

13.13 Specific Purpose (Ngā Hau e Whā) Zone

13.13.1 Introduction

- a. 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.
- b. 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.
- c. 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.
- d. The provisions in this chapter give effect to the [Chapter 3 Strategic Directions Objectives](#).

13.13.2 Objectives and policies

13.13.2.1 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.

13.13.2.1.1 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.

13.13.2.1.2 Policy — Minimise adverse effects on neighbouring zones

- a. Ensure that [buildings](#) and activities undertaken do not detract from the [amenity values](#) of neighbouring zones.

13.13.3 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 the activity status tables in Rule [13.13.4.1](#) and the built form standards in Rule [13.13.4.2](#).
- 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:

- 4 Hazardous Substances and Contaminated Land;
- 5 Natural Hazards;
- 6 General Rules and Procedures;
- 7 Transport;
- 8 Subdivision, Development and Earthworks;
- 9 Natural and Cultural Heritage; and
- 11 Utilities and Energy.

13.13.4 Rules — Specific Purpose (Ngā Hau e Whā) Zone

13.13.4.1 Activity status tables

13.13.4.1.1 Permitted activities

- a. The activities listed below are permitted activities in the Specific Purpose (Ngā Hau e Whā) Zone if they meet the activity specific standards set out in this table and the built form standards in Rule 13.13.4.2.
- b. Activities may also be controlled, restricted discretionary, discretionary, non-complying or prohibited as specified in Rules 13.13.4.1.2, 13.13.4.1.3, 13.13.4.1.4, 13.13.4.1.5 and 13.13.4.1.6.

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 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

Activity		Activity Specific Standards
P9	Whare hoko (convenience activities) and arumoni (commercial services)	a. Maximum of 100m ² GLFA per business.
P10	Offices (including justice facilities)	Nil
P11	Māketete (markets)	a. Not exceeding one event per week

13.13.4.1.2 Controlled activities

There are no controlled activities

13.13.4.1.3 Restricted discretionary activities

- a. The activities listed in the table below are restricted discretionary activities.
- b. Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in Rules [13.13.5](#), as set out in the following table.

Activity		The Council 's discretion shall be limited to the following matters:
RD1	<ul style="list-style-type: none"> a. Any activity listed in Rule 13.13.4.1.1 P1 – P11 that does not meet one or more of the activity specific standards. b. Any application arising from this rule shall not be limited or publicly notified. 	<ul style="list-style-type: none"> a. Traffic generation and access – Rule 13.13.5.4 b. Scale of non-residential business activity – Rule 13.13.5.5
RD2	<ul style="list-style-type: none"> a. Any activity listed in Rule 13.13.4.1.1 P1 – P11 that does not meet one or more of the built form standards in Rule 13.13.4.2 b. Any application arising from Rule 13.13.4.2.5 shall not be publicly notified and shall be limited notified only to New Zealand Fire Service Commission (absent its written approval). c. Any application arising from Rules 13.13.4.2.1 to 13.13.4.2.4 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). 	<ul style="list-style-type: none"> a. As relevant to the built form standard that is not met: <ul style="list-style-type: none"> i. Daylight recession planes – Rule 13.13.5.1 ii. Internal boundary setback – Rule 13.13.5.2 iii. Road boundary setback – Rule 13.13.5.3 iv. Building height – Rule 13.13.5.4 v. Water supply for firefighting – Rule 13.13.5.5

13.13.4.1.4 Discretionary activities

There are no discretionary activities

13.13.4.1.5 Non-complying activities

The activities listed below are non-complying activities.

Activity	
NC1	Any activity not provided for as a permitted, controlled, restricted discretionary, discretionary, non-complying or prohibited activity.
NC2	<p>a. Sensitive activities and buildings (excluding accessory buildings associated with an existing activity) within 10 metres of the centre line of a 66kV electricity distribution line or within 10 metres of a foundation of an associated support structure.</p> <p>b. Fences within 5 metres of a 66kV electricity distribution line support structure foundation.</p> <p>c. Any application arising from this rule shall not be publicly notified and shall be limited notified only to Orion New Zealand Limited or other electricity distribution network utility operator (absent written approval).</p> <p>Advice note:</p> <p>1. Vegetation to be planted around the electricity distribution lines 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>2. 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 electricity distribution lines, which must be complied with.</p>

13.13.4.1.6 Prohibited activities

There are no prohibited activities

13.13.4.2 Built form standards

13.13.4.2.1 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](#).

Comment [A1]: External Chapter Link

13.13.4.2.2 Internal boundary setback

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

13.13.4.2.3 Road boundary setback

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

13.13.4.2.4 Building height

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

13.13.4.2.5 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](#).

13.13.5 Rules - Matters of discretion

13.13.5.1 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](#).

13.13.5.2 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](#).

13.13.5.3 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 detraction from the openness of the [site](#) to the street, or any visual dominance over the street.

13.13.5.4 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.

13.13.5.5 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. [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.

13.13.5.6 Water supply for firefighting

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

13.13.5.7 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.