PK — Papakāinga

The purpose of this chapter is to ensure the District Plan:

a. Enables papakāinga development on Māori ancestral land,
b. Implements relevant statutes, and
c. Reflects the aspirations of tangata whenua.

The aim of the chapter is not only to promote sustainable management of natural and physical resources (in accordance with the Resource Management Act) but also to enable tangata whenua within Lower Hutt to be able to exercise kaitiakitanga over their lands to the fullest extent practicable, subject to health, safety, and amenity standards.

For the purposes of this chapter, Māori ancestral land encompasses lands held under Te Ture Whenua Act 1993, Māori Customary land, Māori Freehold Land and general land owned by Māori. Māori freehold land has gone through the Māori Land Court to be divided into blocks and converted into freehold titles. Māori freehold land blocks often have many owners which have been decided by whakapapa (genealogy/connection) to that whenua. General land owned by Māori is privately owned by an individual or a collective. Depending on the circumstances of the owners, it may be determined by the Court to be subject to Te Ture Whenua Māori Act 1993.

Papakāinga can be used to describe traditional forms of Māori communal living on ancestral or tribal lands. Papakāinga development usually involves housing and marae facilities, but can include a range of facilities and activities associated with whānau or hapū providing for their social, cultural and economic well-being on ancestral or tribal land. Māori land is distinctive from land in general title in the sense that the “owners” of the land have a permanent ancestral link, not only to the land, but to one another. It is appropriate to provide for this unique relationship by recognising that the social and ancestral relationships of the owners may enable them to resolve common residential issues internally.

As Māori land is spread throughout the district it is not appropriate to distinguish Māori land through zones. As a result, this chapter sets the District Plan’s objectives and policies for papakāinga, and the rules to implement these policies are included in relevant zone chapters. The relevant zones with specific rules for papakāinga are residential zones, rural zones and the Marae Zone. While papakāinga may be appropriate in other zones (particularly Commercial and Mixed Use Zones) other zones do not include papakāinga-specific rules.

The owners of Māori lands may apply either the ordinary zone rules that apply to the site or may choose instead to utilise the papakāinga provisions for the zone. The provisions of the District-Wide chapters, including chapters that apply provisions to sites within overlays, still apply.

Effects on amenity values from papakāinga are generally assessed in terms of the effect beyond the boundaries of the site. While the District Plan ensures consideration of amenity values within papakāinga, a degree of autonomy is given over to the whānau to protect the amenity within their complex as they consider appropriate.

Objectives

PK-O1	Provision for Papakāinga
Māori with ancestral land in Lower Hutt are able to develop papakāinga on that ancestral land, supporting the restoration of whānau connections to their whenua. Papakāinga can include multi-generational living and a range of other activities that support the community within the papakāinga, such as marae, community facilities, educational facilities, and small-scale commercial or agricultural activities.	

Policies

PK-P1	Acknowledge the cultural and historical significance of papakāinga
Recognise: 1. The cultural and historical significance of papakāinga development on ancestral Māori land, and 2. The benefits of papakāinga in providing for more housing on Māori land and restoring whānau connections to their whenua.	
PK-P2	**Activities of papakāinga**
Recognise that papakāinga can include a range of activities that support papakāinga residents and their community that are not typically part of more conventional housing developments, including marae, community facilities, educational facilities, and small-scale commercial and agricultural activities.	
PK-P3	**Providing for papakāinga**
Provide for papakāinga on Māori land through flexible land use rules that accommodate the unique needs of	

papakāinga, including a range of housing types, communal living arrangements, and mixed-use developments, while ensuring:

1. Papakāinga is either:
    a. Sufficiently supported by existing or planned three waters infrastructure and the development would not compromise the capacity and level of service of the infrastructure, or
    b. An alternative method to service the development with three waters infrastructure is proposed to resolve any constraints,
2. The transport network can safely and efficiently provide access to and from the site without compromising the safety and efficiency of the transport network, including for pedestrians,
3. Papakāinga is designed to achieve the outcomes sought for the relevant zone (and where applicable, precinct) in relation to the boundary between the development and adjoining sites, including (but not limited to):
    a. Outcomes for the amenity and character of the zone, precinct and surrounding area,
    b. Outcomes for public spaces, including the streetscape,
    c. Urban design outcomes, and
    d. Reverse sensitivity, and
4. Papakāinga achieves the outcomes sought in other District-Wide chapters.

Rules

Note:
There are no rules in this chapter. The objectives and policies are implemented through rules in other chapters of the Plan, particularly the rules of the Residential Zone, Rural Zone, Commercial and Mixed Use Zone and Marae Zone chapters.

Unless stated otherwise, the rules of the relevant District-Wide chapters also apply to papakāinga, including chapters that apply to overlays on the District Plan maps.