

PK

Papakāika

DRAFT
WAITAKI DISTRICT PLAN



Waitaki

DISTRICT COUNCIL
TE KAUNIHERA Ā ROHE O WAITAKI

Papakāika

Introduction

The Papakāika Chapter enables papakāika, which includes housing and associated activities, on land owned by mana whenua and assists mana whenua to provide for their unique social, cultural, environmental and economic needs and well-being within the District. This Chapter recognises and provides for the relationship of mana whenua with Māori land as defined under Te Ture Whenua Māori Act 1993 (TTWMA) and with land granted as Native Reserve for Māori occupation or use. The provisions also provide a pathway for the development of papakāika on general freehold land, provided certain requirements are met.

The Chapter enables mana whenua whānau and hapū to exercise their customary responsibilities as kaitiaki and to undertake activities that reflect their customs and values. Pā and marae provide an important community focal point for social gatherings and cultural activities. Papakāika provides another housing choice for mana whenua and enables them to maintain or re-establish connections to their Māori identity, culture, whānau and whenua. The papakāika provisions include activities that support and/or are complementary with papakāika such as small-scale commercial activities and community facilities.

Section 11 of the Resource Management Act (RMA) does not apply to Māori land unless otherwise provided for in TTWMA. Partition orders (subdivisions) of Māori land may be made by the Māori Land Court. Under TTWMA, there are different types of partitions of Māori land, and some are exempt from the subdivision controls of TTWMA, while others are subject to these controls.

Objectives

PK-O1 Sustainable Māori communities

Mana whenua can use and develop ancestral land for papakāika, in a way consistent with their culture, traditions and economic, cultural and social aspirations, resulting in quality healthy and safe environments.

PK-O2 Form and scale of papakāika

Papakāika are of a form and scale that are not incompatible with the zone the site is located in, while recognising that they may contain activities of a character, scale, intensity or range that is not provided for in the surrounding area.

Policies

PK-P1 Papakāika on land held under Te Ture Whenua Māori Act 1993 and Native Reserves

Enable the development of papakāika on land held under Te Ture Whenua Māori Act 1993 and on Native Reserves, where:

1. located on urban land, reticulated services with sufficient capacity to serve the papakāika are provided; and
2. located on rural land, it can be serviced, on site, in a manner that people's health and safety are provided for; and
3. buildings and structures are of a form, scale and location that is not incompatible with the zone the site is located in; and
4. non-residential activities are of a type and scale that will not compromise the role and function of the District's Commercial, Mixed Use and Industrial Zones; and
5. any adverse effects on adjoining properties and the environment are avoided, remedied, or mitigated.

PK-P2 Papakāika on other land

Allow for papakāika on other land where it can be demonstrated that there is an ancestral connection to the land and:

1. there is support from mana whenua, as represented by the relevant Kāi Tahu rūnanga within whose takiwā the papakāika will be located; and
2. the land will:
 - a) remain in Māori ownership in the long term; or
 - b) be converted to Māori freehold land.

Rules

There are no rules in this chapter. The objectives and policies apply across the Plan. The rules that apply with respect to Papakāika are found in the GRUZ (General Rural Zone), RLZ (Rural Lifestyle Zone), SETZ (Settlement Zone), GRZ (General Residential Zone) and MRZ (Medium Density Residential Zone) chapters.