

Papakāinga enabling provisions - Research for Matamata-Piako District Council (PC54)

District Plan	Summary of Approach	Link	Activity status	Development Controls / Performance Standards	Information Requirements	Comments
Christchurch District Plan	Zoning (Chapter 12 – Papakāinga / Kāinga Nohoanga Zone)	https://districtplan.ccc.govt.nz/pages/plan/book.aspx?exhibit=DistrictPlan	<p>12.4.1.1 Permitted activities on land which is held as Maori land (if they meet the standards):</p> <ul style="list-style-type: none"> • P1 – Marae complexes, including whareniui, wharekai, manuhiri noho (guest accommodation with or without tariff) and associated accessory buildings. • P2 – Residential activity, including minor residential units and kaumatua units • P3 – Home occupations • P4 – Relocation of, or repairs, replacement and/or additions to residential units; • P5 – Community activities and associated facilities, including whare hauora (health care facilities) • P6 – Kohaanga reo (preschool) and kura kaupapa (education activity and facilities) • P7 – Hakinakina (recreation activities and facilities) • P8 – Ahuwhenua (farming) including huawhenua (horticulture), rural produce manufacturing and existing forestry • P9 – Urupa • P10 – Whare hoko (convenience activities), including rural produce retail and arumoni (commercial services), including veterinary care facilities and rural tourism activity. • P11 – Office • P12 – Makete (markets) • P13 – Farm building • P14 – Conservation activities, including new access tracks • P15 – farmstay • P16 – Emergency service facilities • P17 – Heli-landing area • P18 – Flood protection activities • P19 – Public amenities • P20 – Mahinga Kai 	<p>General: Chapter 4 - Hazardous Substances and Contaminated Land; Chapter 5 - Natural Hazards; Chapter 6 - General Rules and Procedures; Chapter 7 - Transport; Chapter 8 - Subdivision, Development and Earthworks; Chapter 9 - Natural and Cultural Heritage; and Chapter 11 - Utilities and Energy</p> <p>No specific activity standards for P1 – P9, P13 – P16, P18 and P20.</p> <p>P10 – Maximum of 100m2 GLFA per business P11 – Maximum of 100m2 GLFA per business P12 – Not exceeding one event per week.</p>		<p>Definition: Maori Land - in relation to Chapter 12 Papakāinga/Kāinga Nohoanga Zone, means land with the following status:</p> <ol style="list-style-type: none"> 1. Māori communal land gazetted as Māori reservation under s338 Te Ture Whenua Maori Act 1993; and 2. Māori customary land and Māori freehold land as defined in s4 and s129 Te Ture Whenua Maori Act 1993. <p>There are no non-complying or prohibited activities in this zone.</p>
			<p>12.4.1.2 Controlled activities on land which is held as Māori land:</p> <ul style="list-style-type: none"> • C1 - Any activity listed in Rule 12.4.1.1 P1 – P7, P10 – P13, P15 – P17 or P19, including associated access tracks, within either of the following Banks Peninsula Outstanding Natural Landscapes: <ol style="list-style-type: none"> 1. ONL 2.0 (Rāpaki Ōhinetahi / Governors Bay Summits - Ōtaranui ki Ōmawete); or 2. ONL 6.4 (Port Levy / Koukourārata - Eastern Summits - Kākānui ki Ngārara). that meets the activity specific standards for that activity in Rule 12.4.1.1 and the built form standards in Rule 12.4.2. • C2 - Any activity listed in Rule 12.4.1.1 P1 – P7, P10 – P13, P15 – P17 and P19, including associated 	<p>12.4.2 Built form standards - Māori land: (An application for an infringement of these standards shall not be publicly notified and may be limited notified only to directly abutting land owners (where the consent authority considers this is required, and absent written approval).</p> <ul style="list-style-type: none"> • Internal boundary setback • Road boundary setback • Building height • Maximum coverage • Water supply for firefighting 		<p>12.4.3 - In the Papakāinga /Kāinga Nohoanga Zone, on land which is not held as Māori Land, the rules applicable to the Rural Banks Peninsula Zone apply.</p>

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			<p>access tracks, within either of the following Areas of At Least High Natural Character:</p> <ol style="list-style-type: none"> HNC 2.0 (Rāpaki - Ōhinetahi / Governors Bay Coastline - Taukahara and Ōtūherekio); or HNC 22.0 (Wainui Coastline). <p>that meets the activity specific standards for that activity and the built form standards in Rule 12.4.2</p>			
			<p>12.4.1.3 Restricted discretionary activities on land which is held as maori land :</p> <ul style="list-style-type: none"> RD1 - Any activity listed in Rule 12.4.1.1 P1 – P20 or Rule 12.4.1.2 C1 or C2 that does not meet one or more of the activity specific standards. <p>Any application arising from this rule will not require written approvals and shall not be limited or publicly notified.</p> <ul style="list-style-type: none"> Any activity listed in Rule 12.4.1.1 P1 – P20 or Rule 12.4.1.2 C1 or C2 that does not meet one or more of the built form standards in Rule 12.4.2. 			
Proposed Waikato District Plan	Specific activities under zones	http://districtplan.waic.govt.nz/pages/plan/book.aspx?exhibit=PDP01	<p>CHAPTER 16 – RESIDENTIAL ZONES</p> <p>Permitted activities:</p> <ul style="list-style-type: none"> A marae complex or papakainga housing development on Maaori Freehold Land or on Maaori Customary Land Cultural event on Maaori Freehold Land containing a Marae Complex 	<p>For Marae Complex of Papakainga Housing Development on Maaori Freehold Land or Maaori Customary Land:</p> <ol style="list-style-type: none"> The total building coverage does not exceed 50%; Where the land is vested in trustees whose authority is defined in a Trust Order and/or a Maaori Incorporation, the following is provided to Council with the associated building consent application: <ol style="list-style-type: none"> A Concept Management Plan approved by the Maori Land Court and A Licence to Occupy; Where a Trust Order or Maaori Incorporation does not exist, one of the following instruments is provided to Council at the time of lodgement of the application for building consent: <ol style="list-style-type: none"> A Concept Management Plan approved by the Maori Land Court; A lease, or an Occupation Order of the Maori Land Court; The following Land Use – Effects rules in Rule 16.3 do not apply: <ol style="list-style-type: none"> Rule 16.3.1 (Dwelling); Rule 16.3.2 (Minor dwellings); Rule 16.3.6 (Building Coverage). 	<ul style="list-style-type: none"> Concept Management Plan approved by Maori Land Court; Lease or occupation order of the Maori Land Court, or licence to occupy 	<p>Marae complex Means a group of buildings that constitutes a marae and can be made up of a wharenuī (meeting house), wharekai (eating house), an aatea (courtyard area in front of the wharenuī), urupaa (graveyard), tuaahu (sacred place for ritual practices), waharoa (archway entrance at the entrance to the aatea), and other buildings, (church, hauora (health clinic), koohanga (pre-school), conference centre and facilities, waananga (education facility), recreation facilities, places of cultural significance, a papakainga/papakainga building and utility services.</p> <p>Maaori Freehold land - Means land determined by the Māori Land Court as being 'Māori Freehold Land'</p>
			<p>CHAPTER 17 – BUSINESS ZONE</p> <p>Permitted activities</p> <ul style="list-style-type: none"> A marae complex or papakainga housing development on Maaori Freehold Land or on Maaori Customary Land Cultural event on Maaori Freehold Land containing a Marae Complex 	<p>For Marae Complex of Papakainga Housing Development on Maaori Freehold Land or Maaori Customary Land:</p> <ol style="list-style-type: none"> The total building coverage does not exceed 50%; Where the land is vested in trustees whose authority is defined in a Trust Order and/or a Maaori Incorporation, the following is provided to Council with the associated building consent application: <ol style="list-style-type: none"> A Concept Management Plan approved by the Maori Land Court and A Licence to Occupy; Where a Trust Order or Maaori Incorporation does not exist, one of the following instruments is provided to Council at the time of lodgement of the application for building consent: 	<ul style="list-style-type: none"> Concept Management Plan approved by Maori Land Court; Lease or occupation order of the Maori Land Court, or licence to occupy 	<p>Maaori Customary Land Means land determined by the Māori Land Court as being 'Māori Customary Land'.</p> <p>Papakainga building Means a building for communal use. It may include some centralised services or facilities such as food preparation, dining, conference, cultural facilities, sanitary facilities, and accommodation.</p> <p>Papakainga housing development</p>

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				<ul style="list-style-type: none"> iii. A Concept Management Plan approved by the Maori Land Court; iv. A lease, or an Occupation Order of the Maori Land Court; h) The following Land Use – Effects rules in Rule 17.2 do not apply: <ul style="list-style-type: none"> iv. Rule 17.3.8 (Dwelling); v. Rule 17.1.4 (Multi-unit development) 		Means a comprehensive residential development for a recognised Tangata Whenua group or organisation residing in the Waikato district to support traditional Maaori cultural living on Maaori land for members of the iwi group or organisation.
			<p><u>CHAPTER 22 – RURAL ZONE</u> Permitted activities</p> <ul style="list-style-type: none"> • A marae complex or papakaainga housing development on Maaori Freehold Land or on Maaori Customary Land • Cultural event on Maaori Freehold Land containing a Marae Complex 	<p><u>For Marae Complex of Papakaainga Housing Development on Maaori Freehold Land or Maaori Customary Land:</u></p> <ul style="list-style-type: none"> a) Land Use – Effects in Rule 22.2; b) Land Use – Building in Rule 22.3 except: <ul style="list-style-type: none"> i. Rule 22.3.1 (Number of dwellings) does not apply; ii. Rule 22.3.2 (Minor Dwellings) does not apply; iii. Rule 22.3.3 (Buildings and structures in Landscape and Natural Character Areas) does not apply; iv. Rule 22.3.4 (Building Height) does not apply; v. Rule 22.3.6 (Building Coverage) does not apply; c) Building height does not exceed 7.5m in any of the following areas: <ul style="list-style-type: none"> i. Outstanding Natural Landscape; ii. Outstanding Natural Feature; iii. Outstanding Natural Character Area of the coastal environment; iv. High Natural Character Area of the coastal environment; d) A Concept Management Plan is provided, with either: <ul style="list-style-type: none"> i. A Licence to Occupy at the time of lodgement of the building consent application where the land is vested in trustees whose authority is defined in a Trust Order and/or a Maaori Incorporation; or ii. Where a Trust Order or Maaori Incorporation does not exist, one of the following instruments is provided to Council at the time of lodgement of the building consent application: <ul style="list-style-type: none"> a) A lease; or b) An Occupation Order of the Maori Land Court. 	<ul style="list-style-type: none"> • Concept Management Plan approved by Maori Land Court; • Lease or occupation order of the Maori Land Court, or licence to occupy 	(There is a full glossary of Maori terms located within the definitions chapter).
			<p><u>CHAPTER 22 – RURAL ZONE</u> <u>22.7 – Specific Area – Whaanga Coast Development Area</u> Permitted activities</p> <ul style="list-style-type: none"> • Papakaainga Housing Development and Papakaainga Building within a Whaanga Coast Development Area • Waananga within a Whaanga Coast Development Area • Hauora within a Whaanga Coast Development Area • Community activity within a Whaanga Coast Development Area 	<p><u>Papakaainga Housing Development and Papakaainga Building within a Whaanga Coast Development Area:</u></p> <p>A Concept Management Plan is provided, with either:</p> <ul style="list-style-type: none"> iii. A Licence to Occupy at the time of lodgement of the building consent application where the land is vested in trustees whose authority is defined in a Trust Order and/or a Maaori Incorporation; or iv. Where a Trust Order or Maaori Incorporation does not exist, one of the following instruments is provided to Council 	<ul style="list-style-type: none"> • Concept Management Plan approved by Maori Land Court; • Lease or occupation order of the Maori Land Court, or licence to occupy 	

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				<p>at the time of lodgement of the building consent application:</p> <p>c) A lease; or d) An Occupation Order of the Maori Land Court.</p> <p>The rules that apply to a permitted activity under Rule 22.7.2 within a Whaanga Coast Development Area as identified on the planning maps are as follows:</p> <p>(a) Rule 22.2 Land Use – Effects; except that: A. Rule 22.2.3.1 (Earthworks – General) does not apply and Rule 22.7.1.3 applies instead.</p> <p>(b) Rule 22.3 Land Use – Building; except that: A. Rule 22.3.1 (Number of Dwellings within a Record of Title) does not apply; B. Rule 22.3.2 (Minor Dwelling) does not apply; C. Rule 22.3.3 (Building and structures in Landscape and Natural Character Areas) does not apply and Rule 22.7.1.4 applies instead; D. Rule 22.3.4.1 (Height – Building General) does not apply and Rule 22.7.1.4 applies instead; E. Rule 22.3.6 (Building Coverage) does not apply; F. Rule 22.3.7 (Building Setbacks) does not apply and Rule 22.7.1.6 applies instead; G. Rule 22.7.1.5 applies; H. Rule 22.7.1.7 applies; and I. Rule 22.7.1.8 applies.</p> <p>22.7.1.7 Papakainga Building – Gross Floor area:</p> <ul style="list-style-type: none"> • A papakainga building within a Development Area that does not exceed 300m² GFA • A papakainga building that does not comply with Rule 22.7.1.8 P1 – Discretionary activity 		
			<p>CHAPTER 24 – VILLAGE ZONE Permitted activities:</p> <ul style="list-style-type: none"> • A Marae Complex or Papakainga Housing Development on Maaori Freehold Land or on Maaori Customary Land. 	<p><u>For Marae Complex of Papakainga Housing Development on Maaori Freehold Land or Maaori Customary Land:</u></p> <p>a) The total building coverage does not exceed 50%;</p> <p>b) Where the land is vested in trustees whose authority is defined in a Trust Order and/or a Maaori Incorporation, the following is provided to Council with the associated building consent application:</p> <p>v. A Concept Management Plan approved by the Maori Land Court and</p> <p>vi. A Licence to Occupy;</p> <p>c) Where a Trust Order or Maaori Incorporation does not exist, one of the following instruments is provided to Council at the time of lodgement of the application for building consent:</p> <p>v. A Concept Management Plan approved by the Maori Land Court;</p> <p>vi. A lease, or an Occupation Order of the Maori Land Court;</p> <p>d) The following Land Use – Effects rules in Rule 24.3 do not apply:</p> <p>vi. Rule 24.3.1 (Dwelling);</p>	<ul style="list-style-type: none"> • Concept Management Plan approved by Maori Land Court; • Lease or occupation order of the Maori Land Court, or licence to occupy 	

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				vii. Rule 24.3.2 (Minor dwellings); viii. Rule 24.3.5 (Building Coverage).		
Western Bay of Plenty District Plan	Specific activities under rural zone	https://www.westernbay.govt.nz/our-services/district-plan-resource-consents/Documents/Operative-District-Plan-2012/2017-07%20Section%2018.pdf	Community facilities on Maori land up to a cumulative maximum gross floor area of 200m ² when associated with a Controlled Activity of five dwellings on multiple owned Maori land accessed from an unsealed road maintained by Council - Permitted activity	(subject to height, daylighting, yards) 18.4.1(m) Standards for the development of housing on multiple owned Maori land: i. Control shall be limited to the assessment of financial contributions; and ii. The provision of a papakainga site plan approved by council that addresses: - The provision of access that minimises access pointed from Council maintained roads; - The location of houses; - Internal roading access; - Location of community facilities on Maori land; - Location of outdoor community areas; - Service provision to existing Council owned and other network utilities.		Definitions: "Community Facilities on Maori Land" - means buildings and outside areas and structures used directly in association with buildings on Maori land and used for temporary accommodation facilities, educational facilities, places of assembly, health related activities, any Permitted Activities in the Rural Zone, and administration facilities, and activities directly associated with each of these foregoing uses. "Maori Land" - means Maori Land as defined by Te Ture Whenua Maori/Maori Land Act 1993.
			Community facilities on Maori land up to a cumulative maximum gross floor area of 400m ² when associated with a Controlled Activity of 10 dwellings on multiple owned Maori land accessed from a sealed road maintained by Council - Permitted activity			
			Up to a maximum of five dwellings on multiple owned Maori land accessed from an unsealed road maintained by Council subject to there being an average of at least 2000m ² of net land area per dwelling (including those provided for as a Permitted Activity) – Controlled activity		Papakainga site plan (as per assessment criteria).	
			Up to a maximum of 10 dwellings on multiple owned Maori land accessed from a sealed road maintained by Council subject to there being an average of at least 2000m ² of net land area per dwelling (including those provided for as a Permitted Activity) – Controlled activity	(18.5.2 Restricted Discretionary assessment criteria – Development of 11-30 Houses on Multiple Owned Maori Land)	Papakainga site plan (as per assessment criteria).	
			On Matakana Island up to a maximum of 10 dwellings on multiple owned Maori land accessed from a road maintained by Council subject to there being an average of at least 2000m ² of net land area per dwelling (including those provided for as a Permitted Activity). - Controlled activity		Papakainga site plan (as per assessment criteria).	
			On Rangiwaea Island up to a maximum of 10 dwellings on multiple owned Maori land subject to there being an average of at least 2000m ² of net land area per dwelling (including those provided for as a Permitted Activity). - Controlled activity		Papakainga site plan (as per assessment criteria).	
			Community facilities on Maori Land up to a cumulative maximum gross floor area of 800m ² when associated with a Restricted Discretionary Activity of 11 to 30 dwellings on multiple owned Maori land accessed from a sealed road maintained by Council. – Controlled activity			
			11 to 30 dwellings on multiple owned Maori land accessed from a sealed road maintained by Council subject to there being an average of at least 2000m ² of net land area per dwelling (including those provided for as a Permitted Activity) – Restricted discretionary activity		Papakainga site plan (as per assessment criteria).	
			Development of 31 dwellings or more on multiple owned Maori land accessed from a sealed road maintained by Council subject to there being an average of at least 2000m ² of net land area per dwelling (including those provided for as a Permitted Activity). – Discretionary activity	(18.5.10 – Discretionary activities criteria for the development 31 houses or more on Multiple Owned Maori Land) (a) All developments on multiple owned Maori land that result in a cumulative total of 31 houses or more shall be designed in general accordance with a Council approved structure plan and Council has full discretion to assess the development application and decide whether the development proposal is in general accordance with the structure plan. (b) Developments failing to comply with the structure plan shall be a Non-Complying Activity.	Structure plan (as per assessment criteria)	
Auckland Unitary Plan	Zoning (Maori Purpose Zone)	http://unitaryplan.aucklandcouncil.govt.nz/Images/Auckland%20Unitary%20Plan%20Operative/Chapter%20H%20Zones/H27%20Special%20Purpose%20-	Permitted Activities: <ul style="list-style-type: none"> Home occupations Up to three dwellings per site Care centres up to 250m² GFA per site Community facilities up to 250m² GFA per site Education facilities up to 250m² GFA per site 	H27.6.1. Urupā Urupā must meet the yard setback required by Standard H27.6.4 below, except the side and rear yard setback must be 10m from the side or rear boundary.	No specific information requirements	Definitions Integrated Māori development: An integrated development comprising one or more activities on Māori Land, Treaty Settlement Land or in the Māori

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		%20Maori%20Purpose%20Zone.pdf	<ul style="list-style-type: none"> Healthcare facilities up to 250m² GFA per site Maori cultural activities Marae Urupa Markets Produce stalls Retail up to 100m² GFA per site New structures or buildings associated with Maori cultural activities <p>Restricted discretionary activities</p> <ul style="list-style-type: none"> Four or more dwellings per site Care centres greater than 250m² GFA per site Community facilities greater than 250m² GFA per site Education facilities greater than 250m² GFA per site Healthcare facilities greater than 250m² GFA per site Organised sport and recreation Retail greater than 100m² GFA per site <p>Discretionary activities</p> <ul style="list-style-type: none"> Visitor accommodation Commercial services Offices Integrated Maori Development Farming 	<p><u>H27.6.2 Height Marae</u> (including whareniui and wharekai) and structures or buildings associated with Māori cultural activities (including but not limited to waharoa, pekerangi/taiapa, whare waka) must not exceed 10m in height.</p> <p>Pou haki are excluded from Standard H27.6.2(1) if they: (a) do not exceed an additional one third of the permitted activity height for the site; and (b) are not more than 300mm in diameter</p>		<p>Purpose Zone. The activities provided for may include, but are not limited to:</p> <ul style="list-style-type: none"> marae; papakāinga; urupā wānanga care centres, including kohanga reo; cultural activities; dwellings; commercial activities; tourism activities; educational facilities; healthcare services; community facilities; and organised sport and recreation. <p><u>Māori cultural activities Activities:</u> undertaken in accordance with tikanga, including ceremonial, ritual, transferring marking areas or boundaries, or recreational activities.</p> <p><u>Marae Facilities:</u> used for the provision of a focal point for social, cultural, and economic activity for Māori and the wider community. Can include one or more of the following:</p>
	Maori Land - District-wide rules (specific activities provided for)	http://unitaryplan.aucklandcouncil.govt.nz/Images/Auckland%20Unitary%20Plan%20Operative/Chapter%20E%20Auckland-wide/2.%20Mana%20Whenua/E20%20Maori%20Land.pdf	<p>Permitted activities:</p> <ul style="list-style-type: none"> Activities associated with marae or papakainga to 250m² GFA; One dwelling per hectare with no more than 10 dwellings per site in the rural zones Maori cultural activities Marae up to 700m² GFA Buildings associated with the activities listed in the table. <p>Controlled activities:</p> <ul style="list-style-type: none"> Urupa <p>Restricted discretionary activities:</p> <ul style="list-style-type: none"> Activities associated with marae or papakainga greater than 250m² GFA One dwelling per 4,000m² with no more than 20 dwellings per site in rural zones Marae greater than 700m² GFA Rural industries in rural zones <p>Discretionary activities:</p> <ul style="list-style-type: none"> Integrated Maori development Rural commercial services <p>Non-complying activities</p> <ul style="list-style-type: none"> Dwellings not otherwise provided for in a rural zone 	<p><u>E20.6.1 – Marae up to 700m² GFA or Marae greater than 700m² GFA</u> - Marae must be on site 1 ha or greater.</p> <p><u>E20.6.2 Building and structure height for Marae and Maori cultural activities</u> –</p> <ol style="list-style-type: none"> 1) Marae (including whareniui and wharekai) and structures or buildings associated with Maori cultural activities (including but not limited to waharoa, pekerangi/taiapa, whare waka) must not exceed 10m in height. 2) Pou haki are excluded from E20.6.2(1) if they: <ol style="list-style-type: none"> a) Do not exceed an additional one third of the permitted activity height for the site; and b) Are not more than 300mm in diameter. <p><u>E20.6.3 Dwellings</u> - Dwellings and buildings used for dwellings on Maori land must comply with the standards in the underlying zone.</p> <p><u>E20.6.4 Maximum impervious area and building coverage</u> –</p> <ol style="list-style-type: none"> 1) In rural zones building coverage must not exceed 20% of the site area. 2) In all other zones the standards for building coverage and maximum impervious area are as provided for in the zone relevant to the site. 	An application for an activity under the rules in this section must be accompanied by documentation from the Māori Land Court which demonstrates that the land is Māori Land.	<ul style="list-style-type: none"> marae ātea (sacred courtyard); whareniui/wharehui (main building or meeting house); wharemoē (sleeping house); kāuta (kitchen, cookhouse, cooking shed); wharekai (dining hall); māra kai (food garden); accessory dwellings (including kaumatua housing); whare oranga (Healthcare centre); kōhanga reo (Care centre); wānanga (Education facility); papa tākaro (organised sport and recreation); overnight accommodation of visitors; and events and gatherings. <p>Excludes: industry</p>
	Treaty Settlement land – District-wide rules (specific activities provided for)	http://unitaryplan.aucklandcouncil.govt.nz/Images/Auckland%20Unitary%20Plan%20Operative/Chapter%20E%20Auckland-	<p>Permitted activities:</p> <ul style="list-style-type: none"> Activities associated with marae or papakainga to 250m² GFA; One dwelling per hectare with no more than 10 dwellings per site in the rural zones 	<p><u>E21.6.1 – Marae up to 700m² GFA or Marae greater than 700m² GFA</u> - Marae must be on site 1 ha or greater.</p> <p><u>E21.6.2 Building and structure height for Marae and Maori cultural activities</u> –</p>	An application for an activity under the Treaty settlement land provisions must be accompanied by documentation, including final signed deeds of settlement, corresponding enacted legislation and	<p><u>Māori land</u> Has the same meaning as section 129 of Te Ture Whenua Maori Act 1993.</p> <p><u>Ururū</u> Māori burial ground. Includes:</p>

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		wide/2.%20Mana%20Whenua/E21%20Treaty%20Settlement%20Land.pdf	<ul style="list-style-type: none"> Maori cultural activities Marae up to 700m² GFA Buildings associated with the activities listed in the table. <p>Controlled activities:</p> <ul style="list-style-type: none"> Urupa <p>Restricted discretionary activities:</p> <ul style="list-style-type: none"> Activities associated with marae or papakainga greater than 250m² GFA One dwelling per 4,000m² with no more than 20 dwellings per site in rural zones Marae greater than 700m² GFA Rural industries <p>Discretionary activities:</p> <ul style="list-style-type: none"> Integrated Maori development Rural commercial services <p>Non-complying activities Dwellings not otherwise provided for in a rural zone</p>	<p>3) Maraе (including wharehenui and wharekai) and structures or buildings associated with Maori cultural activities (including but not limited to waharoa, pekerangi/taiapa, whare waka) must not exceed 10m in height.</p> <p>4) Pou haki are excluded from E21.6.2(1) if they:</p> <ol style="list-style-type: none"> Do not exceed an additional one third of the permitted activity height for the site; and Are not more than 300mm in diameter. <p><u>E21.6.3 Dwellings</u> - Dwellings and buildings used for dwellings on Treaty Settlement land must comply with the standards in the underlying zone.</p> <p><u>E21.6.4 Maximum impervious area and building coverage</u> –</p> <ol style="list-style-type: none"> In rural zones building coverage must not exceed 20% of the site area. In all other zones the standards for building coverage and maximum impervious area are as provided for in the zone relevant to the site. 	evidence that the land is vested with the claimant group, to confirm the land is Treaty settlement land.	<ul style="list-style-type: none"> closed Māori burial grounds; and open Māori burial grounds.
	Precincts (including specific activities within precincts)	http://unitaryplan.aucklandcouncil.govt.nz/Images/Auckland%20Unitary%20Plan%20Operative/Chapter%201%20Precincts/5.%20North/1542.20Te.20Arai.20South.20Precinct.pdf	1542 – Te Arai South Precinct – Papakainga provided for as a restricted discretionary activity .	<u>1542.6.1. Papakāinga Standards</u> 1) Papakāinga must be located within the area identified on I542.10.1 Precinct plan 1 as Papakāinga. 2) Papakāinga may include, marae complex, cultural activities, tourism activities, care centres including kohunga reo, educational facilities, healthcare facilities, community facilities, spa treatment facility, and a maximum of 10 dwellings.	No specific information requirements	
		http://unitaryplan.aucklandcouncil.govt.nz/Images/Auckland%20Unitary%20Plan%20Operative/Chapter%201%20Precincts/3.%20Central/1327.20Orakei.202.20Precinct.pdf	1327 – Orakei 2 Precinct: Permitted activities: <ul style="list-style-type: none"> Urupa (sub-precinct A) Horticulture (all sub-precincts) Discretionary activities: <ul style="list-style-type: none"> Farming (all sub-precincts) Community facilities (all sub-precincts) Boat launching facilities for launching of Waka (sub-precinct A) New buildings used for water related activities including the storage, repair and maintenance of waka (sub-precinct A). New buildings associated with cultural learning and manakitanga centres 	Specific standards provided for horticulture. Standards also provided for impervious area and building yards. Overlay, zone and Auckland-wide standards otherwise apply.	No specific information requirements	
		http://unitaryplan.aucklandcouncil.govt.nz/Images/Auckland%20Unitary%20Plan%20Operative/Chapter%201%20Precincts/3.%20Central/1326.20Orakei.201.20Precinct.pdf	1326 – Orakei 1 Precinct (all land zoned Special Purpose – Maori Purpose zone): Permitted activities: <ul style="list-style-type: none"> Care centres Community facilities Education facilities Informal recreation Organised sport and recreation Healthcare facilities Urupa and accessory buildings Offices up to 1500m² GFA Retail up to a GFA of 500m² per tenancy Retail accessory to a marae complex 	Specific standards provided for horticulture. Standards also provided for height in relation to boundary and setbacks. Overlay, zone and Auckland-wide standards otherwise apply.	No specific information requirements NOTE: The Ōrākei 1 Precinct includes the land identified as hapu reservation (land held for the purposes of a marae, church, urupa and related hapu amenities) and land identified for development for papakāinga and other commercial and non-commercial activities under the Ngāti Whātua Ōrākei Claims Settlement Act 2012. The purpose of the Ōrākei 1 Precinct is to: <ul style="list-style-type: none"> enable development and land management which reflect the 	

District Plan	Summary of Approach	Link	Activity status	Development Controls / Performance Standards	Information Requirements	Comments
			<ul style="list-style-type: none"> • Farming • Horticulture <p>Restricted discretionary activities</p> <ul style="list-style-type: none"> • Retirement villages • Supported residential care • Visitor accommodation • Boarding houses • New buildings, or additions and alterations to existing buildings, greater than 200m2 for care centres, community facilities, education facilities, informal recreation and leisure, organised sport and recreation, healthcare facilities, offices or retail <p>Discretionary activities:</p> <ul style="list-style-type: none"> • Offices with greater than 1500m2 GFA • Retail with greater than 500m2 GFA or greater than 100m2 per tenancy. 		<p>principles of the Ngāti Whātua Ōrākei Iwi Management Plan 2012;</p> <ul style="list-style-type: none"> • provide for a range of activities that support and enhance development for papakāinga and other commercial and non-commercial activities; and provide additional rules and assessment criteria to manage the effects of development. 	
	Specific Activities provided for	http://unitaryplan.aucklandcouncil.govt.nz/Pages/Plan/Book.aspx?exhibit=AucklandUnitaryPlan_Print	<p><u>H1 – Large Lot zone</u></p> <ul style="list-style-type: none"> • Marae complex – Discretionary activity <p><u>H2 – Rural and coastal settlement zone</u></p> <ul style="list-style-type: none"> • Marae complex – Discretionary activity <p><u>H3 - Single house zone</u></p> <ul style="list-style-type: none"> • Marae complex – Discretionary activity <p><u>H4 – Mixed housing suburban zone</u></p> <ul style="list-style-type: none"> • Marae complex – Discretionary activity <p><u>H5 – Mixed housing urban zone</u></p> <ul style="list-style-type: none"> • Marae complex – Discretionary activity <p><u>H6 – Terrace Housing and Apartment Building zone</u></p> <ul style="list-style-type: none"> • Marae complex – Discretionary activity <p><u>H7 – Open Space Zones</u></p> <ul style="list-style-type: none"> • Customary Use – permitted activity • Marae complex – Discretionary in all zones except Open Space- Community zone <p><u>H8 – Business – City Centre Zone</u></p> <ul style="list-style-type: none"> • Marae complex – Permitted activity <p><u>H9 – Business – Metropolitan Centre Zone</u></p> <ul style="list-style-type: none"> • Marae complex – Permitted activity <p><u>H10 – Business – Town Centre Zone</u></p> <ul style="list-style-type: none"> • Marae complex – Permitted activity <p><u>H11 – Business – Local Centre Zone</u></p> <ul style="list-style-type: none"> • Marae complex – Permitted activity <p><u>H12 – Business – Neighbourhood Centre Zone</u></p> <ul style="list-style-type: none"> • Marae complex – Discretionary activity <p><u>H13 – Business – Mixed Use Zone</u></p> <ul style="list-style-type: none"> • Marae complex – Permitted activity <p><u>H14 – Business – General Business Zone</u></p> <ul style="list-style-type: none"> • Marae complex – Permitted activity <p><u>H15 – Business – Business park Zone</u></p> <ul style="list-style-type: none"> • Marae complex – Discretionary activity <p><u>H18 – Future Urban Zone</u></p> <ul style="list-style-type: none"> • Urupa – Discretionary activity • Marae – Discretionary activity 	No specific development controls or performance standards.	No specific information requirements	

District Plan	Summary of Approach	Link	Activity status	Development Controls / Performance Standards	Information Requirements	Comments
			<ul style="list-style-type: none"> Customary Use – Permitted activity <p>H19 – Rural Zones (all rural zones)</p> <ul style="list-style-type: none"> Urupa – Discretionary activity Marae – Discretionary activity Customary Use – Permitted activity <p>H20 – Rural – Waitakere Foothills zone</p> <ul style="list-style-type: none"> Urupa – Discretionary activity Marae – Discretionary activity Customary Use – Permitted activity <p>H21- Rural – Waitakere Ranges zone</p> <ul style="list-style-type: none"> Urupa – Discretionary activity Marae – Discretionary activity Customary Use – Permitted activity 			
South Taranaki District Plan (2004)	Activities provided for in zones	https://www.southtaranaki.com/uploaded_files/District-Plan/district-plan-section-3-rural-zone.pdf	<p>SECTION 3 – RURAL ZONE: Permitted activities:</p> <ul style="list-style-type: none"> Marae Community activities and essential services <p>SECTION 4 – RESIDENTIAL ZONE: Permitted activities:</p> <ul style="list-style-type: none"> Community activities and essential services <p>SECTION 5 – COMMERCIAL ZONE: Permitted activities:</p> <ul style="list-style-type: none"> Community activities and essential services <p>SECTION 6 – INDUSTRIAL ZONE: Permitted activities:</p> <ul style="list-style-type: none"> Community activities and essential services <p>SECTION 7 – RURAL INDUSTRIAL ZONE: Permitted activities:</p> <ul style="list-style-type: none"> Community activities and essential services 	No specific development controls/performance standards.	No specific information requirements	<p>Note that Section 1 – Introduction, refers to a ‘Maori Land’ District Plan Section. However, this section cannot be located.</p> <p>Definition: COMMUNITY ACTIVITY: means any BUILDING, grounds or place owned or used by sectors of the community for recreational, sporting, cultural, religious or similar community purposes, including churches, <u>marae</u>, parks, clubs and recreational facilities, but not including schools. COMMUNITY ACTIVITY also means the activity taking place inside or on the above BUILDINGS or grounds.</p>
Proposed South Taranaki District Plan (Decisions Version 2016)	Activities provided for in zones	https://www.southtaranaki.com/uploaded_files/Decision%20Version/Proposed%20District%20Plan%20Text%20-%202016%20resize.pdf	<p>SECTION 3: Rural Zone Rules Permitted activities:</p> <ul style="list-style-type: none"> Marae Papakainga development Within the Parihaka Cultural Area: <ul style="list-style-type: none"> i. Education and childcare facilities (including kohanga reo and kura kaupapa). ii. Farmers and craft markets. iii. Papakainga housing. iv. Maraе. v. Residential care facilities. vi. Community facilities. vii. Retail activities. viii. Tourism information and museum activities. ix. Temporary activities. x. Small-scale renewable electricity generation. xi. Community wastewater treatment system. 	<p>3.2 PERFORMANCE STANDARDS – PERMITTED ACTIVITIES</p> <ul style="list-style-type: none"> 3.2.1 Number of dwelling units: Papakainga development is exempt from the maximum number of dwelling units. 3.2.2 Bulk & location (relevant to dwelling unit, home occupation and other sensitive activities). <ul style="list-style-type: none"> 3) Within the Parihaka Cultural Area, the following standards shall apply to all permitted activities. <ul style="list-style-type: none"> i. All buildings shall be located no closer than 5m to any road or other boundary. ii. No part of any building shall extend more than 15m above natural ground level. iii. The total gross floor area of all retail activities (excluding tourism related activities) within the Parihaka Cultural Area shall not exceed 400m². 	No specific information requirements	<p>Definitions: MARAE: means the land and buildings for the use of a Māori community family, hapū or tribe, and includes whareniui (meeting house), wharekai (dining rooms), wharepaku (ablution blocks inclusive of toilets, showers and changing rooms), wharekarakia (church), and other marae-based facilities, such as papakainga development, community activities, kohanga, childcare activities, and health care facilities.</p> <p>PAPAKAINGA DEVELOPMENT: means the integrated development of multiple DWELLING UNITS, Maraе, and other community building and recreation facilities on Maori freehold</p>

District Plan	Summary of Approach	Link	Activity status	Development Controls / Performance Standards	Information Requirements	Comments
			<p>xii. Car parks.</p> <p>Restricted discretionary activities:</p> <ul style="list-style-type: none"> Unless listed elsewhere in the district plan, any permitted activity listed in section 3.1.1 which does not meet one or more of the performance standards in section 3.2. <p>Discretionary activities:</p> <ul style="list-style-type: none"> Any community activity designed to accommodate a maximum occupancy of more than 100 people within a building(s). 	<p>Except as provided for above, marae and papakainga development shall comply with the standards set out in Rule 3.2.1.</p> <p>Note: All buildings within the Parihaka Cultural Area are exempt from the performance standards in Section 3.2.1: Number of Dwelling units and the "additional setbacks/requirements" in Rule 3.2.2.1: Bulk and Location.</p>		<p>land, Maori customary land and Crown land reserved for Maori (as defined in Te Ture Whenua Maori Act 1993/Maori Land Act 1993).</p> <p>COMMUNITY ACTIVITY: means any BUILDING, grounds or place owned or used by sectors of the community for recreational, sporting, cultural, religious or similar community purposes, including churches, marae, parks, clubs and recreational facilities, but not including schools. COMMUNITY ACTIVITY also means the activity taking place inside or on the above BUILDINGS or grounds, but does not include PRIVATE FUNCTION CENTRES/FACILITIES.</p>
			<p>SECTION 4 – RESIDENTIAL ZONE RULES</p> <p>Permitted activities:</p> <ul style="list-style-type: none"> Marae Papakainga development <p>Restricted discretionary activities:</p> <ul style="list-style-type: none"> Unless listed elsewhere in the district plan, any permitted activity which does not comply with one or more of the performance standards. <p>SECTION 5 – TOWNSHIP ZONE RULES</p> <p>Permitted activities:</p> <ul style="list-style-type: none"> Marae Papakainga development <p>Restricted discretionary activities:</p> <ul style="list-style-type: none"> Unless listed elsewhere in the district plan, any permitted activity which does not comply with one or more of the performance standards. <p>SECTION 6 – COMMERCIAL ZONE RULES</p> <p>Permitted activities:</p> <p>Within either Commercial (Hawera Town Centre) or Commercial (Mixed Use):</p> <ul style="list-style-type: none"> Marae Papakainga development <p>SECTION 7 – INDUSTRIAL ZONE RULES</p> <p>Discretionary: Any activity that is not listed as a permitted, controlled, restricted discretionary, non-complying or prohibited activity</p> <p>SECTION 8 – RURAL INDUSTRY ZONE RULES</p> <p>Discretionary: Any activity that is not listed as a permitted, controlled, restricted discretionary, non-complying or prohibited activity</p>	<p>4.2 PERFORMANCE STANDARDS – PERMITTED ACTIVITIES</p> <ul style="list-style-type: none"> 4.2.1 – Net Site Area (for dwelling units): <ul style="list-style-type: none"> i. 400m² outside the intensification area (on planning maps) ii. 300m² within the intensification area (on planning maps). 4.2.2 – Bulk and Location (includes setbacks, height, recession plane, site coverage) 4.2.3 – Private outdoor living area <p>No specific performance standards / development controls for Marae of Papakainga development.</p> <p>5.2 PERFORMANCE STANDARDS – PERMITTED ACTIVITIES</p> <ul style="list-style-type: none"> 5.2.1 Number of dwelling units and minimum site are: <ol style="list-style-type: none"> Max. number of dwelling units per site shall be two dwelling units (including one minor dwelling unit). Each dwelling unit shall have at minimum, a net site area of 4,000m² 5.2.2 Bulk and Location (setbacks, recession plane, site coverage). 5.2.3 – Private outdoor living area. <p>6.2 PERFORMANCE STANDARDS – PERMITTED ACTIVITIES</p> <ul style="list-style-type: none"> 6.2.1 – Bulk and location (setbacks, height, recession plane) 6.2.4 – Minimum and Maximum Floor Areas - Within the Commercial Zone (Hawera Town Centre), no individual activity shall occupy a total floor area of 500m² or more, at ground level. 6.2.10 – Residential Activities and Visitor Accommodation - All new dwelling units shall have a private outdoor living area which is at least 50m² in area and capable of containing a circle 4m in diameter, and is oriented to the east, west, or north of the dwelling unit 		
Dunedin Second Generation District Plan	City-Wide Provisions – Section 14 – Manawhenua	https://2gp.dunedin.govt.nz/plan/pages/plan/book.aspx?exhibit=DCC2GP	No specific activities provided for under Section 14 - Manawhenua, Assessment criteria only.		14.7.1 – Cultural Impact assessment - where Manawhenua are considered an affected person, a cultural impact assessment may be required.	NOTE: Appeals currently against Papakaika housing.

District Plan	Summary of Approach	Link	Activity status	Development Controls / Performance Standards	Information Requirements	Comments
	<p>Provided for as a sub-activity of Standard Residential. Section 15 – Residential</p>	<p>https://2gp.dunedin.govt.nz/plan/pages/plan/book.aspx?exhibit=DCC2GP</p>	<ul style="list-style-type: none"> Standard Residential – Permitted activity Standard residential activity that contravenes the performance standard for density is a non-complying activity, except that papakāika that contravenes the performance standards for density are restricted discretionary activities. <p>Note 15.3.3A- General advice</p> <ol style="list-style-type: none"> Papakāika activity (a sub-activity of standard residential activity) is intended to allow descendants of the original native reserve grantees to live on this land. If papakāika is developed and is subsequently no longer required for the use of Manawhenua in accordance with the papakāika definition, resource consent will be required to allow its use as other residential development. In this situation, the provisions that govern residential activity, including density of residential development, will apply. It is strongly recommended that the use of relocatable buildings is considered for papakāika development in order to avoid potential future problems of being unable to obtain consent for ownership or occupation of dwellings by people other than descendants of the original grantees. Where papakāika is on Māori Land, the provisions of the Te Ture Whenua Māori Act 1993 or subsequent legislation apply. New marae may only be established with the agreement of Manawhenua. 	<p>Standard residential – Density, minimum car parking, outdoor living space, service areas, family flats.</p>	<p>15.14.1 Papakāika - ownership and occupation For papakāika activity, proof that both the owner and occupier of the land fall into one of the classes listed in the definition of papakāika is required. Proof can be obtained from the Māori Land Court or the Ngāi Tahu Whakapapa Unit.</p>	<p>Definitions:</p> <p><i>Māori land</i> Any land given the status of Māori freehold land pursuant to Te Ture Whenua Māori Act 1993 or subsequent legislation.</p> <p><i>Marae</i> The <u>marae atea</u> and the <u>buildings</u> around it, including the <u>wharenui</u>, <u>wharekai</u>, church and <u>urupā</u>.</p> <p><i>Marae-related activities</i> Māori cultural activities and provision of services primarily aimed at the health and well-being of the Māori population, undertaken on a <u>marae</u> that has the agreement of <u>Manawhenua</u>. Examples are:</p> <ul style="list-style-type: none"> <u>hui</u> <u>wānaka</u> <u>tangi</u> overnight accommodation for visitors events and gatherings health services; and cultural tourism. <p><u>Marae-related activities</u> are included in the definition of <u>community and leisure</u>.</p> <p><u>Papakāika</u> Residential activity within the boundaries of an original native reserves mapped area where:</p> <ol style="list-style-type: none"> the land is fully or partly owned by one or more of the following: <ol style="list-style-type: none"> a descendant of an original grantee of an original native reserve, or their trustee a management structure governed by the Te Ture Whenua Māori Act 1993 or subsequent legislation over the land concerned, for the benefit of such persons in (a)
	<p>Specific Activities – Section 16 – Rural</p>	<p>https://2gp.dunedin.govt.nz/plan/pages/plan/book.aspx?exhibit=DCC2GP&hid=3598&s=papakāika</p>	<p>Papakāika as a Controlled activity in Rural Zones, and rural zones with ONL, SNL and Natural Coastal Character (NCC) area.</p> <p>Papakāika as a Non-Complying activity in rural zones with ONF/ONCC/HNCC and area of Significant Biodiversity Value.</p> <p>Note 16.3.3A - General advice</p> <ol style="list-style-type: none"> Papakāika activity is intended to allow descendants of the original native reserve grantees to live on this land. It is not intended to allow other residential use of rural land at a higher density than provided for in the rural zones. If papakāika is developed and is subsequently no longer required for the use of Manawhenua in accordance with the papakāika definition, resource consent will be required to allow its use as other residential development. In this situation, the provisions of the rural zones that govern residential activity, including density of residential development, will apply. It is strongly recommended that the use of relocatable buildings is considered for papakāika development in order to avoid potential future problems of being unable to obtain consent for ownership or occupation of dwellings by people other than descendants of the original grantees. Where papakāika is on Māori Land, the provisions of the Te Ture Whenua Māori Act 1993 or subsequent legislation apply. 	<p>Density and Separation distances.</p> <p>Rule 16.5.2 Density:</p> <ul style="list-style-type: none"> papakāika may be developed at a density of 6 residential units, or 15 habitable rooms per site, whichever is the lesser. 	<p>16.13.1 Papakāika - ownership and occupation For papakāika activity, proof that both the owner and occupier of the land fall into one of the classes listed in the definition of papakāika is required. Proof can be obtained from the Māori Land Court or the Ngāi Tahu Whakapapa Unit.</p>	

District Plan	Summary of Approach	Link	Activity status	Development Controls / Performance Standards	Information Requirements	Comments
			3) New marae may only be established with the agreement of Manawhenua. 4) For papakāika activity, see also Rule 16.13 Special Information Requirements.			c) a Rūnaka with authority/mana over the area in which the original native reserve is located d) a spouse/civil union/de facto partner of a descendant of an original grantee who has inherited the land from the descendant; and 2) the dwelling is primarily occupied by at least one of the following: a) a descendant of an original grantee of the reserve b) a spouse/civil union/de facto partner of a descendant of an original grantee who has inherited the land from the descendant; or c) a whāngai of a descendant of an original grantee. Papakāika is a sub-activity of standard residential.
Hastings District Council	Development guide	https://www.hastingsdc.govt.nz/assets/Document-Library/Policies/Papakāinga-Guide/papakāinga-guide.pdf				Provides detailed guidance which defines the process and provides step-by-step process for developing housing on maori land. The guide won a New Zealand Post Excellence Award at the 2008 Local Government New Zealand conference.
	Specific activities under District Wide Rules (s.21.1 Papakāinga District wide)	https://eplan.hdc.govt.nz/eplan/#Rules/0/77/77/99999	PK1 - Buildings accessory to existing or consented residential buildings - Permitted	(Applies to all activities) <ul style="list-style-type: none"> • Building height; • Yard setbacks; • Building coverage; • Protection of flood channels; • Noise; • Sunlight & daylight; • Vehicle crossings; • Any Papakāinga Development shall comply with all underlying zoning Standards and Terms requiring setbacks from 'Intensive Rural Production' activities and from plantations and forests in regard to mitigating 'Fire Hazard'. • Minimum site size and location of buildings for each residential building. 	(assessment criteria) 21.1.8A - Development plan requirements	<u>Definitions:</u> <ul style="list-style-type: none"> - Maori Land: Means land which is recognised as Maori Land for the purpose of the Te Ture Whenua Maori Land Act 1993. That is: (a) Land held by Maori in accordance with Tikanga Maori having the status of Maori Customary land. (b) Land, the beneficial ownership of which has been determined by Maori Land Court by freehold order, having the status of Maori Freehold land. - Papakāinga: means residential housing on land identified under Section 21.1 'Papakāinga District Wide Activity', or when used in any other context of the Plan means housing established on Maori land primarily for the use of Maori people.
			PK2 - Papakāinga, on the following land: a) Land declared Māori Land pursuant to the Te Ture Whenua Māori Act 1993; b) Land which was given a declaration of status to General Land under the Māori Affairs Amendment Act 1967, provided the applicant can comply with Rule 21.1.7D. Controlled activity.	Where an applicant wants to undertake Papakāinga Development under land which is in general title, the applicant shall provide details showing: a) Evidence that the Title was given a Declaration of Status under the Māori Affairs Amendment Act 1967. b) Evidence that the land has remained in ancestral ownership continuously from the date the status declaration occurred.	(assessment criteria) 21.1.8A - Development plan requirements (assessment criteria) 21.1.8B - Applicants must provide documentation showing the availability of appropriate mechanisms, including covenants, to secure long term Māori	

District Plan	Summary of Approach	Link	Activity status	Development Controls / Performance Standards	Information Requirements	Comments
					administration, ownership and maintenance of the land title.	- Papakāinga Accessory buildings - means a detached building which is accessory to existing or approved papakāinga residential buildings.
			PK3 - Industrial and commercial buildings Controlled activity.	<ul style="list-style-type: none"> Industrial activity threshold limits – personnel limits and gross floor area limits Commercial activity threshold limits – personnel limits and gross floor areas limits 	(assessment criteria) 21.1.8A - Development plan requirements	
			PK4 - Permitted or Controlled Activities not meeting the General Performance Standards and Terms in Section 21.1.6 and the Specific Performance Standards and Terms in 21.1.7. – Restricted discretionary activity		(assessment criteria) 21.1.8A - Development plan	
			PK5 - Papakāinga on land held under general title (that is not covered under Rule PK2 (b)) – Discretionary activity		(assessment criteria) (a) Explanation as to the historical reasons that the land was given general title. (b) Evidence as to the historical reasons as to why the land should be considered for Papakāinga Development. (c) Explanation as to why the land cannot be converted to Maori Title under the Te Ture Whenua Māori Act 1993.	
Whangarei District Council	Specific activities under District Wide Rule (PKA.1 - Papakainga)	http://www.wdc.govt.nz/PlansPoliciesandBylaws/Plans/DistrictPlan/Documents/District-Plan-Part-E-District-Wide/PKH-Papakāinga-Housing.pdf	<p>PKA1.5 Permitted activities: On Māori freehold land as defined in the Te Ture Whenua Māori Act 1993, papakāinga developments are a permitted activity provided that:</p>	<p>A Papakāinga Development Plan (“PDP”) is submitted to Council prior to any application for building consent that identifies and demonstrates the following:</p> <ul style="list-style-type: none"> - Location of residential units; - Location of structures other than residential units; - Areas of land or buildings for commercial or industrial activities or places of assembly; - Location of utilities servicing and roading - Servicing; - Location of recorded historic heritage (including archaeology). <p>Controls:</p> <ul style="list-style-type: none"> - Any places of assembly and commercial or industrial activities are established in conjunction with and are directly related with residential activities of the papakāinga. - Places of assembly, industry, commercial are set back 100m from existing residential unit on a separate title. - Commercial and industrial activities shall not cumulatively exceed 500m² in GFA - Number of residential units per site does not exceed 1 per 2,000m² net site area. 		<p>Definition: Any term which is not defined in this section takes its common meaning from the Concise Oxford Dictionary (Ninth Edition) or the Williams Maori Dictionary (Seventh Edition) (cannot find definition for Papakāinga in Williams Maori Dictionary).</p>
			<p>PKA.1.6 -Restricted discretionary activities: 1. Papakāinga developments where the land is General land owned by Maori as defined in the Te Ture Whenua Māori Act 1993 and</p> <ol style="list-style-type: none"> It is demonstrated that the papakāinga development would otherwise comply with the permitted activity controls in PKA.1.5; and The land is subject of proceedings before the Māori Land Court to convert the land to Māori freehold land on the date the application for resource consent is made; or The land has not been the subject of proceedings before the Māori Land Court to convert the land to Māori freehold land but an ancestral link to the land has been identified. 		<p>When assessing restricted discretionary applications pursuant to PKA 1.6.1 Council shall restrict its discretion to the following matters:</p> <ol style="list-style-type: none"> Explanation as to the historical reasons why the land was transferred to general title. Evidence as to why the land should be considered as ancestral Māori land. In the case of PKA.1.6.1 c above, an explanation as to why the land has not been converted to Māori freehold land pursuant to the Te Ture Whenua Māori Act 1993. 	

District Plan	Summary of Approach	Link	Activity status	Development Controls / Performance Standards	Information Requirements	Comments
			2. Any papakāinga development on Maori freehold land that cannot comply with one or more of the permitted activity standards in PKA.1.5.		iv. Demonstration of appropriate legal mechanism(s) to ensure that the land is maintained in whanau ownership.	
			PKA.1.7 Discretionary activities: Any papakāinga development on General land owned by Māori that cannot comply with the restricted discretionary activity in PKA.1.6.1.			
			PKA.1.8 Non complying activities: Papakāinga developments on all other land not specified above.			
	Guidance document	http://www.wdc.govt.nz/PlansPoliciesandBylaws/Plans/DistrictPlan/DistrictPlanChanges/Documents/PC-94B-Papakāinga/Papakāinga-Toolkit.pdf fndc.govt.nz/about-the-district/ tangata-whenua/papakāinga-toolkit - Summary Brochure				Te Tai Tokerau Papakāinga Toolkit – Maori Housing Toolkit Designed to help Māori land owners understand and navigate the process for undertaking a papakāinga development on their ancestral lands. Barkers and Associates completed the kit and it has now won the New Zealand Planning Institute's Best Practice, Non Statutory Planning Award.
Tauranga City Plan	Zoning (Sections 14C and 16B of the plan)	http://econtent.tauranga.govt.nz/data/city_plan/ch/14/urban_marae_community_zone_and_ngati_kahu_papakāinga_zone.pdf	Urban Marae Community Zone Permitted activities <ul style="list-style-type: none"> Home-based business Health centres Independent dwelling unit Marae based activities including wharenuui, wharekai, whareumu, pataka Minor public recreational facilities and activities. Offices Schools Shared accommodation Tertiary education premises Urupa Visitor accommodation Discretionary activities: <ul style="list-style-type: none"> Places of worship Non-complying activities: <ul style="list-style-type: none"> Business activities not listed Camping grounds Ancillary retail Gymnasia Industrial activities Lock-up storage facilities Produce stalls Primary production activities Wholesale plant nurseries Ngati Kahu Papakāinga Sub-Zone A Permitted activities <ul style="list-style-type: none"> Ancillary retail Home-based business Health centres Independent dwelling unit Marae based activities including wharenuui, wharekai, whareumu, pataka Minor public recreational facilities and activities. 	14C.3.1 Density of independent dwelling units and shared accommodation <ul style="list-style-type: none"> Urban Marae Community Zone – 1 independent dwelling per 325m² of gross site area Urban Marae Community Zone, shared accommodation – A maximum of 8 permanent residents per site. Ngati Kahu Sub-Zone A and Commercial (waewae) sub-zone – 17 independent dwelling units (or their Ngati Kahu kaumatua dwelling unit equivalent) per hectare. Ngati Kahu Sub-Zone A and Commercial (waewae) sub-zone, shared accommodation – a maximum of 8 permanent residents per site. 14C.3.3 Building Scale <ul style="list-style-type: none"> Sub-zone B (recreation) – The maximum GFA of any building in sub-zone B (recreation) shall be 150m²; No more than two buildings are permitted in sub-zone B (recreation). Sub-zone B (Conservation) – The maximum GFA of any building in sub-zone B (Conservation) shall be 50m²; no more than one building is permitted in sub-zone B (Conservation). <ul style="list-style-type: none"> Building height Building setbacks and setbacks for garages Overshadowing Access for no. of independent dwelling units, kaumatua housing, visitor accommodation. Specific standards for the activities listed (i.e. home business, schools, gymnasia etc.) <ul style="list-style-type: none"> 14C.3.16 – Heavy Machinery – no heavy machinery shall be parked, stored or displayed on a site. This excludes on private motor home vehicle per site. 		Definitions: Ngati kahu kaumatua dwelling unit Means a dwelling unit of not more than 50m ² gross floor area erected within the Ngati Kahu Papakāinga Zone. The dwelling unit must contain no more than 3 habitable rooms. Papakāinga Means development by tangata whenua of land held under the Te Ture Whenua Maori Act (1993), in the traditional rohe of those tangata whenua and developed for residential, social, cultural, economic, conservation and recreation activities. Residential zones The Suburban Residential, Wairakei Residential, Urban Marae Community, Ngati Kahu Papakāinga, High Density Residential, Large Lot Residential and the City Living Zones Multiple-owned Maori land Land held in multiple ownership under the Te Ture Whenua Maori Act 1993. Sensitive zone All Residential zones, Open Space Zones, Rural Marae Community zone, Rural Residential zone, Education Centre Zones

District Plan	Summary of Approach	Link	Activity status	Development Controls / Performance Standards	Information Requirements	Comments
			<ul style="list-style-type: none"> • Ngati Kahu Kaumatua dwelling unit equivalent • Offices • Produce stalls • Primary production activities (excluding forestry, pig farming, factory farming and aerial spraying of crops). • Schools • Shared accommodation • Tertiary education premises • Urupa • Visitor accommodation <p>Discretionary activities:</p> <ul style="list-style-type: none"> • Places of worship <p>Non-complying activities:</p> <ul style="list-style-type: none"> • Business activities not listed • Camping grounds • Gymnasia • Industrial activities • Lock up storage facilities • Wholesale plant nurseries 			
			<p><u>Ngati Kahu Papakainga Commercial (waewae) Zone</u></p> <p>Permitted activities</p> <ul style="list-style-type: none"> • Gymnasia • Home-based business • Health centres • Independent dwelling unit • Minor public recreational facilities and activities. • Ngati Kahu Kaumatua dwelling unit equivalent • Offices • Produce stalls • Schools • Shared accommodation • Tertiary education premises <p>Discretionary activities</p> <ul style="list-style-type: none"> • Places of worship • Marae-based activities including wharenui wharekai, whareumu, pataka • Primary production activities, excluding forestry, pig farming and aerial spray of crops • Urupa • Visitor accommodation <p>Non-complying activities:</p> <ul style="list-style-type: none"> • Ancillary retail • Business activities not listed • Camping grounds • Industrial activities • Wholesale plant nurseries. 			
			<p><u>Ngati Kahu Papakainga Sub-zone B (recreation)</u></p> <p>Permitted activities</p> <ul style="list-style-type: none"> • Primary production activities (excluding forestry, pig farming, factory farming and aerial spraying of crops). • Urupa • Wholesale plant nurseries. <p>Discretionary activities</p> <ul style="list-style-type: none"> • Camping grounds • Gymnasia 			

District Plan	Summary of Approach	Link	Activity status	Development Controls / Performance Standards	Information Requirements	Comments
			<p>Non-complying activities</p> <ul style="list-style-type: none"> • Ancillary retail • Business activities not listed • Places of worship • Home-based business • Health centres • Independent dwelling unit • Industrial activities • Lock up storage facilities • Marae-based activities including wharenui, wharekai, whareumu, pataka • Minor public recreational facilities and activities • Ngati Kahu kaumatua dwelling unit equivalent • Offices • Produce stalls • Schools • Shared accommodation • Tertiary education premises • Visitor accommodation 			
			<p><u>Ngati Kahu Papakainga Sub-zone B (Conservation)</u></p> <p>Permitted activities</p> <ul style="list-style-type: none"> • Urupa • Wholesale plant nurseries. <p>Non-complying activities</p> <ul style="list-style-type: none"> • Ancillary retail • Business activities not listed • Camping grounds • Places of worship • Gymnasia • Home-based business • Health centres • Independent dwelling unit • Industrial activities • Lock up storage facilities • Marae-based activities including wharenui, wharekai, whareumu, pataka • Minor public recreational facilities and activities • Ngati Kahu kaumatua dwelling unit equivalent • Offices • Produce stalls • Primary production activities • Schools • Shared accommodation • Tertiary education premises • Visitor accommodation 			
			<p>14C.4 Restricted Discretionary Activity</p> <p>Rules. The following are RDA:</p> <ul style="list-style-type: none"> • Activities in the Urban Marae Community Zone that do not comply with certain setbacks, overshadowing and access. • Activities in the Ngati Kahi Papakainga zone that do not comply with setbacks, overshadowing and access. 	<p><u>14C.4.1 Restricted Discretionary Standards:</u></p> <ul style="list-style-type: none"> • When not complying with setbacks, a qualified landscape architect shall prepare a landscape and visual assessment for any application. The assessment shall have particular regard to the open space character and factors, values and associations that contribute to the areas natural character, including its interface with the CMA, permanently flowing river or stream or wetland. 	Landscape and visual assessment	
			<p>14.5 Discretionary Activity Rules. The following are discretionary activities:</p>			

District Plan	Summary of Approach	Link	Activity status	Development Controls / Performance Standards	Information Requirements	Comments
			<ul style="list-style-type: none"> Any permitted activity in the Urban Marae Community zone that does not comply with rules for density, height, visitor accommodation, schools, health centres and offices. Any permitted activity in the Ngati Kahu Papakainga zone that does not comply with rules for density, height, building scale, visitor accommodation, schools, health centres, offices, gymnasias, produce stalls. Any activity that does not comply with 14C.4.1. 			
	Zoning (Sections 14C and 16B of the plan)	http://econtent.tauranga.govt.nz/data/city_plan/ch/16/rural_marae_community_zone.pdf	<p>Permitted activities:</p> <ul style="list-style-type: none"> Accessory buildings, structures or activities Health centres Home-based businesses Independent dwelling unit Marae-based activities including wharenui, wharekai, whareumu, pataka, tari (offices) and recreational and community facilities. Mineral prospecting and mineral exploration Primary production activities, including forestry or factory farming Produce stall Minor public recreational facilities and activities Schools, kohanga reo, kura kaupapa maori, whare kua Tertiary education premises Urupa <p>Where an activity does not comply with a Permitted Activity Rule it is a Restricted Discretionary Activity unless otherwise stated.</p>	<p>16B.3 – Permitted Activity Rules</p> <ul style="list-style-type: none"> Development density and scale – one independent dwelling unit per 800m² or such greater area of land required to service the independent dwelling unit by an approved on-site effluent treatment system, up to a maximum total units as followings: <ol style="list-style-type: none"> Ngati Hangarau – 50 units Tamapahore – 35 units Tahuwhakatiki – 30 Hungahungatoroa – 50 Waikari – 50 Other rural marae community zone – 2 Height Setbacks Overshadowing Specific activity standards (e.g. home-based business, produce stalls, factory farming etc.) Kohanga reo, kura kaupapa maori, whare kura, schools and tertiary education premises – Total overall maximum number of students on-site in each Rural Marae Community zone shall be 50. Health centre – max. occupancy of FTE staff on site is 4. Only one health centre may be established in each Rural Marae Community zone. Clearance of indigenous vegetation – no activity shall result in the clearance of more than 100m² of indigenous vegetation in any calendar year. Rules in other sections of the plan. 		
			Activity not complying with density for f)(other rural marae community zones) - controlled	<p>16B.4.1 Controlled activities – Standards and terms for independent dwelling units in a rural marae community zone:</p> <ul style="list-style-type: none"> Max density of independent dwelling units in a Rural Marae Community Zone shall be 10 units at a maximum development intensity of one unit per 800m² or such greater area of land required to service the independent dwelling units by an approved on-site effluent treatment disposal system. Independent dwelling units shall comply with rules for height, setbacks and overshadowing, vegetation clearance, rules in other sections of the plan. 	An Outline Development Plan shall be prepared for the subject site showing: <ul style="list-style-type: none"> The location and extent of the area proposed to be used for housing within the Rural Marae Community Zone and the proposed layout and location of the independent dwelling units; Location of any wastewater, water supply, roading, stormwater services and associated 	

District Plan	Summary of Approach	Link	Activity status	Development Controls / Performance Standards	Information Requirements	Comments
				<ul style="list-style-type: none"> An Outline Development Plan shall be prepared for the subject site showing: <ol style="list-style-type: none"> The location and extent of the area proposed to be used for housing within the Rural Marae Community Zone and the proposed layout and location of the independent dwelling units; Location of any wastewater, water supply, roading, stormwater services and associated equipment, reticulations and facilities; Details of any proposed staging of the development including time frames for completion 	<p>equipment, reticulations and facilities;</p> <ul style="list-style-type: none"> Details of any proposed staging of the development including time frames for completion 	
			<p>16B.5 Restricted Discretionary Activity Rules:</p> <ul style="list-style-type: none"> Any permitted activity not complying with setbacks, overshadowing, factory farming, forestry Controlled activity not complying with height The clearance of more than 10m² of indigenous vegetation on site in any calendar year. 	<p><u>16B.5.1 Restricted Discretionary Activities – Standards and Terms Independent Dwelling Units in a Rural Marae Community Zone</u></p> <ul style="list-style-type: none"> Max density of independent dwelling units in a Rural Marae Community zone shall be 30 units at a max development intensity of 1 unit per 800m² or such greater area of land required to service the unit by an approved on-site effluent treatment disposal system. The independent dwelling units shall comply with rules for height, setbacks, overshadowing, clearance of indigenous vegetation and rules in other sections An Outline Development Plan shall be prepared for the subject site showing: <ol style="list-style-type: none"> The location and extent of the area proposed to be used for housing within the Rural Marae Community Zone and the proposed layout and location of the independent dwelling units; Location of any wastewater, water supply, roading, stormwater services and associated equipment, reticulations and facilities; Details of any proposed staging of the development including time frames for completion <p><u>16B.5.2 Restricted Discretionary Activities – Activities that do not comply with Rule 16B.3.4 c) – f) Setbacks; Activities subject to Rule 16B.5 b) and c) – Standards and Terms</u></p> <ul style="list-style-type: none"> A qualified landscape architect shall prepare a landscape and visual assessment for any application. The assessment shall have particular regard to the open space character and factors, values and associations that contribute to the areas natural character, including its interface with the CMA, permanently flowing river or stream or wetland. 	<p>An Outline Development Plan shall be prepared for the subject site showing:</p> <ul style="list-style-type: none"> The location and extent of the area proposed to be used for housing within the Rural Marae Community Zone and the proposed layout and location of the independent dwelling units; Location of any wastewater, water supply, roading, stormwater services and associated equipment, reticulations and facilities; Details of any proposed staging of the development including time frames for completion <p>Landscape and visual assessment required for RDA activities resulting from setback infringements.</p>	
			<p>16B.6 Discretionary Activity Rules:</p> <ul style="list-style-type: none"> All activities that are not listed as Permitted, Controlled, Restricted Discretionary or Non-Complying Activities; Any activity listed as a Discretionary Activity in Table 16B.1: Rural Marae Community Zones Activity Status; 			

District Plan	Summary of Approach	Link	Activity status	Development Controls / Performance Standards	Information Requirements	Comments
			<ul style="list-style-type: none"> Any activity that does not comply with Permitted Activity Rule 16B.3.10 – Kohanga reo, Kura Kaupapa Maori, Whare kura, Schools and Tertiary Education Premises; Any activity that does not meet Rule 16B.5.2 Restricted Discretionary Activity – Activities that do not comply with Rule 16B.3.4 c) – f), Activities subject to Rule 16B.5 b) and c) – Restricted Discretionary Activity Rules - Standards and Terms 			
			<p>Activity not complying with density for a) – e) – non-complying.</p> <p>Non-Complying activity:</p> <ul style="list-style-type: none"> Business activities not listed in the activity table Cemeteries Industrial activities Pig farming Secondary independent dwelling unit <p>16B.7 Non-complying activity The following are Non-Complying Activities:</p> <ul style="list-style-type: none"> Any activity listed as a Permitted Activity that does not meet Rule 16B.3.1 a), b), c), d) or e) Development Density and Scale; Any activity listed as a Permitted Activity that does not meet Rule 16B.3.6 - Home-based Businesses; Any activity listed as a Permitted Activity that does not meet Rule 16B.3.7 - Produce Stalls; Any activity listed as a Permitted Activity that does not meet Rule 16B.3.10 – Kohanga reo, Kura Kaupapa Maori, Whare kura, Schools and Tertiary Education Premises; Any activity listed as a Permitted Activity that does not meet Rule 16B.3.11 - Health Centres; Any activity that does not meet Rule 16B.3.12 - Clearance of Indigenous Vegetation; Any activity that does not meet Rule 16B.5.1 – Restricted Discretionary Activities – Standards and Terms for Independent Dwelling Units in a Rural Marae Community Zone; 			
Whangarei District Council		http://www.wdc.govt.nz/PlansPoliciesandBylaws/Plans/DistrictPlan/Documents/District-Plan-Part-E-District-Wide/PKH-Papakāinga-Housing.pdf				

Other relevant research / documents:

- **Te Puni Kōkiri** - A Guide to Papakāinga Housing (December 2017): This booklet is a guide to whānau papakāinga housing available to you, your whānau and community. The Māori Housing Network supports whānau, hapū and iwi with information, advice, and practical support to improve and develop whānau housing. (<https://www.google.co.nz/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=2ahUKewidqOaitqPhAhWOfisKHb7HDOsQFjAAegQIBRAC&url=https%3A%2F%2Fwww.tpk.govt.nz%2Fdocuments%2Fdownload%2F3201%2Ftpk-guide-papak%25C4%2581inga-housing-2017.pdf&usg=AOvVaw1ZEyr4S6K9yEq37JHJBU3Z>)
- **Auckland Design Manual** - These papakāinga resources have been developed to promote contemporary Māori papakāinga design thinking and broaden the concept of papakāinga in an urban setting. <http://www.aucklanddesignmanual.co.nz/design-subjects/maori-design/papakāingahousingresource>

- **Housing New Zealand Design Guide 'Ki te Hau Kainga'** – A design guide prepared for Housing New Zealand (2002) - <https://www.hnzc.co.nz/assets/Uploads/ki-te-hau-kainga-new-perspectives-on-maori-housing-solutions.pdf>