



**Shaping Wanganui**

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**WANGANUI DISTRICT COUNCIL**

**DISTRICT PLAN REVIEW**

**Phase 4: Rural**

**Papakāinga**

**Issues, Objectives**

**Policies and Rules Report**

**DISCUSSION PAPER**

**November 2013**

## **Papakainga and Marae Development**

### **Introduction**

Multiple ownership of land has led to some difficulties with development and use. The intention of the papakainga provisions is to provide for Tangata Whenua to cater for their aspirations. It is recognised by Council\* that papakainga has multiple meanings from hapū to hapū. The definition in the District Plan is intended to recognise the significance of marae and to enable hapū to use land in a way that meets their aspirations for the future.

### **Issues**

#### **Issue 1**

Difficulty in developing multiply owned Maori land may inhibit efficient use of such land.

#### **Issue 2**

The character of development in the Wanganui District does not reflect the long established tradition of Maori settlement and use of natural resource which may diminish the community awareness of the significance of this history.

#### **Issue 3**

Marae are places with a high cultural value that are centres of learning, traditional arts, community interaction, celebration and mourning. There is potential for activities that surround Marae to adversely impact on these activities, and conversely for activities within the Marae to impact on surrounding activities.

### **Objectives**

#### **Objective 1**

Development of Maori land that sustainably achieves tangata whenua aspirations.

#### **Objective 2**

Development reflects a culturally inclusive community.

Or

Inclusive cultural expression is evident in the District.

#### **Objective 3**

Development that avoids or mitigates adverse effect on the cultural values of items and places of significance to Maori (PC 27 Subdivision and earthworks)

### **Policies**

#### **Policy 1**

To enable Papakainga\* or marae\* developments to be established on Whanganui Iwi ancestral\* land.

#### **Policy 2**

To enable Tangata Whenua to design papakainga and marae developments in accordance with cultural needs, subject to relevant legislation.

### **Policy 3**

Ensure that adverse effects beyond the outer boundary of papakainga\* or marae\* developments are avoided, remedied or mitigated.

**Rules [Note: These would be inserted into the appropriate zones – probably Residential, Rural, Rural Settlement, Rural B (the old Restricted Services Residential)]**

#### **Permitted activities**

Papakainga\* or marae\* developments which at their outer boundary comply with the rules for the zone.

#### **Restricted Discretionary Activities**

Any permitted or controlled activity which does not comply with the relevant zone rules. In exercising its discretion, the *Council\** shall be limited to the conditions with which that activity fails to comply.

An application need not be notified if the consent authority is satisfied that the adverse effect on the environment of the activity will be minor and written approval has been obtained from every person whom the *Council\** is satisfied may be adversely affected by the granting of the resource consent, unless the *Council\** considers it is unreasonable in the circumstances to require the obtaining of every such approval.

#### **Unrestricted Discretionary Activities**

Papakainga\* or marae\* developments on non-ancestral\* land.

#### **Definitions**

**Papakainga** means development established on ancestral land by an iwi, hapū or whanau of the Whanganui District on behalf of and for use by its members which promotes Tangata Whenua community development, and sustain a relationship for Tangata Whenua and their culture, traditions and ancestral land.

**Ancestral Land** means

- ~~1. Maori Land as defined under Te Ture Whenua Maori Land Act 1993; and or~~
- ~~2. Land returned via Treaty Settlement Claims process; and or~~
- ~~3. Land procured via Treaty Settlement Claims process.~~

*[Note: Land under 2 or 3 or any land can be converted to Maori land under Te Ture Whenua Act 1993, giving it greater stability of tenure.]*

**Marae** means the land and buildings (meeting house/wharenuī, kitchen & dining hall/wharekai, ablution block/wharepaku) generally associated with gatherings, meetings and programmes of tangata whenua, hapū or whanau for religious, educational, or community purposes.”