

Executive Summary of Proposed Plan Change 94B to the Whangarei District Plan - Papakāinga

Overview and background:

In 2009 Whangarei District Council started a two phase project to incorporate provisions for papakāinga housing into the District Plan. Phase One saw the development of objectives and policies and a default discretionary activity status for papakāinga housing which became operative on 28 April 2011.

Since 2009 the benefit of providing for papakāinga developments on ancestral Maori land has been reported by Government with appeals to councils and other government agencies to break down barriers to papakāinga developments. These barriers include the costs associated with obtaining resource consents from councils.

Phase Two or Plan Change 94B (PC94B) looks at implementation methods, with a focus on ways in which the Council's application and development process can be simplified, while also investigating ways in which Council can better align its processes with other agencies.

Purpose of PC94B:

The following purpose statement has been developed for PC94B:

"The purpose of PC94B is to:

- Provide opportunities for Maori land owners to develop and live on their ancestral land.*
- Develop guidelines and standards for the papakāinga development plan process as is outlined in the existing papakāinga provisions."*

The proposed plan change

Key features of PC94B are:

- The Chapter title changes from "Papakāinga Housing" to "Papakāinga."
- The existing objectives and policies are not subject to any proposed alterations. This means that consideration of the merits of those objectives and policies does not form part of the scope of PC94B.
- A permitted activity status has been developed for papakāinga developments on Māori freehold land administered under Te Ture Whenua Māori Act 1993 provided that a papakāinga development plan is submitted and certain controls are met.
- A discretionary activity status is reserved for papakāinga developments on land that is General land owned by Māori where the land is subject to proceedings before the Māori Land Court to change the land from general title to ancestral Māori land, or where the land is General land owned by Māori where an ancestral link has been identified.
- Papakāinga developments on all other land are non-complying activities.
- A provision has been included highlighting that a transfer of powers is available for the consideration of discretionary activities in the papakāinga chapter.
- There is an opportunity for applicants for resource consent to request that it is heard by an Independent Commissioner(s) with expertise and qualifications in tikanga and Mātauranga Māori and resource management.

Section 32 Evaluation

The plan change has been prepared in accordance with the requirements of the First Schedule of the Resource Management Act 1991 and incorporates an evaluation under Section 32.

The detail provided here is an executive summary of the proposed plan change. The full Section 32 evaluation and supporting information can be viewed at WDC Service Centres, printed and supplied upon request or viewed online at www.wdc.govt.nz/planchanges.