

Proposed South Taranaki District Plan

Plan Change 3: Papakāinga Development

Hearings 11-12 March 2025

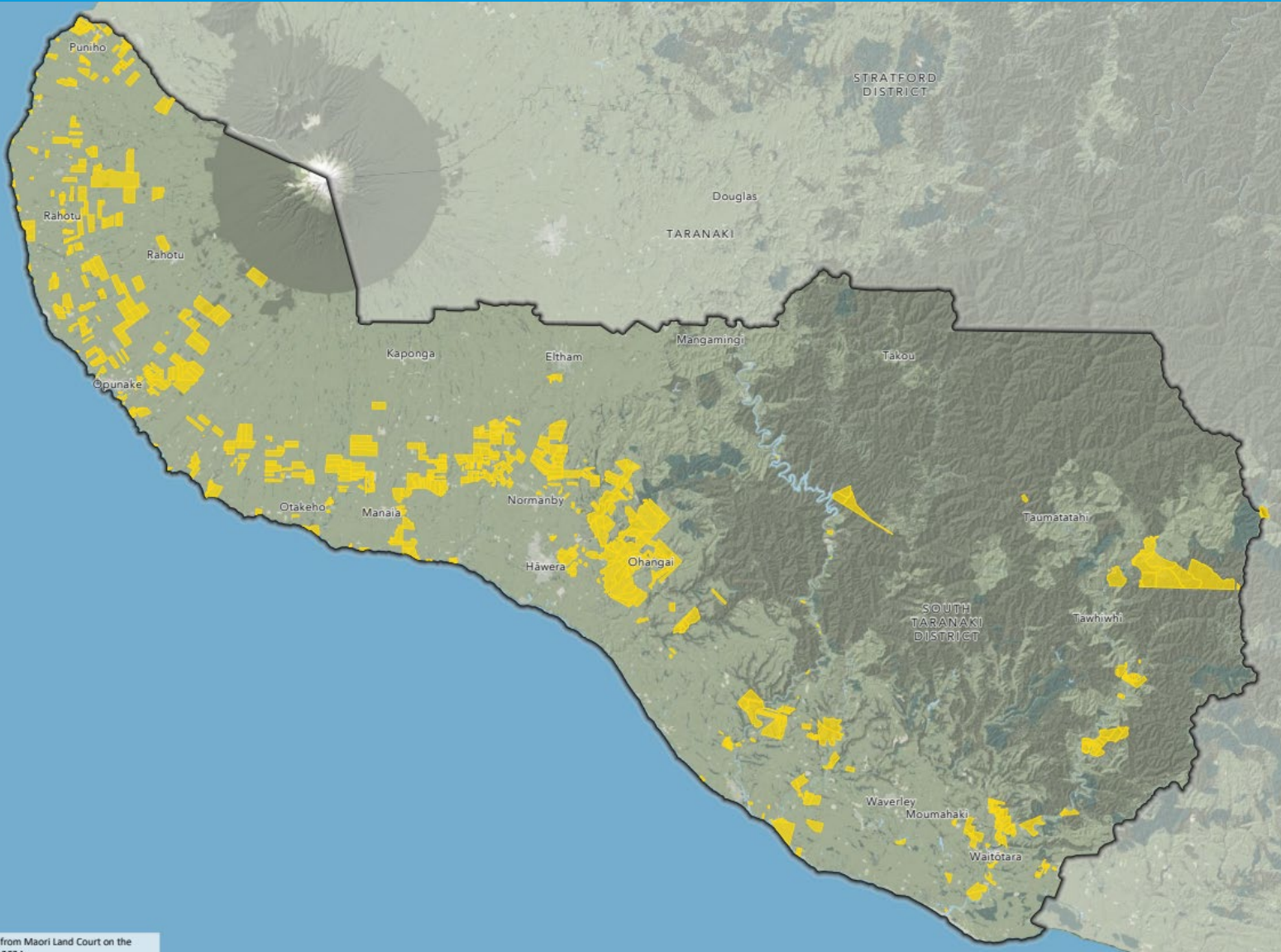
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Context for Plan Change

- Increasing interest in the district for papakāinga developments.
- 2019 consent for papakāinga on general title land indicated lack of clear pathway within DP.
- Deemed necessary to review ODP provisions to be more enabling of papakāinga, enforce any relevant statutes, and reflects the aspirations of tāngata whenua.

Māori Land in South Taranaki

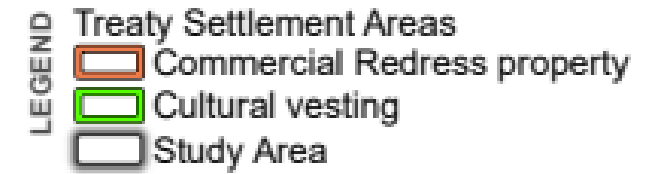
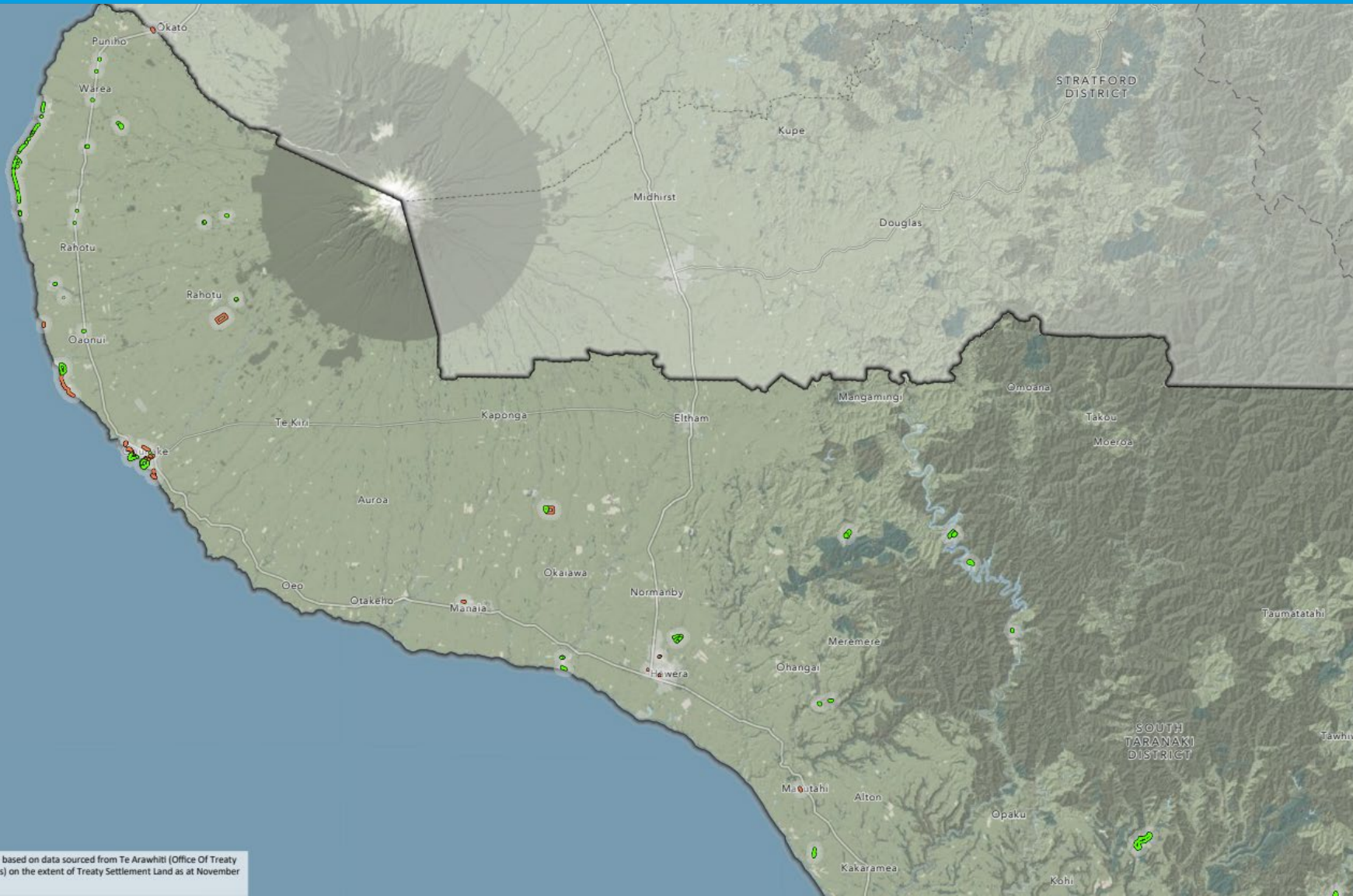


LEGEND

-  Māori Land
-  Study Area

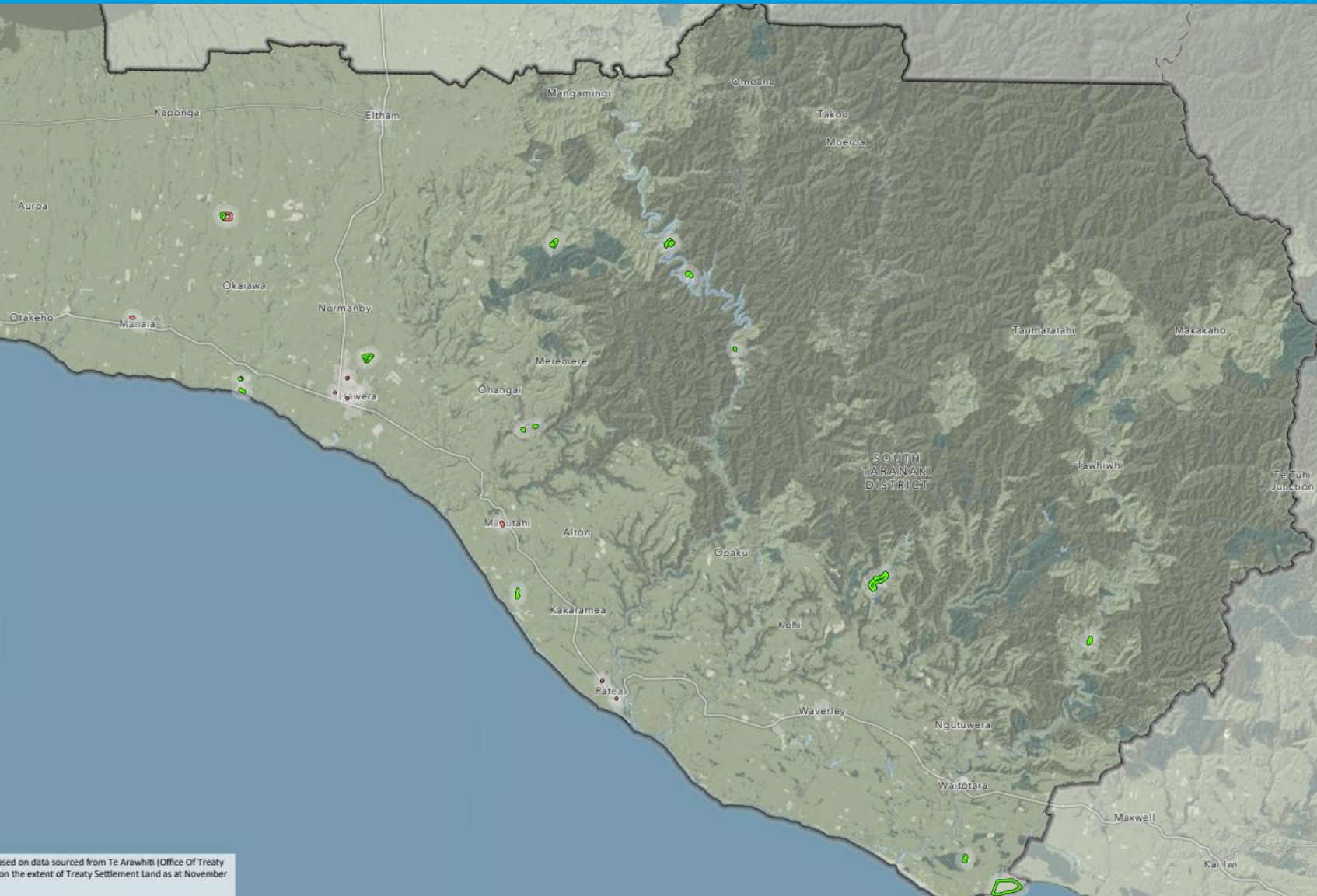
- Māori land refers to Māori freehold and Māori customary land
- 6.22% of land in South Taranaki is Māori land
- No. of properties: 867
- Zone: 100% Rural Zone

Treaty Settlement Land in South Taranaki



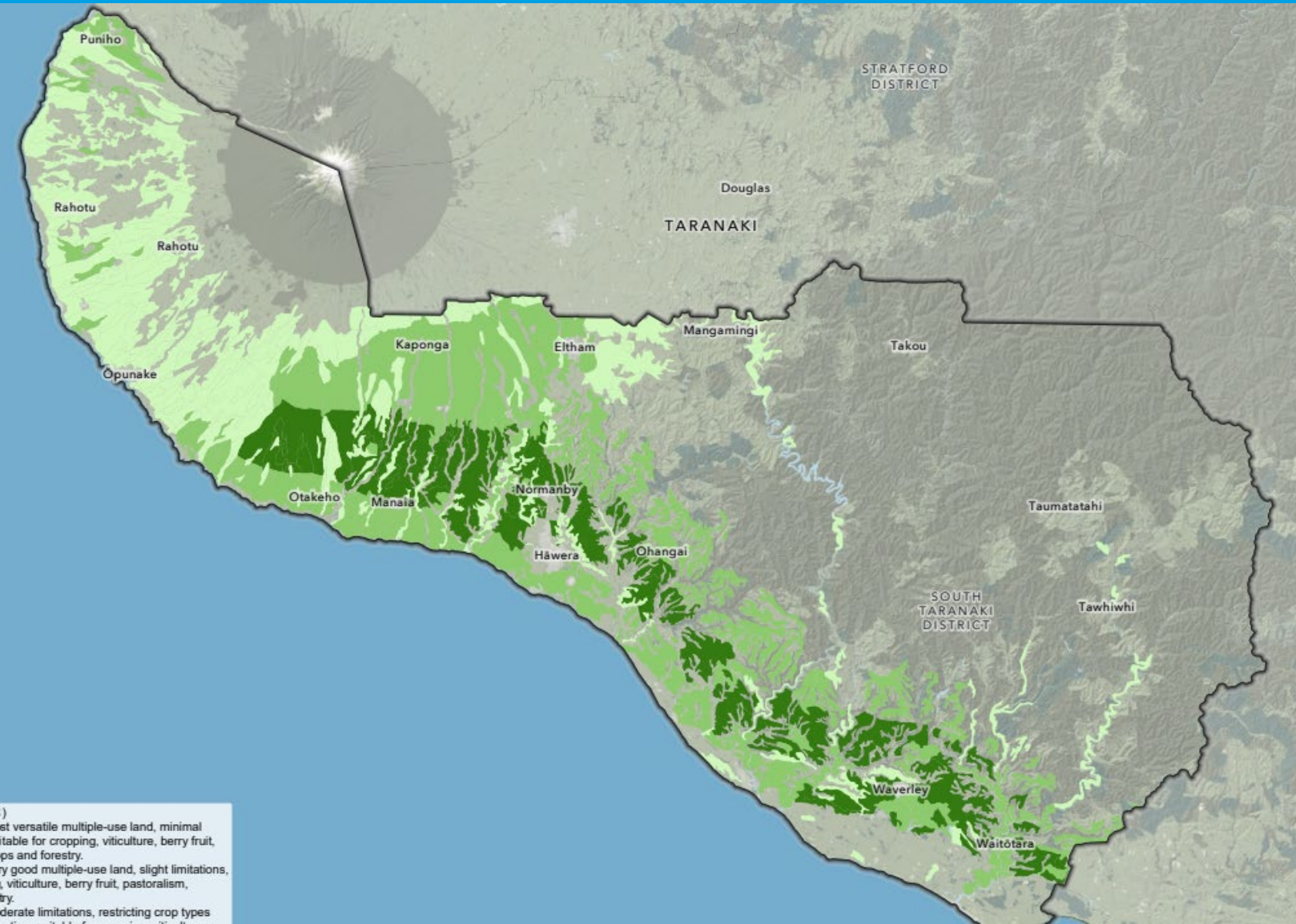
- Treaty Settlement land refers to land returned to iwi by Crown as compensation or other redress. Specific land status may vary.
- 0.09% of land in South Taranaki is Treaty Settlement land
- No. of properties: 102
- Zone: 99% Rural Zone, 1% Residential Zone

Treaty Settlement Land in South Taranaki



- Treaty Settlement land refers to land returned to iwi by Crown as compensation or other redress. Specific land status may vary.
- 0.09% of land in South Taranaki is Treaty Settlement land
- No. of properties: 102
- Zone: 99% Rural Zone, 1% Residential Zone

Highly Productive Land in South Taranaki



Land Use Capability (LUC)

- Class 1 - Arable.** Most versatile multiple-use land, minimal limitations, highly suitable for cropping, viticulture, berry fruit, pastoralism, tree crops and forestry.
- Class 2 - Arable.** Very good multiple-use land, slight limitations suitable for cropping, viticulture, berry fruit, pastoralism, tree crops and forestry.
- Class 3 - Arable.** Moderate limitations, restricting crop types and intensity of cultivation, suitable for cropping, viticulture, berry fruit, pastoralism, tree crops and forestry.

- Soils identified as land use capability Class 1, 2 or 3 and zoned Rural are identified as “highly productive” as per NPS-HPL
- Affects Rural Zone properties only
- 33.5% (119,699ha) of land in the district is considered HPL

Purpose of Plan Change 3

- To better enable papakāinga development in the South Taranaki district to provide for the relationship of tāngata whenua with their ancestral lands while still appropriately managing adverse effects on the environment.

Overview of Submissions

- Eight original submitters (131 individual submission points).
 - 29 original submission points indicated general support; 50 indicated support in part; 51 opposed the provisions; one did not say.
- Three further submitters (119 individual submission points).
- From iwi/hapū groups, individuals and public and private organisations.

Key Recommendations

- Amendments to definitions, objectives, policies and rules to clarify intent of the term ‘ancestral land’.
- Amendments in Section 2.7 Tāngata Whenua:
 - Wording of Objective 2.7.8 to refer to development “and use of whenua”.
 - Paragraph in Explanation of Policies for better consistency between provisions and definitions (in relation to ancestral land and papakāinga on general title land).
 - Additional wording in explanation of the issues to reference how activities that provide for the economic, social and cultural wellbeing of iwi and hapū can lead to “positive health outcomes”.

Key Recommendations

- Delete definition ‘Papakāinga Development on General Title Land’.
- Amending definition of ‘General Title Land (In Relation to Papakāinga Development)’ to clarify which land types are not considered general title land.
- Added “home occupation” to the definition of ‘Papakāinga’.
- Consistent reference to “papakāinga” rather than “papakāinga development” or “papakāinga housing” throughout the DP.
- Amendments to assessment matter 20.5.5 for applications on general title land to clarify intent, achieve consistency between provisions and avoid future interpretation issues.

Key Matters That Remain in Contention

1. A permitted activity status for papakāinga regardless of underlying land title.
2. Revise the definition of papakāinga to be consistent with New Plymouth's District Plan.
3. Removal of the definition 'Ancestral Land'.
4. Opposition to the advice note for papakāinga on general title land stating that Council will seek advice from iwi authorities.
5. Amend the performance standards for papakāinga to remove effects on character and amenity as an assessment matter.

Recommended amendments in response to Matters of Contention 1 and 2:

- **Permitted Activity (Rules 3.1.1(f), 4.1.1(e), 5.1.1(e), 6.1.1(xiv)):**
Papakāinga on Māori land (as defined in Te Ture Whenua Maori Act 1993) or Crown Land Reserved for Māori (as described in Te Ture Whenua Maori Act 1993).
- **Controlled Activity (Rules 3.1.3(b), 4.1.2(a), 5.1.2(a), 6.1.2(b)):**
Papakāinga on Māori land (as defined in Te Ture Whenua Maori Act 1993) or Crown Land Reserved for Māori (as described in Te Ture Whenua Maori Act 1993) that do not comply with one or more of the permitted activity performance standards in Section [X].
- **Restricted Discretionary Activity (Rules 3.1.3(o), 4.1.3(f), 5.1.3(f), 6.1.3(e)):**
Papakāinga on General land owned by Māori (as described in Te Ture Whenua Maori Act 1993) that comply with the permitted activity performance standards in Section [X].
- **Restricted Discretionary Activity (Rules 3.1.3(p), 4.1.3(g), 5.1.3(g), 6.1.3(f)):**
Papakāinga on General land owned by Māori (as described in Te Ture Whenua Maori Act 1993) that do not comply with the permitted activity performance standards in Section [X].

Recommended amendments in response to Matters of Contention 1 and 2:

- **Definition:**

PAPAKĀINGA: means the development of multiple DWELLING UNITS for tangata whenua residing in the South Taranaki District, that may include Marae, home occupations , supporting cultural information/tourism centres and other community building and recreation facilities.

Note: for the avoidance of doubt, tangata whenua is not limited to iwi or hapū organisations. It includes:

- Māori landowners who whakapapa to the whenua and their whānau; and
- Individuals and whānau who are part of or are a member of iwi or hapū who are tangata whenua.

- **Definition:**

~~GENERAL TITLE LAND (IN RELATION TO PAKĀINGA):~~ means land that is owned by Māori but does not include Māori freehold land, Māori customary land and Crown land reserved for Māori (as defined in Te Ture Whenua Māori Act 1993/Māori Land Act 1993).

Recommended amendment in response to Matter of Contention 4:

- **Advice note for restricted discretionary papakāinga:**

Note: For resource consent applications under this rule, the Council will obtain advice from the relevant hapū and/or iwi authority and will take this advice into account. The matters that Council will seek advice ~~from iwi authorities~~ on include:

(a) Where the papakāinga is on general title land, whether the applicant has demonstrated a whakapapa or ancestral connection to the land; that the land is ancestral land.

(b) Any other matter related to tikanga Māori.

Questions?