

SASM - Sites and Areas of Significance to Māori

This chapter sets out the policies and rules which manage *places and areas of significance to Māori. Waahi tapu and other places and areas significant to Māori* listed in Schedule 9 are *historic heritage features*, and as such, this chapter should be read in conjunction with the *historic heritage* chapter.

Strategic Context

The primary Objectives that this chapter implements are:

- DO-01 - *Tāngata Whenua*;
- DO-03 - *Development Management*; and
- DO-07 - *Historic Heritage*.

DO-01 *Tāngata Whenua*

To work in partnership with the *tāngata whenua* of the District in order to maintain *kaitiakitanga* of the District’s resources and ensure that decisions affecting the natural *environment* in the District are made in accordance with the principles of Te Tiriti o Waitangi (Treaty of Waitangi).

DO-03 Development Management Amended 01 Sep 23 PC2

To maintain a consolidated urban form within existing urban areas and a limited number of identified growth areas, and to provide for the *development* of new urban areas where these can be efficiently serviced and integrated with existing townships, delivering:

1. urban areas which maximise the efficient end use of energy and integration with infrastructure;
2. a variety of living and working areas in a manner which reinforces the function and vitality of centres;
3. an urban environment that enables more people to live in, and more businesses and community services to be located in, parts of the urban environment:
 - a. that are in or near a *Centre Zone* or other area with many employment opportunities; or
 - b. that are well serviced by existing or planned public or active transport; or
 - c. where there is high demand for housing or for business land relative to other areas within the urban environment;

while accommodating *identified qualifying matters* that constrain development;

4. resilient communities where development does not result in an increase in risk to life or severity of damage to property from natural hazard events;
5. higher residential densities in locations that are close to centres and public open spaces, with good access to public transport;

6. management of development in areas of special character or amenity in a manner that has regard to those special values;
7. sustainable natural processes including freshwater systems, areas characterised by the productive potential of the land, ecological integrity, identified landscapes and features, and other places of significant natural amenity;
8. an adequate supply of housing and areas for business/employment to meet the needs of the District's anticipated population which is provided at a rate and in a manner that can be sustained within the finite carrying capacity of the District;
9. management of the location and effects of potentially incompatible land uses including any interface between such uses; and
10. urban environments that support reductions in greenhouse gas emissions and are resilient to the current and future effects of climate change.

DO-07 Historic Heritage

To protect *historic heritage* in the District for the social, cultural and economic wellbeing of the Kapiti Coast community and future generations, including:

1. supporting the contribution of *historic heritage features* and their values to the identity, character and amenity of places and landscapes;
2. recognising and protecting *tangata whenua historic heritage*, including *waahi tapu and other places and areas significant to Māori*; and
3. providing for appropriate use and *development of natural and physical resources with historic heritage values*, while ensuring any adverse *environmental effects* are avoided, remedied or mitigated.

The rules in this chapter apply to all *land* and activities in all *zones* unless otherwise specified. Provisions in other chapters of the Plan may also be relevant.

Policies

SASM-P1	<i>Waahi Tapu</i>
<p><i>Waahi tapu and other places and areas significant to Māori</i> and their surroundings will be protected from inappropriate <i>subdivision, development, land disturbance, earthworks</i> or change in <i>land use</i>, which may affect the physical features and non-physical values of the place or area.</p> <p>The Council will work in partnership with the relevant <i>iwi authority</i> for the ongoing and long term management and protection of <i>waahi tapu</i>. Relevant <i>iwi authorities</i> will be consulted on all <i>resource consent</i> applications affecting <i>waahi tapu and other places and areas significant to Māori</i> identified in the Schedule of Sites and Areas of Significance to Māori (Schedule 9).</p>	

Rules

SASM-R1	Any activity within <i>waahi tapu and other places and areas of significance to Māori</i> not specified as a <i>controlled, restricted discretionary, discretionary or non-complying activity</i> in the rules in this Chapter.
Permitted Activity	Standards

	1. The activity complies with all <i>permitted activity</i> standards in this chapter.
SASM-R2	The following activities in an area scheduled as <i>waahi tapu and other places and areas of significance to Māori - Wāhanga Tahī</i> <ol style="list-style-type: none"> 1. <i>land disturbance</i> 2. <i>earthworks</i>; and 3. <i>fencing</i>.
Permitted Activity	Standards <ol style="list-style-type: none"> 1. Heritage <i>site land</i> disturbance and <i>earthworks</i> must be for: <ol style="list-style-type: none"> a. <i>fencing</i> the perimeter of the area; or b. human burials within WTS216A Raukohatu <i>Urupā</i> , WTS578C Wainui <i>Urupā</i> or the part of WTS183A Pukehou 4C6 <i>Urupā</i> which is located on PUKEHOU 4C6 BLK IX WAITOHU SD - CEMETERY ATI KAPU RES. 2. <i>Fencing</i> must be along the perimeter of the <i>waahi tapu</i> or <i>site</i>. 3. The Accidental Discovery Protocol, set out in HH-Table 1, must be followed.
SASM-R3	The following activities in an area scheduled as <i>waahi tapu and other places and areas of significance to Māori — Wāhanga Rua</i> : <ol style="list-style-type: none"> 1. <i>land disturbance</i>; 2. <i>earthworks</i>; 3. the <i>alteration</i> and disturbance of <i>land</i> associated with gardening and <i>cultivation</i>; 4. alterations and <i>additions</i> to existing <i>buildings</i> (excluding <i>minor buildings</i>); 5. <i>fencing</i>; 6. <i>new buildings</i> (excluding <i>minor buildings</i>); <i>ancillary</i> to lawfully established uses in the <i>waahi tapu</i>; 7. <i>relocation</i> of existing <i>buildings</i> (excluding <i>minor buildings</i>); 8. tree planting and removal.
Permitted Activity	Standards <ol style="list-style-type: none"> 1. The maximum extent of <i>land disturbance</i>, <i>earthworks</i> and the alteration and disturbance of <i>land</i> associated with gardening and <i>cultivation</i> must not exceed 10m³ per calendar year. 2. <i>Alterations</i> and <i>additions</i> to <i>buildings</i> must not include basements or in-ground swimming pools. 3. <i>Fencing</i> must be along the perimeter of the <i>waahi tapu</i> or along the <i>site boundary</i>. 4. The Accidental Discovery Protocol, set out in HH-Table 1, must be followed.
SASM-R4	The following activities in an area scheduled as <i>waahi tapu and other places and areas of significance to Māori — Wāhanga Toru</i> : <ol style="list-style-type: none"> 1. <i>land disturbance</i>; 2. <i>earthworks</i>; 3. the alteration and disturbance of <i>land</i> associated with gardening and <i>cultivation</i>; 4. <i>additions</i> and <i>alterations</i> to existing <i>buildings</i> (excluding <i>minor buildings</i>); 5. <i>fencing</i>; 6. <i>relocation</i> of lawfully established <i>buildings</i> (excluding <i>minor buildings</i>); and 7. tree planting and removal.

<p>Permitted Activity</p>	<p>Standards</p> <ol style="list-style-type: none"> 1. The total volume of <i>land disturbance</i>, <i>earthworks</i> and the alteration and disturbance of <i>land</i> associated with gardening and <i>cultivation</i> must not exceed 10m³ per calendar year. 2. <i>Additions</i> and <i>alterations</i> to <i>buildings</i> must not include basements or in-ground swimming pools. 3. The Accidental Discovery Protocol, set out in HH-Table 1, must be followed.
<p>SASM-R5</p>	<p>The following activities in an area scheduled as <i>waahi tapu and other places and areas of significance to Māori</i> —Wāhanga Wha:</p> <ol style="list-style-type: none"> 1. <i>land disturbance</i>; 2. <i>earthworks</i>; 3. the alteration and disturbance of <i>land</i> associated with gardening, <i>cultivation</i> and the installation of fence posts; 4. new <i>buildings</i> (excluding <i>minor buildings</i>) associated with lawfully established <i>buildings</i> and uses; 5. <i>alterations</i> to lawfully established <i>buildings</i> (excluding <i>minor buildings</i>); 6. <i>relocation</i> of lawfully established <i>buildings</i> (excluding <i>minor buildings</i>); and 7. tree planting and removal.
<p>Permitted Activity</p>	<p>Standards</p> <ol style="list-style-type: none"> 1. <i>Additions</i> and <i>alterations</i> to <i>buildings</i> must not include basements or in-ground swimming pools. 2. The Accidental Discovery Protocol, set out in HH-Table 1, must be followed.
<p>SASM-R6</p>	<p>For the following activities in an area scheduled as <i>waahi tapu and other places and areas of significance to Māori</i> - Wāhanga Rima:</p> <ol style="list-style-type: none"> 1. <i>land disturbance</i>; 2. <i>earthworks</i>; 3. the alteration and disturbance of <i>land</i> associated with gardening and <i>cultivation</i>; 4. <i>additions</i> and <i>alterations</i> to lawfully established <i>buildings</i> (excluding <i>minor buildings</i>); 5. fencing; 6. <i>relocation</i> of lawfully established <i>buildings</i> (excluding <i>minor buildings</i>) within the <i>waahi tapu</i>; 7. any new <i>building</i> (excluding <i>minor buildings</i>) on WTS0318A in the Ngārara Development Area; and 8. tree planting or removal.
<p>Permitted Activity</p>	<p>Standards</p> <ol style="list-style-type: none"> 1. Notice of proposed <i>land disturbance</i>, <i>earthworks</i>, and the alteration and disturbance of <i>land</i> associated with gardening, <i>cultivation</i> and the installation of fence posts must be provided to Heritage New Zealand Pouhere Taonga at least 10 working days prior to work commencing. 2. The Accidental Discovery Protocol, set out in HH-Table 1, must be followed. 3. <i>Land disturbance</i>, <i>earthworks</i>, and the alteration and disturbance of <i>land</i> associated with gardening, <i>cultivation</i> and the installation of fence posts in the rural zone that does not disturb more than 100m³ within a 5 year period, excluding <i>land disturbance</i> and <i>earthworks</i> associated with the maintenance of

	<p>a <i>network utility</i>.</p> <p>4. <i>Land disturbance, earthworks</i>, and the alteration and disturbance of <i>land</i> associated with gardening, <i>cultivation</i> and the installation of fence posts in the <i>river corridor zone</i> must not disturb more than 10m³ within a 10 year period, excluding <i>land disturbance</i> and <i>earthworks</i> associated with <i>stormwater</i> control or the maintenance of a watercourse or <i>network utility</i>.</p>	
SASM-R7	<p>The following activities in an area scheduled as <i>waahi tapu and other places and areas of significance to Māori</i> — Wāhanga Toru:</p> <p>1. <i>new buildings (excluding minor buildings)</i>.</p>	
Controlled Activity	<p>Standards</p> <ol style="list-style-type: none"> <i>Buildings</i> must be ancillary to lawfully established <i>buildings</i>. The total volume of heritage site <i>land disturbance</i> and <i>earthworks</i> and must not exceed 10m³ per calendar year. The Accidental Discovery Protocol, set out in HH-Table 1, must be followed. 	<p>Matters of Control</p> <ol style="list-style-type: none"> <i>Effects</i> on <i>historic heritage</i> values. <i>Effects</i> on landscape and amenity. Layout, design and location of proposed <i>buildings</i>. <i>Effects</i> on context and surroundings including any <i>effects</i> on ‘key access and view points’ listed in the Schedule of Sites and Areas of Significance to Māori.
SASM-R8	<p>The following activities in an area scheduled as <i>waahi tapu and other places and areas of significance to Māori</i> - Wāhanga Rima:</p> <p>1. <i>new buildings (excluding minor buildings)</i>, except for those permitted by SASM-R6.</p>	
Controlled Activity	<p>Standards</p> <ol style="list-style-type: none"> The Accidental Discovery Protocol, set out in HH-Table 1, must be followed. All <i>permitted activity</i> standards under the rules in the relevant rural <i>zone</i> chapter and the flooding section of the <i>Natural Hazards (NH-FLOOD)</i> chapter. 	<p>Matters of Control</p> <ol style="list-style-type: none"> <i>Effects</i> on <i>historic heritage</i> values. Layout, design and location of proposed <i>buildings</i> or <i>structures</i>.
SASM-R9	<p>Any activity affecting a <i>waahi tapu and other places and areas of significance to Māori</i> which does not comply with one or more of the <i>permitted</i> or <i>controlled activity</i> standards, unless otherwise specified.</p>	
Restricted Discretionary Activity	<p>Standards</p>	<p>Matters of Discretion</p> <ol style="list-style-type: none"> Consideration of the <i>effects</i> of the standard not met. <i>Effects</i> on <i>historic heritage</i>. Measures to avoid, remedy or mitigate adverse <i>effects</i>. Cumulative <i>effects</i>.
SASM-R10	<p>The following activities in an area scheduled as <i>waahi tapu and other places and</i></p>	

	<p><i>areas of significance to Māori — Wāhanga Tahī:</i></p> <ol style="list-style-type: none"> 1. <i>land disturbance, earthworks, and the alteration and disturbance of land associated with gardening, cultivation, and tree planting and removal not meeting the permitted activity standards;</i> 2. <i>additions and alterations to lawfully established buildings (excluding minor buildings);</i> 3. <i>fencing (not meeting the permitted activity standards); and</i> 4. <i>roads and network utilities.</i> <p>Note: <i>land disturbance, earthworks, and the alteration and disturbance of land associated with gardening and cultivation under this Rule which does not meet the restricted discretionary activity standard falls under SASM-R16.</i></p>	
<p>Restricted Discretionary Activity</p>	<p>Standards</p> <ol style="list-style-type: none"> 1. The Accidental Discovery Protocol, set out in HH-Table 1, must be followed. 	<p>Matters of Discretion</p> <ol style="list-style-type: none"> 1. <i>Effects on historic heritage values.</i> 2. <i>Effects on landscape and amenity.</i> 3. <i>Layout, design and location of proposed building.</i> 4. <i>Effects on context and surroundings including any effects on 'key access and view points' listed in the Schedule of Sites and Areas of Significance to Māori.</i>
<p>SASM-R11</p>	<p>The following activities in an area scheduled as <i>waahi tapu and other places and areas of significance to Māori — Wāhanga Rua:</i></p> <ol style="list-style-type: none"> 1. <i>alterations and additions to lawfully established buildings (excluding minor buildings) which do not comply with the permitted activity standards;</i> 2. <i>land disturbance, earthworks, and the alteration and disturbance of land associated with gardening, cultivation, planting and removal of trees, and the installation of fence posts which does not comply with the permitted activity standards;</i> 3. <i>new buildings (excluding minor buildings) which do not comply with the permitted activity standards; and</i> 4. <i>roads and network infrastructure.</i> <p>Note: <i>land disturbance, earthworks, and the alteration and disturbance of land associated with gardening and cultivation under this Rule which does not meet the restricted discretionary activity standard falls under SASM-R16.</i></p>	
<p>Restricted Discretionary Activity</p>	<p>Standards</p> <ol style="list-style-type: none"> 1. The Accidental Discovery Protocol, set out in HH-Table 1, must be followed. 	<p>Matters of Discretion</p> <ol style="list-style-type: none"> 1. <i>Effects on historic heritage values.</i> 2. <i>Effects on landscape and amenity.</i> 3. <i>Layout, design and location of proposed building.</i> 4. <i>Effects on context and surroundings including any effects on 'key access and view points' listed in the Schedule of Sites and Areas of Significance to Māori.</i>

<p>SASM-R12</p>	<p>The following activities in an area scheduled as <i>waahi tapu and other places and areas of significance to Māori</i> — Wāhanga Toru:</p> <ol style="list-style-type: none"> 1. <i>alterations</i> to lawfully established <i>buildings</i> (excluding <i>minor buildings</i>) which do not comply with the <i>permitted activity</i> standards; 2. <i>roads</i> and <i>network utilities</i>; 3. <i>land disturbance, earthworks</i>, and the alteration and disturbance of <i>land</i> associated with gardening, <i>cultivation</i>, and planting and removal of trees not meeting the <i>permitted activity</i> standards; 4. clearance of karaka at Mataihuka Pā (WTS0216); and 5. new <i>buildings</i> (excluding <i>minor buildings</i>) which do not comply with the <i>controlled activity</i> standards. <p>Note: <i>land disturbance, earthworks</i>, and the alteration and disturbance of <i>land</i> associated with gardening and <i>cultivation</i> under this Rule which does not meet the <i>restricted discretionary activity</i> standard falls under SASM-R16.</p>	
<p>Restricted Discretionary Activity</p>	<p>Standards</p> <ol style="list-style-type: none"> 1. The Accidental Discovery Protocol, set out in HH-Table 1, must be followed. 	<p>Matters of Discretion</p> <ol style="list-style-type: none"> 1. <i>Effects</i> on <i>historic heritage</i> values. 2. <i>Effects</i> on landscape and amenity. 3. Layout, design and location of proposed <i>building</i>. 4. <i>Effects</i> on context and surroundings including any <i>effects</i> on 'key access and view points' listed in the Schedule of Sites and Areas of Significance to Māori.
<p>SASM-R13</p>	<p>The following activities in an area scheduled as <i>waahi tapu and other places and areas of significance to Māori</i> — Wāhanga Wha:</p> <ol style="list-style-type: none"> 1. <i>scheduled historic site land disturbance, earthworks</i>, and the alteration and disturbance of <i>land</i> associated with gardening, <i>cultivation</i>, planting and removal of trees, and the installation of fence posts not meeting the <i>permitted activity</i> standards; 2. new <i>buildings</i> (excluding <i>minor buildings</i>) and <i>alterations</i> which do not comply with the <i>permitted activity</i> standards; 3. any <i>building</i> or <i>structure</i> that obstructs views or <i>existing</i> access between 'key access and view points' listed in the Schedule of Sites and Areas of Significance to Māori; and 4. <i>roads</i> and <i>network utilities</i>. <p>Note: <i>land disturbance, earthworks</i>, and the alteration and disturbance of <i>land</i> associated with gardening, <i>cultivation</i> and the installation of fence posts under this Rule which does not meet the <i>restricted discretionary activity</i> standard falls under SASM-R16.</p>	
<p>Restricted Discretionary Activity</p>	<p>Standards</p> <ol style="list-style-type: none"> 1. The Accidental Discovery Protocol, set out in HH-Table 1, must be followed. 	<p>Matters of Discretion</p> <ol style="list-style-type: none"> 1. <i>Effects</i> on <i>historic heritage</i> values. 2. <i>Effects</i> on landscape and amenity. 3. Layout, design and location of

		<p>proposed <i>building</i>.</p> <p>4. <i>Effects</i> on context and surroundings including any <i>effects</i> on 'key access and view points' listed in the Schedule of Sites and Areas of Significance to Māori.</p>
SASM-R14	<p>The following activities in an area scheduled as <i>waahi tapu and other places and areas of significance to Māori - Wāhanga Rima</i>:</p> <ol style="list-style-type: none"> 1. new <i>buildings</i> (excluding <i>minor buildings</i>) that are not a <i>permitted activity</i> under SASM-R6 or do not comply with the <i>controlled activity</i> standards under SASM-R8; 2. new <i>network utilities</i>; and 3. <i>land disturbance, earthworks</i>, the alteration and disturbance of <i>land</i> associated with gardening, <i>cultivation</i>, planting and removal of <i>trees</i>, and the installation of fence posts, <i>alterations</i> to existing <i>buildings</i>, fencing, and relocation of lawfully established <i>buildings</i> (excluding <i>minor buildings</i>) that do not comply with the <i>permitted activity</i>. <p>Note: <i>land disturbance, earthworks</i>, and the alteration and disturbance of <i>land</i> associated with gardening, <i>cultivation</i> and the installation of fence posts under this Rule which does not meet the <i>restricted discretionary activity</i> standard falls under SASM-R16.</p>	
Restricted Discretionary Activity	<p>Standards</p> <ol style="list-style-type: none"> 1. The Accidental Discovery Protocol, set out in HH-Table 1, must be followed. 2. New <i>network utilities</i> must comply with <i>network utility</i> rules and standards within the Infrastructure chapter. 	<p>Matters of Discretion</p> <ol style="list-style-type: none"> 1. <i>Effects</i> on <i>historic heritage</i> values. 2. Layout, design and location of proposed <i>buildings</i>. 3. <i>Effects</i> on landscape and <i>amenity values</i>. 4. <i>Effects</i> on context and surroundings including any <i>effects</i> on 'key access and view points' listed in the Schedule of Sites and Areas of Significance to Māori.
SASM-R15	<p>Any activity affecting a <i>waahi tapu and other places and areas of significance to Māori</i> which is specified as a <i>restricted discretionary activity</i> and does not comply with one or more of the relevant standards, unless otherwise specifically stated.</p>	
Discretionary Activity		
SASM-R16	<p><i>Partial demolition, demolition or destruction of waahi tapu and other places and areas of significance to Māori</i>. For the avoidance of doubt <i>land disturbance, earthworks</i>, and the alteration and disturbance of <i>land</i> associated with gardening, <i>cultivation</i>, planting and removal of <i>trees</i>, and the installation of fence posts which do not comply with the <i>restricted discretionary activity</i> standards under SASM-R10, SASM-R11, SASM-R12, SASM-R13 and SASM-R14 is deemed <i>destruction</i> under this Rule.</p>	
Non-Complying		

Activity	
SASM-R17	<i>Relocation of waahi tapu and other places and areas of significance to Māori.</i>
Non-Complying Activity	
SASM-R18	The following activities in an area scheduled as <i>waahi tapu and other places and areas of significance to Māori</i> — Wāhanga Tahī: 1. <i>new buildings (excluding minor buildings); and</i> 2. <i>intensive farming.</i>
Non-Complying Activity	
SASM-R19	The following activities in an area scheduled as <i>waahi tapu and other places and areas of significance to Māori</i> — Wāhanga Rua and Wāhanga Wha: 1. <i>intensive farming.</i>
Non-Complying Activity	
SASM-R20	<i>Intensive farming</i> in an area scheduled as <i>waahi tapu and other places and areas of significance to Māori</i> - Wāhanga Toru: Criteria for notification: any application under this Rule shall either be publicly notified or notice served on relevant <i>iwi authority</i> and Heritage New Zealand as affected parties.
Non-Complying Activity	
SASM-R21	The following activities in an area scheduled as <i>waahi tapu and other places and areas of significance to Māori</i> - Wāhanga Rima: 1. <i>intensive farming.</i>
Non-Complying Activity	