff alike of the relevant matters, when considering the Vision and Strategy for the Waikato River. Below is an example of how the Waipaa District Plan provides for this:

***Objective 15.3.12 - Giving effect to the Waikato River Vision and Strategy***

*To ensure that the Waikato River Vision and Strategy is given effect to by all development and subdivision.*

***Policy 15.3.12.1 - Maintaining the health and well-being of land and water bodies***

*To give effect to the directions and outcomes in the Waikato River Vision and Strategy and the Waipā River Accord, by ensuring that all development and subdivision shall include the following elements:*

*(a) Low impact design for stormwater, drainage and earthworks; and*

*(b) Building setbacks from lakes and water bodies; and*

*(c) Access to water bodies where appropriate; and (d) Provision for the Te Awa Cycleway, where relevant; and*

*(e) Minimal indigenous vegetation removal and requirements for restoration and enhancement of indigenous vegetation and natural character; and*

*(f) Restricting locations of earthworks, building and wastewater systems within cultural landscapes.*

- 5.10 The objectives referenced in paragraph 5.9 above provide for recognition of the Vision and Strategy for the Waikato River, maatauranga Maori, cultural values and tikanga. I am of the opinion that this is a specific amendment that can be provided for in the proposed district plan. This amendment will be addressed at specific zone and topic hearings. Included as an appendix to this evidence, is a comparison of neighbouring local authorities inclusion of maatauranga Maori and Maori values in their district plans. Submission point 286.26 provides for this conversation to occur.
- 5.11 Waikato-Tainui committed significant time and resourcing in an effort to better understand Concept Management Plans, the tool proposed by council to replace the previous Paa zoning in the Waikato District Plan. However significant confusion remains as to this tools application in relation to Maori freehold land.
- 5.12 Waikato-Tainui sought clarification from Waikato District council in its submission to the proposed plan, on a number of issues. These issues ranged from simple information requirements to the legal standing of Concept Management Plans. In submission point 286.19 Waikato Tainui sought amendment to the Tangata Whenua and Maaori land provisions as follows:
- 1. Amend the Proposed District Plan to provide greater clarity as to what information must be provided when developing a Concept Management Plan.*
  - 2. Provide further information as to how Concept Management Plans will be implemented as part of a Resource Management process.*
  - 3. Provide greater clarity as to the application of the plan if a Concept Management Plan is not developed.*
  - 4. Provide greater clarity as to who resources the development of Concept Management Plans and what council information and assistance will be provided to and / or trusts.*
- 5.13 The above requests were also made by Turangawaewae Marae Trust Board and Jackie Colliar. It was anticipated that these amendments would be provided for and the intended greater flexibility on Maaori freehold land would be achieved. However, councils S42A response has not achieved that and in fact created more confusion.
- 5.14 Paragraph 75 of the S42A report states that there is sufficient explanation of Concept Management Plans in 2.8 and 2.9 and that information is better sourced on the council website and other channels. These information channels are subject to third parties and potentially non RMA based information, which are not able to capture the Waikato District Councils intent when drafting the tangata whenua chapter, in relation to the Concept Management Plans.
- 5.15 Paragraph 76 of the S42A report states that it is not the place of the district plan to provide explanations of other legislative organisations or make rules which are covered under other jurisdictions. I am of the opinion that it entirely appropriate that the council and district plan provides explanation of how Concept Management Plans are provided for in the district Plan. It is the council that have offered up this tool in the district plan. I am of the opinion that if Waikato District Council see fit to include a new mechanism to manage specific land areas, they should be able to explain it and not divert queries to third parties.
- 5.16 I further note that in other sections of the Proposed Waikato District Plan there is additional contextual information which is integrated into the rule framework. An example of this is

referencing in Zone Rules to urban design guides combined with their inclusion within the appendices section of the plan.

- 5.17 The following questions in relation to submission point 289.19 remain unanswered by the S42A report:
1. How do approved Concept Management Plans relate to /or coherently fit into an RMA document like the Proposed Waikato District Plan?
  2. What benefits exist from Concept Management Plans over the previous Paa zoning?
- 5.18 If those administering Maaori freehold land do not develop Concept Management Plans and the underlying zone is residential or rural, is it anticipated that all marae activities will require resource consent. If so, I am of the opinion that these zone provisions will severely hinder the normal operations of marae throughout the district.
- 5.19 The above questions combined with the amendments sought in the Waikato-Tainui make for a confused picture. If those involved in the planning profession or iwi development have concerns around the necessary information and the purpose of Concept Management Plans, it is unlikely that the community in general will understand what is sought from this tool.
- 5.20 I am of the opinion that there is a place for Concept Management Plans in relation to the development of Maaori freehold land, but with the lack of information or direction provided, I am not sure that place is a district plan.
- 5.21 Waikato-Tainui submitted to the Proposed District Plan in relation to Hopuhopu and the ongoing development of the site. Two approaches were provided for through the submission and addendum to the primary submission. Both sought the same outcomes and are being developed currently as one, by Waikato-Tainui. Essentially this includes the development of specific zone / area provisions for Hopuhopu, based largely on the Paa zoning that exists in the Operative Waikato District Plan. Waikato-Tainui anticipated this discussion occurring in the zone hearings later in deliberations and whilst work is well advanced, this hearing is earlier than we had anticipated and if it had to be tabled at hearing 4, would be incomplete and most importantly not reviewed by the governors at the endowment college.
- 5.22 Paragraph 93 of the S42A report requests joint conferencing of the issues relating to Hopuhopu. I am of the opinion that this is an appropriate approach, provided parties who enter into the conversation are aware that Waikato-Tainui are seeking to reinstate lost permitted activity rights in the proposed plan along with a vision for the site into the future.
- 5.23 I would anticipate that Waikato-Tainui would reserve the right to present at the zoning hearing should conferencing not result in agreement with the invited parties.
- 5.24 Paragraph 247 of the S42A report for this hearing notes the following in regards to submissions made on the Marae complex definition (emphasis added):
- Waikato-Tainui [286.22], Jackie Colliar [493.33], and Trustee Turangawaewae Trust Board – G Raumatī [984.6], have quoted the definition from the Proposed District Plan for Marae Complex, which defines activities that may exist in a Marae Complex.*
- 5.25 The report then recommends rejection of these submission points. I note that the submission more than quoted this definition, and has provided requested amendments as shown in the submission summary. Given the explanation in Paragraph 247, it is unclear as to whether the S42A author has observed or considered the suggested amendments.

5.26 Notwithstanding, Waikato-Tainui have further considered the proposed definition and suggest that it be replaced with the following:

**Definition of a Marae complex:**

Marae

Facilities used for the provision of a focal point for social, cultural, and economic activity for Maaori and the wider community. Can include one or more of the following:

- Waharoa (archway entrance);
- marae aatea (sacred courtyard);
- tuaahu (sacred place for ritual practices);
- whareniui/wharehui (main building or meeting house – may include conference facilities);
- wharemoe (sleeping house);
- kaauta (kitchen, cookhouse, cooking shed);
- wharekai (dining hall);
- whare whakairo and / or whare waka (carving and waka shed)
- maara kai, maara rongoa (food garden, medicinal garden)
- accessory dwellings (including kaumatua and papakaainga housing)
- whare oranga (Healthcare centre);
- koohanga reo (early childhood centre)
- waananga (Education facility);
- papa taakaro (organised sport and recreation);
- facilities to support overnight accommodation of visitors (ablution blocks and toilets)
- places of cultural or historical significance, including urupaa (burial ground).

## 6.0 RESPONSE TO FURTHER SUBMISSION POINTS

- 6.1 I acknowledge that a number of Waikato-Tainui further submission points generally relate to other issues raised in the Waikato-Tainui submission, and hence are addressed above I also acknowledge the further submission points of Waikato-Tainui that have been accepted in conjunction with the related primary submission points.
- 6.2 I note that Further Submission Point FS1108.33 appears in two separate locations in the table on page 14 of the S42A report for Hearing 4. Each submission point has a unique number so this should not be the case. I can only assume that the second entry relating to support of submission 300.1 is an administrative error and requires deletion from the table as Waikato-Tainui did not produce a further submission point to that effect.
- 6.3 Waikato-Tainui further submission point FS1108.178 supports the submission of Turangawaewae Trust Board (984.2) which seeks integration of objectives policies, principles and intent of the Tangata Whenua chapter across the plan. I am of the opinion that this is best addressed within the context of each zone and topic chapter. To that end Waikato-Tainui will present evidence in zone and topic hearings.
- 6.4 Notwithstanding, I have attached a table which demonstrates alternative approaches of two neighbouring councils, Auckland and Waipaa, in addressing Maaori values compared to the approach within the Proposed Waikato District Plan. Whilst some components of the plan integrate Tangata Whenua values (highlighted in green) there are a number of topics, zones or specific aspects of the Plan that fall short with little or no reference contained therein. The attached

table shows areas for improvement highlighted in (yellow) and areas where I consider there are more significant gaps (red). Gaps and areas for improvement include areas of the plan related to:

- Referencing and integration of the vision and strategy in objectives, policies and rules (e.g. those associated with building and earthwork setbacks);
- Recognition of cultural and Maaori values in matters of discretion;
- Recognition of paramount importance of maunga and cultural landscapes to Maaori within the objective, policy and rule framework;
- Provision for commercial development and economic aspirations of Maaori in association with Maaori land, papakainga and marae;
- Recognition and integration of iwi management plans within objectives, policies and rules;
- Iwi involvement in resource management processes including the recognition of the rule of Iwi as a partner;
- Consideration and integration of Maaori values in regards to built heritage and archaeology;
- The recognition of the importance of fauna species to iwi;
- Broader integration and reference to Maaori values within rural and urban objectives, policies, effect rules, subdivision rules, building rules and activity rules including those beyond Maaori Sites of Significance, Maori Areas of Significance and Maaori Freehold Land.

6.5 The introduction to the Tangata Whenua chapter (s2.1(a)) signals the intent to integrate of Maaori values throughout the Proposed District Plan:

*'The plan uses a holistic cultural and ethical approach to resource management and takes into account the principles of the Treaty of Waitangi, in particular the idea of active involvement. Partnership is approached through the recognition of iwi plans and ongoing consultation. The introduction of a Tangata Whenua section is to provide background and better understanding of Maaori issues. It is a new approach that is further supported by objectives, policies, rules and methods more specific to Maaori aspirations. It is thought that this approach will enable an improved presence of Tangata Whenua throughout the plan and the relevant objectives, policies, rules and methods to be given more consideration.'*

6.6 In my opinion, and as demonstrated through my above comparison, the Proposed Waikato District Plan does not currently integrate the Tangata Whenua values across the plan, particularly at a zone and topic (overlay) level.

6.7 Waikato-Tainui further submission point FS1108, in support of submission point 984.4 which seeks the following:

*Amend the Proposed District Plan to ensure that the Waikato-Tainui Environmental Plan, Tai Tumu, Tai Pari, Tai Ao has been included, following engagement with Turangawaewae Trust Board.*

6.8 In attempting to integrate iwi management plans, the Waipaa District Plan provides an example of how this can be achieved, it explicitly states the following as an assessment criteria for all discretionary activities:



### **21.1.26.3 Iwi Management Plans**

*(a) the extent to which the activity supports outcomes in recognised Iwi management planning documents.*

#### **7.0 SUMMARY**

- 7.1 Waikato-Tainui are concerned with how the Vision and Strategy has been addressed both in terms of its recommended deletion from Hearings 1 (Introduction), and the subsequent lack of consideration in the S42A report for Hearing 4.
- 7.2 In my opinion important matters have not been considered in the Hearing 4 S42A report, as demonstrated through a lack of illustrating recommended amendments made within the context of the Hearing 1 (Introduction) S42A report.
- 7.3 Waikato-Tainui seek that the Proposed Waikato District Plan better integrate Tangata Whenua values in a holistic manner as anticipated in s2.1(a) of the Tangata Whenua chapter. In my opinion this is achievable and I have demonstrated, via a comparison of other plans (Waipaa and Auckland), that this is achievable.
- 7.4 Waikato-Tainui remain committed to the Waikato District Plan review process, to ensure positive outcomes for the people of Waikato-Tainui and the community in general. I am of the opinion that Waikato-Tainui contributions will become increasingly relevant in specific chapters.

## Appendix 1: Tangata Whenua and Maatauranga Maaori Plan Comparison

	<b>Proposed Waikato District Plan</b>	<b>Auckland Unitary Plan</b>	<b>Waipa District Plan</b>
<b>Strategic Objectives</b>	<p>High level strategic objective which does not capture holistic Maaori world view (only captures people).</p> <p>See suggested amendments in evidence to encompass the broader Maaori world view.</p>	<p>N/A - Does not contain strategic objectives. Unitary plan includes the Regional Policy Statement which contains specific to Mana Whenua objectives and policies.</p>	<p><b>Objective</b>  <i>1.3.3. To uphold, and assist tāngata whenua to uphold, the partnership principles inherent within Te Tiriti o Waitangi, by assisting tāngata whenua to maintain and enhance their culture, traditions, economy and society, in order that their well-being (mauri) and health (hauora) is maintained.</i></p> <p><b>Policy - Cultural and historic relationship</b>  <i>1.3.3.1 To recognise and promote the cultural and historic relationships tāngata whenua have with the District.</i></p> <p><b>Policy - Role of marae and papakāinga</b>  <i>1.3.3.2 To recognise that marae and papakāinga are the focus of, and an essential part of the development of Māori culture, traditions, society and economy.</i></p> <p><b>Policy - Functions of papakāinga</b>  <i>1.3.3.3 To enable a diverse range of social and educational activities that meet the needs of people living within the papakāinga development, and to recognise the wider community function that marae and papakāinga serve.</i></p> <p><b>Policy - Planning for marae and sustainable papakāinga</b>  <i>1.3.3.4 To encourage and assist in the integrated and holistic planning for marae and papakāinga developments and to ensure that marae and papakāinga developments are sustainable, and</i></p>

			<i>that any development is co-ordinated with infrastructure provision.</i>
<b>Recognition and implementation of iwi management plans</b>	Iwi management plans are not recognised/referenced in the context of objectives, policies, or rules.	Iwi management plans are not recognised/referenced in the context of objectives, policies, or rules.	Assessment criteria for all discretionary activity includes: <b>21.1.26.3 Iwi Management Plans</b> <i>(a) the extent to which the activity supports outcomes in recognised Iwi management planning documents.</i>
<b>Involvement in resource management processes and decision making</b>	Plan only provides for Tangata Whenua involvement under the broader heading of 'consultation'. Iwi management plans are mentioned in the context of partnerships but are not recognised . As per Policy 2.14.1 (emphasis added).  <i>a) Consult with Tangata Whenua where activities have the potential to adversely affect ancestral lands, water, sites, waahi tapu, and other taonga and which may include:</i> <i>I. Establishing who should be consulted;</i> <i>II. Establishing formal arrangements such as joint management agreements or memoranda of understanding;</i> <i>III. Tangata Whenua involvement with consent processes and representation on hearings;</i> <i>IV. Supporting the creation of Iwi and hapuu management plans; and</i>	Recognised in the Mana Whenua chapter by way of objectives and policies and also reflected at a topic level through matters of discretion and assessment criteria.  <b><u>Objectives:</u></b>  <b><u>Policies: Captured at a regional policy statement level within the Unitary plan:</u></b>	Tangata whenua recognised as a key partner in plan introduction.  Iwi management plans elevated and so to the vision and strategy.

	<p>V. <i>The exercising of kaitiakitanga or stewardship.</i></p> <p>VI. <i><u>Kaitiaki responsibility to ensure the mauri and the taonga inherited from tupuna are not negatively affected through resource consent and activities</u></i> [suggested addition in 42A report].</p> <p>Unclear how this is integrated into the broader rule framework beyond identified sites, such as through reference to cultural impact assessments.</p>		
<p><b>Land Development and Economic Aspirations (including commercial activities)</b></p>	<p>Iwi aspirations recognised at a strategic objective level as well as particular objectives of traditional resources and relationships to ancestral land <b>(1.13.1 and 2.13)</b></p> <p>Policies enabling management utilisation and associated economic development including <b>2.13.1(C): Economic development supports the occupation, development and use of Maaori land.</b></p> <p>Enabling rules contained in Zone chapters for development of Maaori Freehold Land including a permitted base line for papakaaing and marae development.</p>	<p>Maori Purpose Zone (H27), along with particular chapters with objectives, policies and rule for Maaori Land (E20) and Treaty Settlement Land (E21).</p> <p>In regards to Maaori Land and Treaty Settlement Land, the underlying zone rules apply unless specified otherwise.</p> <p><b>Objective H27.2 (5)</b> <i>Opportunities to establish supporting economic activities of an appropriate scale are provided.</i></p> <p><b>Policy H27.3(3)</b> <i>Enable a range of activities including dwellings for papakāinga, marae and</i></p>	<p>Addressed in strategic objective above.</p> <p>Marae Development zone (mapped) which applies regardless of land tenure. Zone has clear objectives and policies.</p> <p>Enabling rules including a permitted rule for 50m<sup>2</sup> of commercial activity.</p>

	<p>Provisions relating to papakainga and marae development are generally more enabling than Auckland Unitary Plan and Waipa District plan, with exception of commercial activities.</p> <p>Does not provide a permitted baseline for commercial activities. Does not provide a clear direction or standards in relation to commercial use of Maori freehold land on or beyond Marae sites. <i>[Except for sS42 recommended amendments which provide for a limited range of commercial activities specific to Riria Kereopa Drive].</i></p> <p>Requires land to be administered by Maori Land Court and does not apply to other forms of land held by Waikato-Tainui. For instance, settlement land held in Te Wherowhero title.</p>	<p><i>associated facilities, customary use, and cultural and commercial activities on land zoned for Māori purposes.</i></p> <p>Maori Purpose Zone provisions provide for the following permitted commercial activities:</p> <ul style="list-style-type: none"> <li>• Retail up to 100m<sup>2</sup> gross floor area per site</li> <li>• Markets</li> <li>• Produce stalls</li> </ul> <p>Restricted Discretionary Activity for commercial activities beyond that.</p>	
<p><b>Mapped or Scheduled Sites or Areas of Significance to Maori.</b></p>	<p>Mapped and scheduled areas and sites of significance to Maori.</p> <p>Values recognised in objectives and policies.</p> <p><b><u>Rules (based on rural zone)</u></b></p>	<p>Mapped and scheduled sites and places of significance to Mana Whenua.</p> <p>Some sites also scheduled as historic heritage.</p> <p><b>Objectives D21.2:</b>  <i>(1) The tangible and intangible values of scheduled sites and places of</i></p>	<p>Mapped Cultural Sites – generally Urupa and Paa/Marae.</p> <p>Objectives and Policies which link back to the Vision and Strategy:</p> <p><b>Objective 22.3.5 Protecting cultural sites</b>  <i>To protect the integrity of Waipā’s cultural sites from inappropriate subdivision, use and</i></p>

	<p>Restricted discretionary activity for earthworks on an identified site or area of significance.</p> <p>RD1 for subdivision of a site containing a Maaori Site or Area of Significance</p> <p>Matters of discretion:</p> <ul style="list-style-type: none"> <li>(i) location of activity in relation to the site;</li> <li>(ii) effects on heritage and cultural values</li> </ul> <p>Non complying activity for subdivision that divides a Maaori site or area of significance.</p> <p>Rules limited to earthworks and do not address existing uses or building on these sites.</p> <p>Activity rules are silent on Maaori Sites or Areas of Significance.</p>	<p><i>significance to Mana Whenua are protected and enhanced.</i></p> <p><i>(2) Scheduled sites and places of significance to Mana Whenua are protected from inappropriate subdivision, use and development, including inappropriate modification, demolition or destruction.</i></p> <p><b>Policies (D21.3 (1) to (11))</b> address a range of matters including</p> <ul style="list-style-type: none"> <li>• specific matters such as physical destruction in part or whole.</li> <li>• Avoidance of significant adverse effects</li> <li>• Where effects cannot be avoided then remedy or mitigate.</li> <li>• Providing for outcomes articulated by mana whenua through AEE with Mana Whenua within iwi planning documents.</li> </ul> <p><b><u>Rules (D21.4)</u></b></p> <p>Permitted activities addressing non-invasive archaeological survey, minor work for the purpose of preservation or maintenance with detailed activity standards.</p> <p>RD for temporary activities</p>	<p><i>development and give effect to the Vision and Strategy for the Waikato River by identifying and recording cultural items.</i></p> <p><b>Policy 22.3.5.1 - Protection of cultural sites</b></p> <p><i>To retain the integrity of cultural sites (Appendix N2) and give effect to the Vision and Strategy for the Waikato River, by requiring all development, in particular earthworks, buildings, access, and wastewater systems and their disposal fields to be set back from cultural sites.</i></p> <p><b><u>Rules (based on Rural Zone)</u></b></p> <p>Restricted discretionary for development involving these sites (buildings, earthworks or driveways) or wastewater treatments systems within 20m of the boundary of these sites.</p> <p>Matters of discretion</p> <ul style="list-style-type: none"> <li>• Location and;</li> <li>• Integrity and values of the site.</li> </ul>
--	---	---	--

		<p>Discretionary for new buildings and structure and alterations where footprint is increased, subdivision resulting in site or place extending across multiple lots</p> <p>Infrastructure (E26) – (see infrastructure below)</p> <p>Land disturbance (E12) Separate policies and provisions including addressed in the context of Historic Heritage (see Historic Heritage below):</p>	
<p><b>Historic Heritage</b></p>	<p>PWDP does not provide recognition of Archaeological heritage sites and is limited to buildings and structures.</p> <p>No acknowledgement or reference to Maaori values or history in reference to redoubts and battlefields. Only broader culture values are recognised in heritage objectives and policies.</p> <p>PWDP does not acknowledge or note instances of overlapping built heritage and cultural heritage (Maaori Sites and Areas of Significance). Note heritage building 98 sits within an Identified Maaori Area of significance.</p>	<p><b>Built heritage chapter recognises that Maaori sites of significance can overlap with built heritage</b></p> <p><b>Land Disturbance (E12)</b></p> <p><b>Policy E12.3(2)(c):</b> <i>maintain the cultural and spiritual values of Mana Whenua in terms of land and water quality, preservation of wāhi tapu, and kaimoana gathering.</i></p> <p><b>Policy E12.3(4):</b> Manage the impact on Mana Whenua cultural heritage that is discovered undertaking land disturbance by:</p> <p>(a) requiring a protocol for the accidental discovery of kōiwi,</p>	<p>Archaeology and build heritage considered separately, permitted activity for demolition or modification with an Authority from Heritage New Zealand Pouhere Taoanga.</p>

	<p>Note: Turangawaewae house is listed as a Category A building.</p> <p>No consideration or integration of Maaori values or Maatauranga in objectives, policies or rules associated with built heritage.</p>	<p>archaeology and artefacts of Māori origin;</p> <p>(b) undertaking appropriate actions in accordance with mātauranga and tikanga Māori; and</p> <p>(c) undertaking appropriate measures to avoid adverse effects, or where adverse effects cannot be avoided, effects are remedied or mitigated.</p> <p><b><u>Rules (including but not limited to)</u></b></p> <ul style="list-style-type: none"> <li>• Earthworks for walking tracks and fences (RD)</li> <li>• Earthworks for burial grounds and Ururpa (P)</li> <li>• Accidental discovery</li> <li>• General earthworks not specifically provided for addressed by volume/area.</li> </ul>	
<p><b>Biodiversity (provisions relating to areas beyond Maaori free hold land or treaty settlement land)</b></p>	<p>Flora, but not fauna Addressed in the Tangata Whenua chapter through policy 2.12.1.</p> <p><i>(a)Recognise the relationship of Tangata Whenua with areas of significance, including waahi tapu, urupaa, maunga and other landforms, mahinga kai, and indigenous flora through provisions which may include:</i></p>	<p>Addressed and recognised in objectives and policies applying across the plan.</p> <p>A matter of discretion which captures mana whenua values in regard to vegetation clearance (E15.8.1(1)(j)(i)):</p> <p><i>The effects on Mana Whenua values associated with a Significant Ecological Areas Overlay, Outstanding Natural Features Overlay, Outstanding Natural Character Overlay, High Natural Character</i></p>	<p>Recognition of Vision and Strategy and its associated objective regarding flora and fauna enhancement in the indigenous biodiversity chapter introduction (24.1.3).</p> <p>Zone specific objectives and policies relating back to vision and strategy.</p>



	<p>I. <i>Cultural value assessments and/or cultural impact assessments;</i></p> <p>II. <i>Accidental discovery protocols;</i></p> <p>III. <i>Use of traditional place names;</i></p> <p>IV. <i>Protection, enhancement and restoration of mauri;</i></p> <p>V. <i>Use of appropriate plant species;</i></p> <p>VI. <i>Use of archaeological information; and</i></p> <p>VII. <i>Incorporation of traditional or sympathetic design elements.</i></p> <p><b><u>Topic specific Objectives</u></b>  Maaori values not reflected at an objective level.</p> <p><b><u>Policy</u></b>  3.2.7 (vii)  <i>Providing for the role of Mana Whenua as kaitiaki and for the practical exercise of kaitiakitanga in restoring, protecting and enhancing areas.</i></p> <p><b><u>Matters of discretion</u></b></p> <p>Rural Zone Rule 22.2.8  RD1(b)(iv)Indigenous vegetation clearance outside a Significant Natural Area.  <i>“The extent to which clearance affects Tangata Whenua Relationships with indigenous biodiversity on the site”.</i></p>	<p><i>Overlay or the Outstanding Natural Landscapes Overlay</i></p> <p>As well as explicit consideration of Maatauranga and tikanga in the following assessment criteria (E15.8.2(1)(j)(i)):</p> <p><i>(i) the extent to which any adverse effects on Mana Whenua values can be avoided, remedied or mitigated, and having regard to the objectives and policies in E20 Māori Land whether the proposed works are appropriate to provide for Mana Whenua, mātauranga and tikanga values.</i></p>	
--	---	--	--

<p><b>Vision and Strategy, Water bodies and the Coast</b></p>	<p>Objective generally recognising the cultural significance of the district (<b>Objective 2.16</b>).</p> <p>Reflected in <b>policy 2.16.1(a)</b> <i>Recognise and maintain the cultural significance of wetlands lakes and other waterbodies, including the Waikato and Waipa awa (rivers), coastal areas of Whaingaroa (Raglan Harbour), Aotea, and Te Puaha o Waikato (Port Waikato).</i></p> <p>Policy 2.16.1(a) not reflected in rule framework. e.g.</p> <p>Waterbody setback rules do not include matters of discretion pertaining to maaori values. Setback rules are not supported by objectives and policies which relate to the Vision and Strategy.</p> <p>Vision and strategy not referred to or implemented at an objective and policy level.</p> <p>PDP does not specifically address s31 RMA function in regards to actual or potential effects of activities in relation to the surface of water in rivers and lakes.</p>	<p><i>[Note: Not Analysed for comparison given Auckland Unitary Plan provisions relating to water bodies and the coast are regional plan provisions.]</i></p>	<p>The Vision and Strategy is integrated into the plan through specific reference in objectives and policies and in particular zones which provides a clear link to specific topic areas implemented through rules.</p> <p>Reference to the Vision and strategy at the beginning of each zone chapter, which links back to the Strategic Policy Framework.</p> <p><b>Objective - Waikato River Vision and Strategy 8.3.6</b> <i>To ensure development and activities undertaken within the Lake Karāpiro Events Zone achieve the Waikato River Vision and Strategy.</i></p> <p><b>Policy - Waikato River Vision and Strategy 8.3.6.1</b> <i>To ensure that development within the Lake Karāpiro Events Zone gives effect to the Waikato River Vision and Strategy through building setbacks, controlling building size, appropriate mitigation of earthworks, and by not further restricting existing access to the Waikato River. Opportunities to enhance access will be supported.</i></p> <p><b>Policy - Waikato River Vision and Strategy 9.3.2.7</b> <i>To ensure that any development gives effect to the objectives and strategies in the Waikato River Vision and Strategy through building setbacks, appropriate mitigation of earthworks, and by not restricting existing access to the Waikato River.</i></p>
---	--	---	---

			<p><i>Opportunities to enhance access will be supported.</i></p> <p><b>Rules</b>  23m setback (<b>Section 26</b>)  Specific objectives and policies for and rules for lakes and waterbodies including addressing setbacks and surface water activities (<b>Section 26</b>).</p> <p>Assessment criteria for all discretionary activities includes:</p> <ul style="list-style-type: none"> <li>- <i>The extent to which the development or subdivision has particular regard to the Waikato River Vision and Strategy (<b>21.1.1.1(a)</b>).</i></li> </ul>
<p><b>Maunga and cultural landscapes</b></p>	<p>Maunga not identified for associated cultural values, but rather as a subset of landscape values (some being Outstanding Natural Features and Landscapes)</p> <p>No identification of cultural landscapes or associated values within the plan, but these feature within landscape reporting.</p> <p>Objective generally recognising the cultural significance of the district</p>	<p>Maunga addressed as Maaori Sites and Places of Significance with associated objectives policies and rules (see above). Also view shafts recognised.</p>	<p>Waipa Maunga, and particular battle sites identified on planning maps as cultural landscapes. Also, an Alert layer with policy recognition and no associated rules in (generally relates to particular rivers and associated 50m margin).</p> <p><b>Policy 25.3.6.3</b> <i>'The relationship of Māori with their ancestral lands, water, sites, wāhi tapu and other taonga within alert level cultural landscapes will be assessed in the event that a resource consent is triggered within the cultural landscape.'</i></p>

	<p><b>(Objective 2.16).</b></p> <p>Reflected in <b>Policy 2.16.2(b):</b>  <i>Recognise the historic and contemporary relationships of Ngaa iwi o Tainui to Karioi, Taupiri, Hakarimata Range, Hunua and Pirongia maunga.</i></p> <p>Rule framework does not reflect this. Unclear how this links to Outstanding Natural Features and Landscapes or other chapters in the plan.</p>		<p>Objectives and Policies which recognise the values of cultural landscapes.</p> <p>Associated controlled activity rules addressing the construction of new buildings, earthworks and installing wastewater treatment systems. Provisions of National Environment Standard for Production Forestry specifically do not apply to cultural landscapes.</p> <p>Further Objectives and Policies applying to subdivision:</p> <p><b><u>Objective 15.3.7:</u></b>  <i>To maintain the District’s cultural landscapes, identified in this Plan.</i></p> <p><b><u>Policy 15.3.7.1:</u></b>  <i>To maintain the values of the cultural landscapes identified in this Plan, the layout and design of development and subdivision should not result in buildings, earthworks and wastewater systems adversely affecting the cultural values of the landscape.</i></p>
<p><b>Outstanding Natural Features and Landscapes (ONF &amp; ONL)</b></p>	<p>No specific reference to Maori values at objective level in regards to ONF &amp; ONL. Only cultural heritage value is recognised.</p> <p>Addressed generally in Policy 2.12.1 and specifically in Policy 3.3.4 as follows (emphasis added):</p>	<p>Addressed specifically in an objectives and Policies at a topic level as follows:</p> <p><b><u>Objective (D10.2(2))</u></b></p> <p><i>(2) The ancestral relationships of Mana Whenua with outstanding natural features and outstanding natural landscapes are recognised and provided for.</i></p>	<p>Cultural values of each Outstanding natural feature and landscape are recognised in within objectives.</p> <p>Cultural landscapes (maunga, rivers and battles sites addressed below)</p>

	<p><i>a) Provide for the consideration of cultural and spiritual relationships of Maaori with Outstanding Natural Features and Outstanding Natural Landscapes as part of subdivision, use and development.</i></p> <p><i>(b) Provide for the development of Maaori Freehold Land, within Outstanding Natural Features and Landscapes, including within the Whaanga Coast Specific Area.</i></p> <p><i>(c) Provide for Maaori cultural and customary uses of natural resources, including land, water and other natural resources as an integral part of identified Outstanding Natural Features and Outstanding Natural Landscapes.</i></p>	<p><b><u>Policies (D10.3):</u></b></p> <p><i>(3) Protect the physical and visual integrity of outstanding natural features, including volcanic features that are outstanding natural features, by:</i></p> <p>...</p> <p><i>(c) avoiding adverse effects on Mana Whenua values associated with an outstanding natural feature</i></p> <p><i>(4) Protect the physical and visual integrity of outstanding natural features, while taking into account the following matters:</i></p> <p>..</p> <p><i>(c) the historical, cultural and spiritual association with the outstanding natural feature held by Mana Whenua;</i></p> <p><b><u>Rules</u></b></p> <p>Matters of discretion include ‘effects on Mana whenua values’ <b>(D10.8.1(7))</b></p> <p>Assessment criteria includes ‘the extent to which the proposed use or development will adversely affect Mana Whenua values’ <b>(D10.8.2(9))</b></p>	
--	---	---	--

<p><b>Amenity Landscapes (Significant Amenity Landscapes)</b></p>	<p><b>Policy 3.4.4 – The Relationships of Maaori with their resources and land</b></p> <p><i>(a) Provide for the cultural and spiritual relationships of Maaori with Significant Amenity Landscapes during subdivision, use and development.</i></p> <p><i>(b) Provide for the development of Maaori Freehold Land within Significant Amenity Landscapes.</i></p> <p><i>(c) Provide for Maaori cultural and customary uses of natural resources, including land, water and other natural resources as an integral part of identified Significant Amenity Landscapes</i></p> <p>Iwi values associated with these landscapes are not documented in the plan, yet noted within Waikato District Landscape Assessment.</p>	<p>Volcanic Viewshafts and High Sensitive Areas identified.</p> <p>Matters of discretion also include ‘<i>Mana whenua values associated with the maunga</i>’.</p>	<p>Maori values recognised in the following:</p> <p>High Amenity Landscapes (Waikato River and Hydro Lakes)</p> <p><b>Objective 25.3.2</b> <i>To maintain the high amenity landscape qualities and values of the Waikato River and hydro lakes. The values of this landscape are:</i></p> <p><i>(a) The paramount significance of the River to River iwi, having very high cultural and spiritual values; and.....</i></p> <p><b>Policy 25.3.2.4</b> <i>Buildings shall be designed and appropriately set back from the Waikato River to recognise its associated cultural, amenity and natural character values.</i></p> <p>Significant Natural Features:</p> <p><b>Policy 25.3.3.1</b> <i>To recognise that the volcanic cone of Mount Kakepuku is a highly distinctive landscape feature within the Waipā District. The value of this landscape is:</i></p> <p><i>(a)...</i></p> <p><i>(b) The long history of association with tāngata whenua, recognised through the historic reserve status; and</i></p> <p><i>(c) ...</i></p>
<p><b>Natural Character</b></p>	<p>Maaori values not recognised in context of natural character objectives and policies</p>	<p>Mana whenua and maaori values not recognised in the context of natural character.</p>	<p>Maaori values not recognised in context of natural character objectives and policies.</p>

<p><b>Reserves Zone/Opens paces Zones</b></p>	<p>No policy reference to cultural values, maaori values or maatauranga maaori.</p> <p>No Permitted baseline for customary use/cultural use of reserves such as cultural events on reserves.</p>	<p><b>Policy H7.3(2)</b> (Applies to all opens pace zones):</p> <p><i>Develop open spaces which reflect Mana Whenua values where appropriate, including through;</i></p> <ul style="list-style-type: none"> <li><i>(a) restoring and enhancing ecosystems and indigenous biodiversity, particularly taonga species;</i></li> <li><i>(b) providing natural resources for customary use; and</i></li> <li><i>(c) providing opportunities for residents and visitors to experience Māori cultural heritage, while protecting Māori cultural heritage and sites and features of significance to Mana Whenua.</i></li> </ul> <p><i>Open space - Conservation Zone</i></p> <p><b>Objective H7.4.2(1)</b> <i>The natural, ecological, landscape, Mana Whenua and historic heritage values of the zone are enhanced and protected from adverse effects of use and development.</i></p> <p><b>Policy H7.4.3</b> Manage the use of the open space to protect and enhance Mana Whenua values, and enable appropriate activities which support and re-establish the relationship of Mana Whenua and their culture and traditions to their ancestral</p>	<p>Relevance of Vision and Strategy to this zone is addressed in introduction to Reserves Zone</p> <p><b>Policy 5.3.1.2</b> <i>Buildings and activities on reserves are developed and managed in a manner which retains the reserve’s environmental, heritage and/or cultural values, and supports the purpose of the reserve.</i></p>
---	--	---	--

		<p>lands, water, sites, wāhi tapu and other taonga.</p> <p>Open Space – Informal Recreation Zone</p> <p><b>Objective H7.5.2</b> <i>The open and spacious character, amenity values and any historic, Mana Whenua, and natural values of the zone are maintained.</i></p> <p><b>Policy H7.5.3(3)</b> <i>Require development, including new buildings and structures, located near scheduled Sites or Places of Significance to Mana Whenua to recognise the relationship of Mana Whenua to the area.</i></p> <p><b>Policy H7.5.3(9)</b> <i>Avoid use and development in locations adjoining the coast or water bodies where they will have more than minor adverse effects on any of the following:</i></p> <p>...</p> <p>(d) <i>Mana Whenua values.</i></p> <p>Open space - Conservation Zone</p> <p><b>Policy H7.6.3(7)</b> <i>Require activities and development in locations adjoining the coast or a water body to meet all of the following:</i></p> <p>....</p>	
--	--	---	--



		<p>(d) recognise Mana Whenua values.</p> <p><b>Rules</b>  Customary use provided for as permitted activity across all open space zones.</p> <p>Marae Complex provided for as permitted activity on Open Space – Community Zone.</p>	
<p><b>Urban Environment</b></p> <p><b>And</b></p> <p><b>Residential zone (Waikato)</b></p> <p><b>Single House Zone (Auckland)</b></p>	<p>No reference to Maaori, Maaori values, tikanga, kaitiakitangi or Maatauranga maaori in Zone objectives and policies.</p> <p><b><u>Residential Zone:</u></b>  Rules limited to Maaori Feehold land and identified sites and areas of significance, vegetation clearance and earthworks.</p> <p>Reference to sites of significance to Maaori in Residential Subdivision Guidelines. But not in relevant rules or assessment criteria which reference the guidelines.</p> <p>No wider recognition of the effects of land use and development on Maaori values in the rule framework, such as through matters of discretion in activity, effects or building rules.</p>	<p>No reference to maaori, maaori values, tikanga, kaitiakitangi or Maatauranga maaori in Zone objectives and policies.</p> <p>Marae provided for as a discretionary activity.</p>	<p><b><u>Resource management issue:</u></b></p> <p><b><u>2.2.1</u></b>  <i>Development within the Residential Zone has the potential to adversely affect the health and well-being of the Waikato and Waipā Rivers. Careful consideration should be given to the following; (but not limited to) potential impacts of increased impervious surfaces, vegetation clearance, earthworks and residential intensification within river catchments.</i></p> <p><b>Policy 2.3.2.22</b>  <i>To ensure that dwellings adjoining existing marae maintain the visual, aural and cultural privacy of the marae ātea.</i></p> <p><b>Policy 2.3.4.4</b>  <i>To enable sustainable marae and papakāinga developments acknowledging that the design and layout of a marae or papakāinga development may be different than that generally found in the Residential Zone.</i></p> <p><b><u>Residential Zone Rules</u></b></p>

	<p>No rules which reflect the significance of waterbodies, the coast or maunga to Maaori, or which provide for consideration of Maaori values as articulated through maatauranga Maaori.</p>		<p><i>No dwelling shall be placed or constructed so that it has doors, windows, verandahs or outdoor living areas with a direct line of sight to the nominal mahau (veranda) or marae ātea (area in front of the Whare Nui) area on existing marae</i></p> <p><b>(Discretionary activity</b> for failure of this rule)</p> <p>23m earthworks setback rule in Section 26 cross referenced here.</p> <p>Assessment criteria for all discretionary activities includes:</p> <p><i>(a) The degree to which the cultural values within the zone are promoted and any cultural requirements for the built character, location and orientation of buildings is taken into account.</i></p> <p><i>(b) The opinion of the Iwi/hāpu as to the likely effects on Māori ancestral lands, cultural areas, water sites, wāhi tapu and other taonga.</i></p> <p><i>(c) The extent to which the development or subdivision supports outcomes in recognised iwi management planning documents. <b>(21.1.1.14)</b></i></p>
<p><b>Rural Environment objectives and policies</b></p> <p><b>and</b></p>	<p>Papakaainga housing development recognised as typical of the rural environment in the context of reverse sensitivity <b>(Policy 5.3.7)</b>.</p> <p>No wider recognition of the effects of land use and development on maaori</p>	<p><i>‘activities which provide for the relationship of Mana Whenua to their ancestral land and taonga’</i> recognised as typical to the rural environment in <b>Policy H19.2.4(2)(e)</b>.</p>	<p><b>Objective 4.3.1</b></p> <p>To maintain or enhance the inherent life supporting capacity, health and well-being of rural land, ecosystems, soil and water resources.</p> <p><b>Policy 4.3.1.1-</b> Health and well-being of the Waikato and Waipā Rivers</p>

<p><b>Rural Zone Rules</b></p>	<p>values in the rule framework, such as through matters of discretion in activity, effects or building rules.</p> <p><b><u>Rural Zone:</u></b> Rules limited to Maaori Feehold land and identified sites and areas of significance, vegetation clearance and earthworks.</p> <p>No wider recognition of the effects of land use and development on maaori values in the rule framework, such as through matters of discretion in activity, effects or building rules.</p> <p>No rules which reflect the significance of waterbodies, the coast or maunga to Maaori, or which provide for consideration of Maaori values as articulated through maatauranga Maaori.</p>	<p>Objectives and policies in rural zone recognise effects of rural production on mana whenua cultural heritage values.</p>	<p>To give effect to the directions and outcomes in the Waikato River Vision and Strategy and the Waipā Accord through District Plan provisions relating to building setbacks, earthworks, farming activities, non-farming activities, intensive farming, rural based industries and solid and liquid waste.</p> <p><b><u>Rules</u></b> 23 setback cross in Section 26 referenced in Rural Zone Earthworks Rule <b>(4.4.2.75)</b> and building setback rule <b>(4.4.2.7)</b></p>
<p><b>Infrastructure</b></p>	<p><b><u>Objectives</u></b> Maaori values not specifically addressed at an objective level. ‘Cultural wellbeing’ recognised generally in Objective 6.1.1.</p> <p><b><u>Policies</u></b> Cultural values only considered in the context of undergrounding new</p>	<p><b><u>Objectives:</u></b> Maaori values not specifically addressed at an objective level.</p> <p><b><u>Policies:</u></b> Reference to mana whenua values scheduled sites in the plan in regard to new infrastructure or major infrastructure upgrades. (6)Consider.....</p>	<p><b><i>Objective 15.3.12 - Giving effect to the Waikato River Vision and Strategy</i></b></p> <p><i>To ensure that the Waikato River Vision and Strategy is given effect to by all development and subdivision.</i></p> <p><b><i>Policy 15.3.12.1 - Maintaining the health and well-being of land and water bodies</i></b></p>

	<p>infrastructure in a policy context (Policy 6.1.11).</p> <p><b>Rules</b> Specific rules which apply to identified areas which include mapped Maaori Sites and Areas of Significance.</p> <p>Matter of discretion for Restricted discretionary activities which broadly encompass values of those sites as follows:</p> <p>‘Effects on the values, qualities and characteristics of any identified area’.</p>	<p><i>(g) the type, scale and extent of adverse effects on the identified values of the area or feature, taking into account:</i></p> <p><i>(i) scheduled sites and places of significance and value to Mana Whenua;</i></p>	<p><i>To give effect to the directions and outcomes in the Waikato River Vision and Strategy and the Waipā River Accord, by ensuring that all development and subdivision shall include the following elements:</i></p> <p><i>(a) Low impact design for stormwater, drainage and earthworks; and</i></p> <p><i>(b) Building setbacks from lakes and water bodies; and</i></p> <p><i>(c) Access to water bodies where appropriate; and</i></p> <p><i>(d) Provision for the Te Awa Cycleway, where relevant; and</i></p> <p><i>(e) Minimal indigenous vegetation removal and requirements for restoration and enhancement of indigenous vegetation and natural character; and</i></p> <p><i>(f) Restricting locations of earthworks, building and wastewater systems within cultural landscapes.</i></p> <p>Assessment criteria for all discretionary activities includes:</p> <p><i>(a) The degree to which the cultural values within the zone are promoted and any cultural requirements for the built character, location and orientation of buildings is taken into account.</i></p> <p><i>(b) The opinion of the Iwi/hāpu as to the likely effects on Māori ancestral lands, cultural areas, water sites, wāhi tapu and other taonga.</i></p> <p><i>(c) The extent to which the development or subdivision supports outcomes in recognised iwi management planning documents. <b>(21.1.1.14)</b></i></p>
--	--	--	--

<p><b>Subdivision</b></p>	<p><b><u>Tangata whenua policies</u></b></p> <p>2.15.1</p> <p>(a) <i>Ensure subdivision, use and development does not compromise the cultural and spiritual significance of areas, including waahi tapu, urupaa, maunga and other landforms, mahinga kai, and indigenous flora and fauna.</i></p> <p>(b) <i>Areas and sites of significance to Maaori including waahi tapu sites and waahi tapu areas are protected from adverse effects of development or activities on those sites.</i></p> <p><b><u>Rules</u></b></p> <p>Discretionary for subdivision that contains a Maaori Site or Area of Significance.</p> <p>Non-complying for subdivision lot boundaries that bisect Maori Sites or Areas of Significance.</p> <p>Not evident how 2.15.1 is integrated into the wide objective and policy or rule framework beyond its application to identified Maaori Sites and Areas of Significance.</p>	<p><b><u>Rules</u></b></p> <p>Mana whenua site or place of significance - subdivision resulting in site or place extending across multiple lots <b>(Discretionary activity)</b></p>	<p><b><u>Objective 15.3.12 - Giving effect to the Waikato River Vision and Strategy</u></b></p> <p><i>To ensure that the Waikato River Vision and Strategy is given effect to by all development and subdivision.</i></p> <p><b>Policy 15.3.12.1 - Maintaining the health and well-being of land and water bodies</b></p> <p><i>To give effect to the directions and outcomes in the Waikato River Vision and Strategy and the Waipā River Accord, by ensuring that all development and subdivision shall include the following elements:</i></p> <p>(a) <i>Low impact design for stormwater, drainage and earthworks; and</i></p> <p>(b) <i>Building setbacks from lakes and water bodies; and</i></p> <p>(c) <i>Access to water bodies where appropriate; and</i></p> <p>(d) <i>Provision for the Te Awa Cycleway, where relevant; and</i></p> <p>(e) <i>Minimal indigenous vegetation removal and requirements for restoration and enhancement of indigenous vegetation and natural character; and</i></p> <p>(f) <i>Restricting locations of earthworks, building and wastewater systems within cultural landscapes.</i></p> <p>Assessment criteria for all discretionary activities includes:</p> <p>(a) <i>The degree to which the cultural values within the zone are promoted and any cultural</i></p>
---------------------------	--	---	--

			<p><i>requirements for the built character, location and orientation of buildings is taken into account.</i></p> <p><i>(b) The opinion of the Iwi/hāpu as to the likely effects on Māori ancestral lands, cultural areas, water sites, wāhi tapu and other taonga.</i></p> <p><i>(c) The extent to which the development or subdivision supports outcomes in recognised iwi management planning documents. <b>(21.1.1.14)</b></i></p>
--	--	--	---