

Plan Change 3: Papakāinga

Te Korowai o Ngāruahine Trust Evidence Presented by Te
Aorangi Dillon



TE KOROWAI O
NGĀRUAHINE
TRUST

TE KOROWAI O NGĀRUAHINE AND TE KĪWAI MAUĪ O NGĀRUAHINE

Te Korowai was established as the Post Settlement Governance Entity (PSGE) for managing the Treaty settlement assets of Ngāruahine, following the signing of a Deed of Settlement between Ngāruahine and the Crown in 2014.

Governed by a board of 12 elected trustees, Te Korowai advocates for the collective interests of Ngāruahine.

MURU ME TE RAUPATU



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The plundering and confiscation of land – has caused Ngāruahine, along with our whanaunga iwi in Taranaki, to suffer at the hands of the Crown.

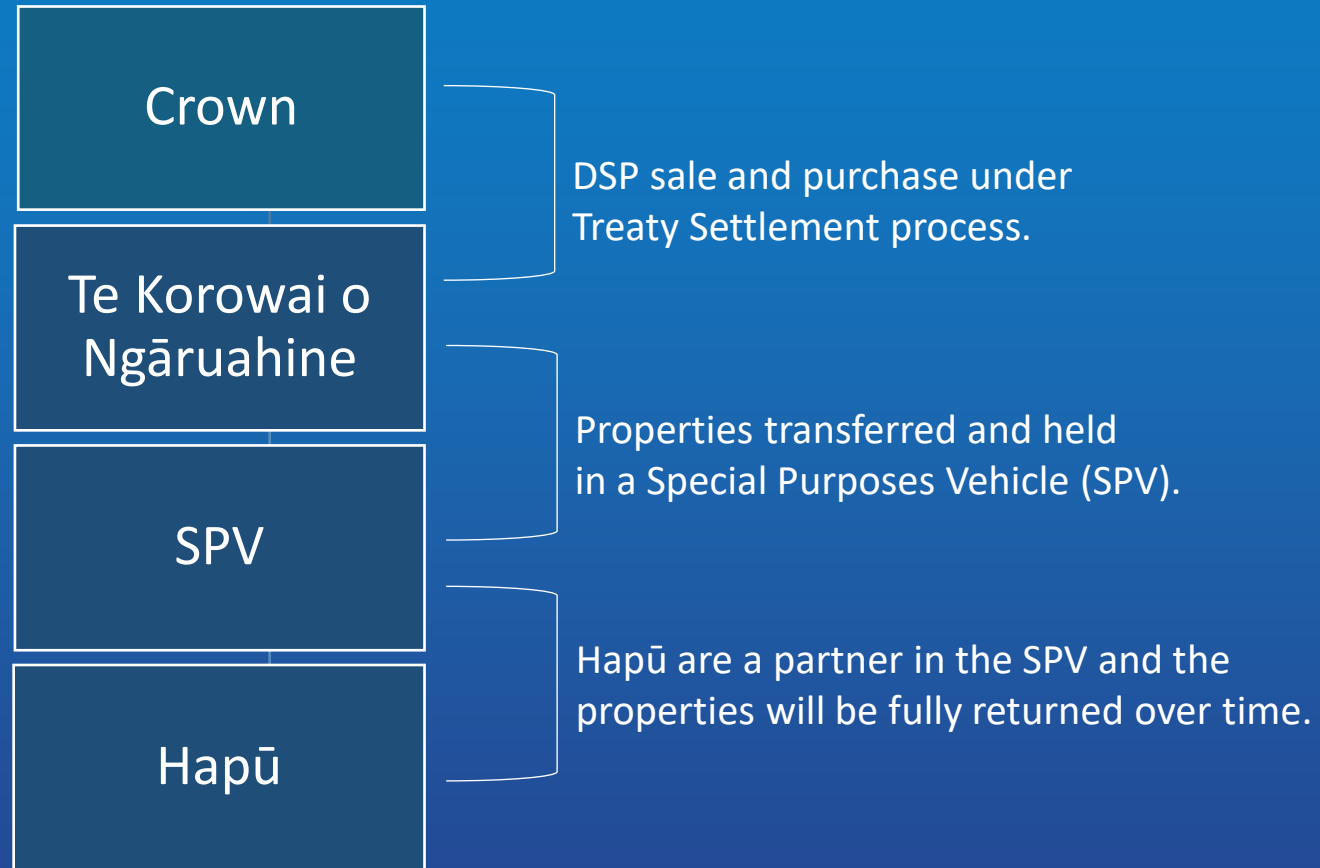
The Waitangi Tribunal in the findings of Wai 143, the Muru and Raupatu of the Taranaki Land and People, recognises land deprivation and disempowerment as being the foundations the Taranaki Māori claims were founded on.

DEFFERED SELECTION PROPERTIES

There are 10 DSPs listed in the Ngāruahine Deed of Settlement and the process for acquiring these DSPs, including valuation and notices, are prescribed in detail in the Deed of Settlement.

Regardless of the cultural significance of these properties to Ngāruahine, we are required to purchase these properties from the Crown at an agreed market valuation.

Purchase process



DEFERRED SELECTION PROPERTIES

RIGHT OF FIRST REFUSAL PROPERTIES

Further to this, Ngāruahine has an area right of first refusal over specified Crown land within the Ngāruahine exclusive area of interest for a period of 172 years in the Deed of Settlement.

A shared area of interest with Taranaki Iwi is provided in the Deed of Settlement for right of first refusal.

CULTURAL REDRESS PROPERTIES

The Deed of Settlement also provides for the vesting of four cultural redress properties in Te Korowai:

- Te Kohinga
- Te Ngutu o te Manu (Site A)
- Waipakari (all to be administered as reserves)
- Te Poho o Taranaki (vest in fee simple).

In addition, the Deed of Settlement provided for Te Korowai and STDC to enter negotiations for the purchase of two sites of cultural significance – Te Ngutu o te Manu (Site B) and Kaipi Street

KA ORA TAKU TOA

The strategic vision for Te Korowai o Ngāruahine, Ka Ora Taku Toa, guides the strategic plan framed around four strategic pou:



NGĀRUAHINETANGA



TE KAWA WHANAKEORA
(MAHI)



POUA TE PĀTŪTŪ
(KĀINGA)



TUPUA TE MAURI
(TAIAO)

KA ORA TAKU TOA

TOITŪ TE WHENUA

Te Korowai o Ngāruahine developed the Toitū te Whenua – Whenua Reacquisition Strategy (2022) in response to the decision to purchase the 10 DSPs identified in the Deed of Settlement.

A partnership/ ownership model has been developed with the six hapū of Ngāruahine – Ngāti Hāua, Ngāti Tū, Ōkahu-Inuawai, Kanihi-Umutahi, Ngāti Manuhiakai and Ngāti Tamaahuroa Tītahi.

This will see the DSPs returned to the respective hapū through a Special Purpose Vehicle (“SPV”) mechanism between hapū and Te Korowai.

Whenua aspirations for many Ngāruahine hapū may include the development of papakāinga, aspirations that must be enabled and reflected irrelevant of the tenure and underlying title of the whenua.

Each hapū has completed papakāinga feasibility studies for the DSPs, as an option for whenua use, investment and development.

TE URU TAI AO

Whilst key issues, objectives and methods for implementation specifically in relation to papakāinga have been identified in Te Uru Taiao o Ngāruahine, these cannot and should not be read in isolation from other key Ngāruahine values, objectives and methods.

In terms of the values described in Te Uru Taiao o Ngāruahine, papakāinga are an active expression of kaitiakitanga, kotahitanga, mana motuhake, mana moana, mana whenua, mauri, Ngāruahinetanga, tikanga, ūkaipōtanga, whanaungatanga and māhakitanga.

Papakāinga, are not only a housing option, they are a *way of life*.

TE KOROWAI O NGĀRUAHINE RESPONSE TO THE SECTION 42A REPORT

Engagement with tangata whenua on papakāinga proposals

Whilst there has been some engagement from hapū, whānau, PSGEs and Māori organisations in the Plan Change 3 process, I am concerned that there may be many more who have aspirations for papakāinga and who have missed the opportunity to participate in this process.

I recommend that STDC, alongside tangata whenua, develop an improved tangata whenua engagement process for the broader District Plan review, this may include exploring opportunities to expand the Ngā Kaitiaki Roopū, which currently has a limited membership.

Reliance on Māori Land definitions under Te Ture Whenua Māori Act 1993

I consider relying on land tenure could further exacerbate the on-going effects and impacts of the muru me te raupatu for Ngāruahine, rather than empower tangata whenua, support our tino rangatiratanga and mana Motuhake.

It remains unclear to me what effects of papakāinga are required to be managed through differing land tenures. For this reason, I consider it is inappropriate to define ancestral land for the purposes of development of papakāinga.

Iwi Authority v Tangata Whenua

The section 42A report recommends that for a particular rule, ‘.the Council will obtain advice from the relevant iwi authority and will take this advice into account’.

I am of the opinion that it would be more appropriate for engagement to be undertaken with tangata whenua regarding relationships to whenua. Whilst Te Korowai o Ngāruahine Trust does maintain a register of members, this is in accordance with the Te Korowai o Ngāruahine Trust Deed and Te Korowai are bound by Privacy Act 1983 requirements.

Financial/ Development Contributions for Papakāinga

Te Korowai o Ngāruahine made a submission seeking the removal for the requirement of financial/ development contributions for papakāinga, consistent with the Te Korowai submission to the STDC Draft Long-Term Plan 2024 – 2034.

The submissions were rejected because ‘Given the risk that persons affected by the changes sought will not have an effective opportunity to respond if these submissions are considered in this plan change’.

I disagree that the submissions of Te Korowai in relation to the removal of financial/development contributions for papakāinga are out of scope.

Papakāinga on ancestral land contributes to the character of the district

The council's position is that the existing performance standards in the above mentioned zones, including bulk and location rules), are necessary to maintain the character and amenity values of the area.

This fails to recognise the unique nature of pāpakāinga, the relationship of Māori with our ancestral lands and the need for greater flexibility to support papakāinga on ancestral land.

Ancestral land, whilst not always in the 'ownership' of tangata whenua, our relationship with the whenua is enduring and contributes to the character and amenity of an area

RECOMMENDATIONS

- Recognise the on-going impacts of muru me te raupatu and colonisation on Ngāruahine and Ngāruahine uri.
- STDC, alongside tangata whenua, develop an improved tangata whenua engagement process for the broader District Plan review.
- Recognise the impacts of successive legislation affecting the relationship of Māori with their ancestral lands.
- Enable papakāinga through the relationship with whenua, rather than the type of land tenure.
- Require advice from tangata whenua for the purposes of determining relationships with ancestral lands.
- Remove financial/ development contributions for papakāinga.
- Remove the bulk and location performance standards for papakāinga in the Residential, Township, Rural and Commercial Zones.

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HEI WHAKAKAPI