

Submission ID: 64212

Submission Date: 2023-02-10
00:40:15

Schedule 1 of the Resource Management Act (RMA) 1991

To: Matamata-Piako District Council

Submitter's Details

Name (individual/organisation):

John & Irene Harris

Contact person (if different from above):

John Harris

Address for correspondence:

5 Riverview Lane, Te Aroha 3320

Email:

jwhcnz@gmail.com

Phone Number:

+64274796944

This is a submission on Plan Change 54: Papakāinga

The specific provisions of the plan change that my submission relates to are:

(a) What does not appear to be included in the specific provisions of the plan to allow the Papakāinga to function effectively and safely, is some form of operating or management plan, especially when it's a permitted activity in Rural, Rural-Residential and Residential, and not necessarily requiring a resource consent. This is also an area where the District Plan has, in the past, been light on guidance for the future owners of lots within subdivisions, where some, or all the services are owned by the individual lot owners, who are then responsible and accountable for ongoing management of said services. Papakāinga developments will be similar, but with the variation of not having individual owners;

(b) While not specifically related to the Plan, but required to satisfy the public, is evidence that the Papakāinga will be meeting its fair share of both annual capital and operating costs, particularly if services, such as water, wastewater, stormwater and refuse are provided by the District Council;

(c) While any RMA resource consent will include specific reference to Climate Change, it is essential that it is considered at the start of any development process, especially as it is noted that a number of the sites are on land subject to flooding;

(d) While existing Iwi housing and Marae are a permitted activity, any variations, or new developments are discretionary activities, has any consideration been given to zoning them as non-complying to provide Council with an increased ability to say no, if any form of development is completely inappropriate; and

(e) The ability of development on Class 1 soils.

My submission is:

- (a) To operate efficiently and safely, as well as providing accountability for the individual residents, the public and Council, there must be some form of a body corporate. A Papakāinga development is no different to a private subdivision where the individual owners/occupiers are legally responsible for their own and the public's safety, and requires services, especially internal roading, to provide safe access, which requires regular maintenance;
- (b) It is recognised that Iwi freehold land is eligible to have rates remissions (up to 100%) and postponements, subject to meeting certain criteria for all rates, except targeted rates for water supply, wastewater, stormwater, kerbside collection or rural halls. This assumes that the eligibility encompasses both general rates and uniform annual general charges. There are already Maraes and Iwi residences on Māori freehold land that are connected to this Council services and it is almost a certainty that the Three Waters reform will involve other proposed Papakāinga locations to connect to existing urban services. These will require, in some instances, upgrades to existing services and the public will want to have confidence that they are not cross subsidising both the capital and operating costs for Papakāinga developments;
- (c) "The effects of Climate Change" is stated only once, in 2.1 Part 2 of the RMA in the Plans, but as there is an increasing awareness of the impacts of Climate Change, intensified by the impacts of the recent floods in Auckland, Northland and Coromandel and to save effort and costs, flooding/inundation due to sea level rise should be identified as early as possible, in order to make long term decision before applying for resource costs. This could save considerable time and money for both the Developer and Council, particularly if catering for Climate Change results in a significant increase of capital costs to meet the requirements thus reducing the overall viability of the specific site.
- (d) This is simply a question for Council to consider whether variations to existing Iwi housing and Marae sites on Rural, Rural-Residential and Residential zones, as well as new Papakāinga development in residential or rural-residential zones should be non-complying, instead of discretionary, as there are already Treaty Settlement lands in residential zones and the issue will almost certainly arise throughout the country. To a similar extent, Papakāinga development in Rural and Rural-Residential zones may also be problematic. Non-complying would provide Council with an increased ability to apply stringent conditions or reject applications in both zones, in circumstances where conditions may result in excessive costs to the developer, or simply not be enough to mitigate possible impacts of the development.
- (e) This is more of a comment only, as there is constant reference to social, economic and cultural wellbeing and economics could actually be a negative for Papakāinga developments on class 1 soils.

I seek the following decision from Council:

If the plan change is not declined, make the following amendments

Suggested amendments:

- (a) That the plan change includes provision for some form of body corporate to manage, and be accountable for, the services within the development, the services within the development, to ensure the safety of both the residents and public;
- (b) Council to provide evidence for the public that the general ratepayers are not subsidising the initial capital costs, as well as the annual capital and operational costs for any of the services provided for the Papakāinga development.
- (c) Include reference to Climate Change in the Plan to emphasise its importance for forward planning of any developments; and
- (d) Consider whether Papakāinga should be a non-complying activity in residential areas. Ensure that Papakāinga developments in rural residential areas do not impact on possible future ordinary development in the same areas.

I wish to be present at the council planning hearing:

Yes

I would be prepared to present a joint case at the hearing with others making a similar submission:

No

I could gain an advantage in trade competition through this submission.

No

Please complete the following:

I am directly affected by an effect of the subject matter of this submission that—

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition

Upload additional info (if necessary):

Notes:

- The submission and decision you wish Council to make should only relate to the contents of the proposed plan change.
- Submissions close at **4.30pm, Monday 13 February 2023.**
- I accept that by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public. After the closing date, all submissions received will be available for public viewing.
- [Click here to view MPDC's Privacy Policy](#)