



Form 5: Submission

on notified proposed District Plan or Plan Change or Variation or Policy Statement.

Clause 6 of Schedule 1, Resource Management Act 1991.

To: South Taranaki District Council

Name of submitter (full name) Ngāti Hāua Hapū

This is a submission on the following proposed policy statement (or on the following proposed plan or on a change proposed to the following policy statement or plan or on the following proposed variation to a proposed policy statement or on the following proposed variation to a proposed plan or on the the following proposed variation to a change to an existing policy statement or plan) (the **proposal**):

Name of

proposed or existing policy statement or plan (where applicable) change or variation

Plan Change 3: Papakāinga Development

***I ~~could~~/could not** gain an advantage in trade competition through this submission**

I am/~~am not~~ directly affected by an effect of the subject matter of the submission:**

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

*Delete entire paragraph if you could not gain an advantage in trade competition through this submission

** Select one

Specific provisions of the proposal that my submission relates to are:

[Give details]

See attachment

My Submission

[Include whether you support or oppose the specific provisions or wish to have them amended; and reasons for your view]

See attachment

I seek the following decision from the local authority

[give precise details].....

See attachment

I wish/~~do not wish~~** to be heard in support of my submission.

I will/~~will not~~** consider presenting a joint case with others presenting similar submissions.

** Select one

Signature

**Signature [or person authorised to sign on behalf of submitter] Karl Adamson

Date ...30.5.2024.....

**A signature is not required if you make your submission by electronic means

Your details

our preferred methods of corresponding with you are by email and phone

Electronic address for service of submitter [email] secretary@ngatihaua.nz; chairperson@ngatihaua.nz

Telephone [work] [home] [mobile]

Postal Address [or alternative method of service under section 352 of the Act]

..... Postcode.....

Contact person [name and designation, if applicable] Karl Adamson, Chairperson

I wish for my postal address to be withheld from being publicly available

Notes to person making submission

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):

- > it is frivolous or vexatious:
- > it discloses no reasonable or relevant case:
- > it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
- > it contains offensive language:
- > it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

Your submission and contact details will be made publicly available.

- > In accordance with clause 7 of Schedule 1 of the RMA, the Council will make a summary of your submission publicly available. The contact details you provide will also be made publicly available, because under clause 8A of Schedule 1 of the RMA any further submission supporting or opposing your submission must be forwarded to you by the submitter (as well as being sent to Council).
- > Section 352 of the RMA allows you to choose your email to be your address for service. If you select this option, you can also request your postal address be withheld from being publicly available. To choose this option please tick the relevant boxes above.

30 May 2024

South Taranaki District Council
Private Bag 902
Te Hāwera 4640

BY EMAIL planchange@stdc.govt.nz

Attention: Mayor Phil Nixon and South Taranaki District Council Councillors

Tēna koe Matua Phil koutou ko ngā kaikaunihera o Te Kaunihera o Taranaki ki Te Tonga

**NGĀTI HĀUA HAPŪ – SUBMISSION TO SOUTH TARANAKI DISTRICT COUNCIL – PLAN CHANGE 3:
PAPAKĀINGA DEVELOPMENT**

*Ko Taranaki te maunga
Ko Aotea Utanganui te waka
Mai Rāoa ki Waiongongoro koirā te takiwā*

*Ko Tawhitinui te ingoa kei runga i tētehi o ngā pā
Ko Okare Tua Toru te whare tupuna kei reira*

*Ko Taikātu te ingoa o te pā tuarua kei roto i a Ngāti Hāua
Ko Okare-ki-Uta te ingoa o te whare tupuna kei reira*

Ko Ngāti Hāua te hapū.

1. Ngāti Hāua Hapū Whānui Incorporated Society (**‘Ngāti Hāua Hapū’** or **‘Ngāti Hāua’**) is responsible for and shall be recognised in whole or in part of all the whenua, awa, takutai, hau takiwā, moana, maunga and all of their resources bounded by Ngāti Hāua Hapū rohe which extends seaward from the mouth of the Otakeho stream following inland to Taranaki Maunga, then turning and following the western side of the Rāoa stream back to seaward, Hawaiiikiniui, Hawaikiroa, Hawaikipāmamao.
2. Our whanaungatanga rohe extends from the eastern side of the Kaupokonui River of Ngāti Tū Hapū, to the western side of the Wahamoko stream of Ngāti Tamaahuroa-Titahi Hapū, Hawaiiikiniui, Hawaikiroa, Hawaikipāmamao.
3. *“Muru, Raupatu, Muru Ano”* – the extensive muru me te raupatu of whenua in Ngāruahine is well documented. That land loss essentially rendered Ngāruahine, including Ngāti Hāua Hapū, landless. That landlessness has affected Ngāti Hāua hapū, whānau and uri for generations, the atrocities of the muru me te raupatu has limited us in our abilities to have an active relationship with our ancestral lands, wāhi tapu, water, taonga and other sites, including the ability to live in any way we wish to, including through Papakāinga. The Crown, including South Taranaki District Council (**‘Council’** or **‘STDC’**) has benefited for many years from the confiscation of this whenua.
4. Ngāti Hāua Hapū alongside Te Korowai o Ngāruahine are working on the return of whenua within our takiwā identified as Deferred Selection Properties (**‘DSPs’**) within the Ngāruahine Deed of Settlement (2014) and the Ngāruahine Claims Settlement Act, promulgated in 2016. We understand these DSPs will be returned by the Crown with a General Title tenure. This is

reflective of DSP and Right of First Refusal ('RFR') properties returned through settlement process around the motu to date.

5. Ngāti Hāua Hapū have a whenua strategy and will continue to explore opportunities for use of our whenua alongside our two pā, Tawhitinui and Taikātu, ensuring our social, cultural, economic and environmental aspirations are met and continue to be met for future generations and our relationship and culture and traditions with our ancestral lands recognised and provided for.
6. Other opportunities to reacquire whenua, such as whenua owned by South Taranaki District Council, including whenua obtained and utilised for public works purposes, may be able to be explored too. Concurrent to this, Ngāti Hāua are currently in the process of preparing evidence for a claim under the Marine and Coastal Area (Takutai Moana) Act 2011. Ngā iwi o Taranaki and the wider community are also approaching the final steps for Te Ruruku Pūtakerongo, which the legal personhood of Te Kāhui Tupua is provided for and ensures the hard-earned lessons of our history are not repeated. The active application of Ngā Pou Whakatupua does not stop at the boundary of Te Papakura-o-Taranaki, the Pou should be applied ki uta, ki tai.
7. Given the scarcity of whenua Māori in Ngāti Hāua Hapū takiwā, this context is considered relevant to ensure Ngāti Hāua Hapū are able to utilise whenua which accords with our aspirations, past, present and future. To be empowered to use whenua in an unencumbered way which meets our aspirations. One of those aspirations includes the opportunity for Ngāti Hāua uri to return to their whenua, including through Papakāinga. Papakāinga would be comprehensive development that provides for those aspirations and other statutory matters such as Te Mana o te Wai. Papakāinga are one of the strategic pou/ aspirations in our Ngāti Hāua Hapū Strategic Plan.
8. The reduced provision of financial contribution requirements for papakāinga was requested through our submission to the South Taranaki District Council Draft Long Term Plan 2024 – 2034 ('LTP'). This further supports our request to use and develop our whenua in an empowering, unencumbered way.
9. Ngāti Hāua acknowledge and appreciate the mahi of Te Korowai o Ngāruahine and our whanaunga iwi post settlement governance entities ('PSGEs') who participated in the [Ngā Kaitiaki Roopū](#). It must be noted that Ngāti Hāua Hapū, as mana whenua in our takiwā, were not engaged by STDC in the development of the provisions of Proposed Plan Change 3: Papakāinga Development. In our opinion, PSGEs are not tangata whenua as suggested in section 3.1 of the Section 32 report.
10. Representatives of Ngāti Hāua Hapū were involved in the development of the Ngāruahine Kaitiaki Plan 2021, '*Te Uru Taiao o Ngāruahine*'. We support the provisions in relation to papakāinga in Ngāruahine.
11. We received no direct notification of Proposed Plan Change 3 or notification during the re-notification, though it will directly affect us. Due to the muru me te raupatu, Ngāti Hāua are not landowners and we did not receive a rates notice. There may be other mana whenua groups who do not own land and did not receive a rates notice. In the interests of partnership and Te Tiriti, as well as section 35A of the Resource Management Act ('RMA'), Ngāti Hāua Hapū expected notification. This lack of notification to Ngāti Hāua Hapū is inconsistent with the Te Korowai o Ngāruahine iwi management plan *Te Uru Taiao o Ngāruahine*.

12. The submissions of Ngāti Hāua to the provisions of Proposed Plan Change 3: Papakāinga Development are included in Table 1.
13. Though in principle Ngāti Hāua Hapū support Papakāinga provisions in the STDC District Plan being strengthened, Ngāti Hāua Hapū oppose Proposed Plan Change 3 in the absence of a clear and robust, efficient and effective objectives, policies and rule framework in relation to Papakāinga. Ngāti Hāua Hapū seek the amendments as described in Table 1 to Proposed Plan Change 3.
14. Ngāti Hāua Hapū could not gain an advantage in trade competition through this submission.
15. Ngāti Hāua Hapū is affected by an effect of the subject matter of this submission that; adversely effects the environment; and does not relate to trade competition or the effects of trade competition.
16. Ngāti Hāua do recommend an independent hearing commissioner who is experienced in kaupapa Māori and tangata whenua resource management issues should hear Plan Change 3. This could be done alongside representatives of the Council's Environment and Hearings Committee. We understand this is provided for in the provisions of the Resource Management Act 1991. Ngāti Hāua consider this will set the scene for the full review of the District Plan.
17. Ngāti Hāua Hapū are willing to participate in any pre-hearing/s and other kōrero for Plan Change 3.
18. Ngāti Hāua Hapū wishes to be heard in support of our submission.
19. Ngāti Hāua Hapū will consider presenting a joint case with others who have made similar submissions.
20. If you have any pātai, please contact the undersigned at the following:
Electronic address for service: secretary@ngatihaua.nz; chairperson@ngatihaua.nz
Postal Address: 6 Kapuni Street, Manaia
Contact person: Karl Adamson, Ngāti Hāua Hapū Chairperson
21. Thank you for the opportunity to provide this submission. We look forward to confirmation of receipt of submission at your earliest convenience and next steps for notification of the Plan Change for further submissions.

Noho ora mai,



Karl Adamson

Ngāti Hāua Hapū Chairperson

Section/ Sub-section/ Provision	Position	Submission	Relief sought
Notification process	Oppose	<p>Ngāti Hāua understand that notification of Plan Change 3 occurred through delivery of rates notices. As described in the introduction, Ngāti Hāua Hapū do not own or hold whenua, therefore we do not receive rates notices and did not receive notification of the Plan Change.</p> <p>Section 35A of the RMA requires Council to keep up to date records, including contact details, for hapū and iwi. This is a Council responsibility and would ensure appropriate notification to hapū, iwi and marae.</p> <p>Whilst Te Korowai o Ngāruahine may have received notification of the Plan Change, this is a Council process, prescribed by the RMA and therefore it is not the responsibility of the PSGE to advise hapū, marae and uri of a Plan Change which will most definitely have an effect.</p> <p>The Section 32 report also suggests consultation has occurred with tangata whenua in the development of Plan Change 3. Ngāti Hāua, as tangata whenua in and over our</p>	<p>Ensure that further submission notification processes to iwi, hapū, marae, Māori and Post-Settlement Governance Entities is completed.</p> <p>As per the Ngāti Hāua submission to the STDC Draft LTP 2024 – 2034, we invite STDC to Ngāti Hāua to better understand our aspirations for our hapū, whānau and uri, as well as our takiwā and environment.</p>

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		takiwā, have not been engaged to inform the plan change.	
Plan Change 3: Papakāinga Development title	Support in part	<p>Ngāti Hāua consider Papakāinga are not 'development' – Papakāinga are a way of life, the use of whenua Māori for tangata whenua – not development in the Western sense of use of land.</p> <p>Papakāinga are also not limited to 'housing' as detailed in the Papakāinga definition.</p>	<p>Deletion of the word 'development' in the title of Plan Change 3 and throughout the provisions when referencing PAKĀINGA.</p> <p>Deletion of the word 'housing' where it follows Papakāinga throughout the chapters and provisions. There are instances in the provisions where only 'papakāinga' is utilised.</p>
Section 1: Introduction	Support in part	The introduction provides useful context for the purpose and statutory requirements for the District Plan. It identifies the relationship of the District Plan with other key documents. The introduction also provides the Council waiata with no context for the waiata or its meaning. It would be appropriate in this section to describe tangata whenua in the rohe to provide context to the plan user, rather than providing as part of the objectives and policies.	Provide section describing tangata whenua in the Taranaki ki te Tonga rohe. This could include iwi, hapū and marae, as well as PSGEs.
Definitions – ANCESTRAL LAND	Oppose	Ngāti Hāua understand there are large amounts of case law regarding	Clarity is sought in regard to the necessity of the definition of

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		<p>ANCESTRAL LAND in Aotearoa. 'Ownership' has the potential to undermine, diminish and narrow the relationship Māori have with our ancestral lands, particularly the application of sections 6(e), 7(a) and 8 of the RMA.</p> <p>The justification for the need for the definition is unclear. It does not appear to add any value and is not required to interpret the objectives and policies and/ or the rule framework.</p> <p>Further to this, consistent te reo Māori should be utilised throughout the Plan.</p> <p>It is difficult when using the Plan to understand what words are defined in the Definitions chapter.</p>	<p>ANCESTRAL LAND. Ngāti Hāua do not consider the definition is required and should be deleted. If required, the definition must be empowering for tangata whenua and our relationship with our ancestral lands and alternative wording is sought.</p> <p>Consistent use of te reo Māori throughout the District Plan including the definition of ANCESTRAL LAND.</p> <p>Ensure words and terms throughout the Plan are easily identified as being defined in the Definitions section. Ngāti Hāua suggest the use of defined words as underlined, bolded or italics to clearly set out which words are defined and which are not.</p>
Definitions – GENERAL TITLE LAND (IN RELATION TO PAPA KĀINGA DEVELOPMENT)	Oppose	The proposed addition of this definition to the Plan creates unnecessary complexities, in addition to confusion. It is unclear if the definition is identifying both General land owned by Māori and General land. The definition does a lot of 'heavy lifting' and could create	Delete definition and amend rule framework. Propose a new definition encompassing the relationship that hapū, iwi, marae, whānau and uri, as well as PSGEs, have with their ancestral lands.

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		<p>confusion referencing land tenure through the Plan.</p> <p>Ngāti Hāua Hapū, as the result of muru me te raupatu, do not 'own' whenua. We are concerned that should we reacquire whenua in the future, which is likely to be within the Rural Zone given the location of our takiwā, there is the risk we would not be able to use whenua for Papakāinga due to the rule framework not permitting Papakāinga on General Land (see further explanation at Definitions – Papakāinga Development).</p> <p>General land is defined under section 129 (2) (d) of Te Ture Whenua Māori Act 1993 as <i>'land (other than Maori freehold land and General land owned by Maori) that has been alienated from the Crown for a subsisting estate in fee simple shall have the status of General land'</i>.</p> <p>General land owned by Māori is defined under section 129 (2) (c) of Te Ture Whenua Māori Act 1993 as <i>'land (other than Maori freehold land) that has been alienated from</i></p>	<p>Alternatively, amend definition to avoid confusion.</p>

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		<p><i>the Crown for a subsisting estate in fee simple shall, while that estate is beneficially owned by a Maori or by a group of persons of whom a majority are Maori, have the status of General land owned by Maori’.</i></p> <p>Whilst Ngāti Hāua understand the Council’s intention is to empower tangata whenua to provide papakāinga and restrict developers being able to utilise the papakāinga provisions for their own gain, the wording will have unintended consequences for Ngāti Hāua Hapū and whānau Māori.</p> <p>Any definition must recognise and provide for the relationship of Ngāti Hāua and our culture and traditions, including papakāinga. The definition could explicitly provide that type of relationship specifically identifying land which is inclusive and land which is exclusive. Auckland Council’s Plan definition of Treaty Settlement land and New Plymouth District Council’s Development Contribution Policy definition of Maori Land are useful examples which provide inclusions and exclusions.</p>	

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Definitions – MARAE	Support in Part	<p>Ngāti Hāua Hapū have two marae within our takiwā – Tawhitinui on South Road, State Highway 45 and Okare-ki-Uta on Taikātu Road. Both marae are located in the Rural Zone and, at the time of this submission, are both currently under re-development. Both marae provide for diverse activities and uses. We understand that marae based papakāinga would be a permitted activity under rule 3.1.1.</p> <p>We are not entirely sure of the purpose of Schedule 7: Marae. There are errors in this in relation to our two marae and should be corrected.</p> <p>We support the addition of ‘urupā’ to the definition; however, it should be noted that urupā may not always be associated directly with marae i.e. not on the same whenua.</p> <p>For consistency within the Plan we recommend the addition of ‘reo’ to kohanga, to read ‘kohanga reo’ (see the Childcare Facility definition).</p> <p>Ngāti Hāua Hapū submit the definition of MARAE should be in te</p>	<p>Amend the wording of the definition of MARAE.</p> <p>Correction of errors in relation to Schedule 7.</p> <p>Provide the definition of MARAE in te reo Māori.</p>

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		<p>reo Māori given marae are features of Te Ao Māori. This is consistent the Ngāti Hāua Hapū reo Māori strategy <i>‘Whakatipuria hei kauwae parāoa’</i>, section 6(e) of the RMA and <i>Te Uru Taiao o Ngāruahine</i>.</p>	
<p>Definitions – PAKĀINGA DEVELOPMENT</p>	<p>Oppose</p>	<p>Papakāinga enable us, Māori, to live together on our whenua – a shared whakapapa – ko te whenua ko au, ko au ko te whenua. The infrastructure of papakāinga and their activities integrate with one another as do those whānau who live there, in a sustainable and self-sufficient manner. Papakāinga, developed comprehensively and in a sustainable manner, enable whānau, hapū and/ or iwi to use the whenua in a way that they can live their aspirations, they can be Māori. It is where Māori are able to maintain, encourage and enhance relationships, tikanga, culture and traditions.</p> <p>Ngāti Hāua Hapū are concerned that describing the types of activities and uses within the definition could limit how papakāinga are built and lived. The atrocities of the <i>murū me te raupatu</i> means ‘traditional’</p>	<p>Amend the definition of PAKĀINGA DEVELOPMENT , ensuring Papakāinga, are comprehensive developments and use of whenua, can be undertaken on whenua and in the takiwā where Ngāti Hāua have a relationship.</p> <p>Amend the PAKĀINGA definition to remove reference to land tenure.</p> <p>Propose a new definition encompassing the relationship that Ngāti Hāua and our uri, have with our ancestral lands. For the purposes of providing clarity in this submission, the definition could for example be described as Whenua Māori.</p>

Section/ Sub-section/ Provision	Position	Submission	Relief sought
		<p>papakāinga may not be how we choose to live on the whenua.</p> <p>Ngāti Hāua are opposed to the reference to land tenure in the definition. In our opinion, the definition as worded is having to do a lot of unnecessary ‘heavy lifting’ on its own, particularly in the absence of a specific Special Purpose Māori Purpose Zone.</p> <p>Māori land is, unfortunately, complex in nature often with multiple owners. Whenua Māori is a scarce resource as a direct result of the atrocities of the muru me te raupatu.</p> <p>Ngāti Hāua continue to feel the effects of muru me te raupatu and colonisation. Ngāti Hāua Hapū currently ‘owns’ no whenua, whenua which is our ancestral lands.</p> <p>We are currently working alongside Te Korowai o Ngāruahine to have DSP whenua under the Deed of Settlement returned. We understand this whenua is to be</p>	

Section/ Sub-section/ Provision	Position	Submission	Relief sought
		<p>returned as General Title Land owned by Māori.</p> <p>Providing for the development of Papakāinga with no barriers goes some way to addressing the direct and on-going impacts of muru me te raupatu. Muru me te raupatu, a process which the Crown, including the Council, have long benefited from. The Papakāinga provisions will go some way to providing for Ngāti Hāua and our uri and their whānau to achieve our aspirations in the most efficient and effective manner (in the absence of an enabling Special Purpose Zone).</p> <p>The Plan must acknowledge Māori land, including land returned through settlement, as being a scarce resource. We must be empowered to use our whenua in the least encumbered way possible, in line with our aspirations, irrelevant of underlying tenure. The Plan must acknowledge Papakāinga will be Māori – we will not be forced to look, feel and operate like every other ‘development’.</p>	

Section/ Sub-section/ Provision	Position	Submission	Relief sought
		<p>'Papakāinga' is a strategic pou and aspiration for Ngāti Hāua Hapū. Should we propose papakāinga on general title land, we do not consider we should be unnecessarily restricted by the underlying tenure.</p> <p>We therefore recommend the removal of reference to land tenure in the PAKAKĀINGA. As described above we recommend the addition of a new definition that enables the relationship of Ngāti Hāua with our ancestral lands to be recognised and provided for through Papakāinga, in the absence of a Special Purpose Zone. Ngāti Hāua consider this is consistent with the the Ngā Kaitiaki Roopū advice to STDC.</p> <p>Ngāti Hāua Hapū submit the PAKAKĀINGA definition should be provided in te reo Māori given papakāinga are features of Te Ao Māori. This is consistent the Ngāti Hāua Hapū reo Māori strategy '<i>Whakatipuria hei kauwae parāoa</i>', section 6(e) of the RMA and <i>Te Uru Taiao o Ngāruahine</i>.</p>	

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Definitions – PAPAĀINGA DEVELOPMENT ON GENERAL TITLE LAND	Oppose	<p>The proposed addition of this definition to the Plan creates unnecessary complexities, in addition to confusion. It is unclear if the definition is identifying both General land owned by Māori and General land.</p> <p>It is considered more appropriate that what is being sought under the definition is managed through the rule framework wording. This is consistent with the alternative wording sought through the definition of PAPAĀINGA DEVELOPMENT.</p> <p>Whilst Ngāti Hāua understand the Council's intention is to empower tangata whenua to provide papakāinga and restrict developers being able to utilise the papakāinga provisions for their own gain, the wording will have unintended consequences for Ngāti Hāua Hapū and whānau Māori.</p>	Delete definition of PAPAĀINGA DEVELOPMENT ON GENERAL TITLE LAND.
Section 2.1 Rural Zone Cross Referencing Table	Support in Part	The takiwā of Ngāti Hāua Hapū is located entirely within the Rural Zone. Our two marae, Tawhitinui and Okare-ki-Uta, are therefore located in the Rural Zone.	Amend the wording of section 2.1, including addition or amendments to objectives and policies.

Section/ Sub-section/ Provision	Position	Submission	Relief sought
		<p>Section 2.1 land use activities and explanation of policies makes no reference to ancestral land, tangata whenua, the scarcity of Māori land as a resource, the muru me te raupatu, marae (including Schedule 7), other uses of whenua Māori by tangata whenua, hapū, iwi and Māori and the landscape from a tangata whenua perspective, including Taranaki Maunga and Te Papa-Kura-o-Taranaki. Amendments may also be required for sections 2.2, 2.3, 2.4 and 2.5.</p> <p>In the absence of any of these references, the objectives and policies in Section 2.1 and the explanation of the Zone and the policies are flawed and a complete understanding of the Zone and the environment is not provided for.</p> <p>Ngāti Hāua consider reference to those matters described above are required to ensure Plan users undertake use and development of the area in a way that they understand the environment they live, work and play in, including that papakāinga have, do and will exist in</p>	<p>Consequential amendments may be required for sections 2.2 – 2.5 and the relevant sections of the cross referencing table.</p>

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		<p>the area. Description of these matters, uses and features are required to recognise and provide for the relationship of Ngāti Hāua with our ancestral lands and our activities including papakāinga.</p> <p>This will also ensure alignment with the tangata whenua objectives and policies which Ngāti Hāua understand will be given more weight in the assessment of the rules in the rule framework. Those objectives and policies will be given more weight than the Zone objective and policies. This change may also require consequential changes in the Cross-Referencing Table.</p>	
<p>Section 2.7 – Tangata Whenua</p> <p>Issues 2.7.1 – 2.7.5</p>	<p>Support in part</p>	<p>Ngāti Hāua consider this section of the Plan does a lot of heavy lifting as the seen is not set for the Plan user in Section 1 (as described above).</p> <p>The atrocities of colonisation and muru me te raupatu continue to impact Ngāti Hāua. The scarce nature of whenua Māori and our ability to provide for our hapū and uri is a resource management issue for Ngāti Hāua.</p>	<p>Amend the section 2.7 resource management issues of significance to tangata whenua.</p> <p>The commentary following the issues to be amended as a result of consequential amendments to definitions and the rule framework as proposed through this submission.</p>

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		<p>It is concerning that STDC and the Plan considers that ‘development’ for hapū and iwi is limited to ‘<i>marae and papakāinga</i>’ (Issue 2.7.5). Our environmental well-being is also important to us. In the absence of a Zone which would enable us to be entirely Māori, tangata whenua ‘issues’ not to be limited to only marae and papakāinga.</p>	
<p>Section 2.7 – Tangata Whenua</p> <p>Objectives 2.7.6 – 2.7.11</p> <p>Policies 2.7.12 – 2.7.21</p>	<p>Oppose</p>	<p>As described above, the atrocities of colonisation and muru me te raupatu continue to impact Ngāti Hāua. The scarce nature of whenua Māori and our ability to provide for our hapū and uri is a resource management issue for Ngāti Hāua.</p> <p>The objectives and policies must ensure Ngāti Hāua are empowered to utilise our whenua in a way that we wish to and must follow through in to the rule framework. The objectives must ensure our social, cultural, economic and environmental aspirations and wellbeing are recognised and provided for. To a large extent, the section 2.7 objectives and policies do appear to repeat the wording of</p>	<p>Amend and provide new wording for the section 2.7 objectives and policies to support the aspirations of Ngāti Hāua, including Objective 2.7.11 and policy 2.7.18.</p> <p>Consequential amendments required to explanation of policies to reflect changes sought to rule framework.</p> <p>Addition of proposed objective/s and policy/ies to ensure papakāinga supported across the Plan.</p>

Section/ Sub-section/ Provision	Position	Submission	Relief sought
		<p>the section 6 and 7 matters of the RMA. It is unclear if the proposed wording will provide for the aspirations of Ngāti Hāua.</p> <p>It is unclear what weighting is given to the objectives and policies in the assessment of a restricted discretionary activity. We are of the opinion that in terms of the development of papakāinga, the tangata whenua objectives would be given more weight than the underlying zone objectives and policies. Clarity is sought in this regard. Consequential amendments may also be required to the Rural Zone objectives and policies to ensure tangata whenua objectives and policies are given more weight.</p> <p>Clarity is sought in relation to the following wording:</p> <ul style="list-style-type: none"> • Objective 2.7.6 – clarity sought as to why '(including mauri)' has been included in the objective. • Objective 2.7.8 – should the objective include development and use of whenua. 	

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		<ul style="list-style-type: none"> • Policy 2.7.18 – Would require consequential amendments as a result of proposed rule framework amendments. • Policy 2.7.19 – Marae form part of the Rural Environment character and amenity. The scarce nature of whenua Māori should ensure residential, commercial and rural activities should not effect how we use and develop our whenua. • Policy 2.7.21 – it is unclear what ‘key sites’ means. <p>Consequential amendments required to the ‘Explanation of Policies’ to reflect proposed changes sought to rule framework.</p>	
<p>Section 3: Rural Zone Rules</p> <p>3.1.1 Permitted activities – (e) Marae</p>	<p>Support in Part</p>	<p>Ngāti Hāua Hapū support (e) Marae being a permitted activity in the Rural Zone. As described throughout this submission, currently our two marae are located within the Rural Zone. A diverse range of activities and uses are undertaken on our marae.</p>	<p>Proposed amendments, deletions and new definitions as described above. This will ensure consistency between definitions and that a definition does not consequentially result in the need for consent.</p>

Section/ Sub-section/ Provision	Position	Submission	Relief sought
<p>Section 3: Rural Zone Rules</p> <p>3.1.1 Permitted activities – (f) Papakāinga development on land held under Te Ture Whenua Māori Act 1993</p>	<p>Oppose</p>	<p>In line with the proposed amendments sought to the definition of PAKAKĀINGA DEVELOPMENT, the deletion of the definition of GENERAL TITLE LAND and ANCESTRAL LAND and the proposed addition of a new definition which reflects the relationship of Ngāti Hāua and our ancestral land i.e. whenua Māori, whilst Ngāti Hāua support Papakāinga being a permitted activity in the Rural Zone, where (types of whenua Māori) and how it is provided must be broadened to recognise and provide for the relationship of Ngāti Hāua and our ancestral lands.</p> <p>In the absence of a Special Purpose Māori Purpose Zone, to ensure Ngāti Hāua are able to utilise our whenua for papakāinga to its full potential, Ngāti Hāua seek amendments to reduce all relevant performance standards including, though not limited to, removal of setback distance requirements from adjoining side and road boundaries to those currently existing in the Rural Zone – similarly to the Parihaka Cultural Area. Whenua</p>	<p>Retain Papakāinga as a permitted activity in the Rural Zone; however, proposed amendments, deletions and new definitions will have consequential amendments for the type of whenua papakāinga can be developed as a permitted activity. For example, the activity could be described as '(f) PAKAKĀINGA on WHENUA MĀORI'.</p> <p>Amend relevant performance standards for Papakāinga, including though not limited to, removal of setback distances from adjoining side and road boundaries in the Rural Zone.</p>

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		<p>users in the area need to understand the importance of whenua Māori and its scarcity as a resource. This would further reduce the need for resource consent.</p>	
<p>Section 3: Rural Zone Rules</p> <p>3.1.2 Controlled activities – (b) Papakāinga developments on land held under Te Ture Whenua Māori Act 1993 that do not comply with one or more of the permitted activity performance standards in Section 3.2.</p>	<p>Oppose</p>	<p>Ngāti Hāua have proposed amendments to definitions including deletions and new definitions, in addition to amendments to performance standards for Papakāinga; Ngāti Hāua also seek amendments to section 2.1, character description – all which would require consequential amendments to this rule.</p> <p>Ngāti Hāua Hapū and Ngāti Hāua uri must be empowered to develop our whenua how we want to and need to.</p> <p>The Rural Zone environment description must be updated to reflect Māori purpose activities, uses and development that Ngāti Hāua undertake in the zone, as well as the scarce nature of whenua Māori and the direct relationships with our ancestral lands as a result of the muru me te raupatu. This</p>	<p>Ngāti Hāua seek amendments to the rule framework as a result of amendments to definitions, deletion of definitions and addition of definitions, as well as amendments to section 2.1.</p> <p>The rule framework must ensure the relationship of Ngāti Hāua Hapū and Ngāti Hāua uri with our culture and traditions and our ancestral lands within our takiwā is recognised and provided for and not just enabled.</p>

Section/ Sub-section/ Provision	Position	Submission	Relief sought
		<p>ensures any consideration of character and amenity and the environment, including tangata whenua, is accurately articulated.</p> <p>In the absence of Ngāti Hāua Hapū and Ngāti Hāua uri being able to undertake development of papakāinga as a permitted activity as proposed, we would be supportive of the use of a controlled activity for papakāinga; however, consequential amendments required to rule framework and definitions, as described.</p>	
<p>Section 3: Rural Zone Rules</p> <p>3.1.3 Restricted Discretionary Activities – (o) Papakāinga developments on general title land that comply with the permitted activity performance standards in Section 3.2.</p> <p>3.1.3 Restricted Discretionary Activities – (p) Papakāinga developments on general title land that do not comply with one or more of the permitted activity performance standards in Section 3.2.</p>	<p>Oppose</p>	<p>Ngāti Hāua continues to feel the impacts of the muru me te raupatu, landlessness and the recognition of our ancestral lands. Treaty settlement land is returned as general title land owned by Māori.</p> <p>As described above, we oppose the use of land tenure and other definitions being specified in the rule framework, as this unnecessarily narrows our relationship with our ancestral lands.</p>	<p>Ngāti Hāua seek amendments to the Rural Zone rule framework for papakāinga, including matters of discretion, as a result of amendments to definitions, deletion of definitions and addition of definitions, as well as amendments to section 2.1 which accurately reflect the environment, including the tangata whenua aspects of the environment.</p> <p>The rule framework must ensure the relationship of Ngāti Hāua Hapū and Ngāti Hāua uri with our culture and traditions and our ancestral</p>

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		<p>However, we acknowledge that Māori across Aotearoa continue to be impacted by colonisation, racism and muru me te raupatu in their own rohe and displaced them. Some have sought to reside in Ngāti Hāua takiwā. Whilst we are not opposed in principle to whānau Māori not from Ngāti Hāua establishing papakāinga in our takiwā, we expect engagement to be had with Ngāti Hāua Hapū as tangata whenua of our ancestral lands. Therefore, a restricted discretionary activity status with appropriate matters of discretion would provide a pathway for those whānau.</p> <p>The Ngā Kaitiaki roopū who provided advice to the Council identified restricted discretionary activities as being a barrier to the development of papakāinga. The use of restricted discretionary activities being a barrier is also reflected in the Te Puni Kōkiri report <i>'Analysis of District Plan Papakāinga Rules'</i> (30 Paengawhāwhā 2024).</p> <p>The section 32 report suggests it is necessary that developments on general title land are restricted</p>	<p>lands within our takiwā is recognised and provided for.</p> <p>As an example, the rules could be 'PAPAKĀINGA not on WHENUA MĀORI'.</p> <p>The matters of discretion must ensure that the expert advice of Ngāti Hāua, as tangata whenua within our takiwā, is engaged and provided. This is consistent with the active decision making requirement described at section 2.7 and the tangata whenua objectives and policies.</p> <p>Amend the wording of the matters of discretion.</p>

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		<p>discretionary activities to enable assessment against matters such as the National Policy Statement for Highly Productive Land ('NPS-HPL'). Ngāti Hāua are of the view that this prohibitive, strong wording of the NPS-HPL would inappropriately and unnecessarily restrict development of whenua for papakāinga in our takiwā, with much of the whenua in our takiwā being Classes 1 – 3.</p> <p>The matters of discretion must ensure that the expert advice of Ngāti Hāua is sought, as tangata whenua in our takiwā, not relying a note which suggests advice would be sought from iwi authorities (who are not tangata whenua) and only taken in to account. This minimises the expert nature of tangata whenua advice. In our opinion, the Council's iwi liaison officer is not qualified to make the final judgement in terms of acceptability of the development of papakāinga in our takiwā (as suggested in the section 32 report). Only tangata whenua are qualified in our rohe. Examples of this expert advice being required to be sought as a matter of discretion have been utilised in</p>	

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		<p>District Plans around the motu, such as New Plymouth's Proposed District Plan.</p> <p>The matters of discretion suggest reverse sensitivity effects on existing rural operations must be considered. As proposed, the matters of discretion places more emphasis on the section 7 matters of the RMA, than section 6(e) of the RMA. Reference to objectives and policies could be made in matters of discretion to provide horizontal and vertical alignment through the Plan provisions.</p> <p>The Plan must ensure it describes that whenua Māori is a scarce resource as a result of on-going muru me te raupatu and colonisation. Existing activities have an impact on Ngāti Hāua are able to recognise and provide for our relationship and culture and traditions with our ancestral lands (in accordance with section 6(e) of the RMA), as well as fulfil our kaitiaki responsibilities (section 7(a) of the RMA). This will ensure an accurate reflection of the character</p>	

Section/ Sub-section/ Provision	Position	Submission	Relief sought
		<p>and amenity values are provided for.</p> <p>The section 32 report on a number of occasions suggests '[papakāinga] <i>may generate social changes that existing communities are not accustomed to</i>'. Clarity is sought in relation to this statement, our initial opinion is this unfairly prejudices Māori.</p>	
<p>Section 3: Rural Zone Performance Standards – Permitted Activities</p> <p>3.2 Performance Standards – Permitted Activities</p> <p>3.2.1 Number of dwellings (a) (v) Papakāinga is exempt from the above maximum number of dwellings units</p>	Support	<p>For Ngāti Hāua, papakāinga may vary in activities and uses, including dwelling and building numbers. Ngāti Hāua support performance standard 3.2.1 (a) (v).</p>	Retain as proposed.
<p>Section 3: Rural Zone Performance Standards – Permitted Activities</p> <p>3.2 Performance Standards – Permitted Activities</p> <p>3.2.2 Bulk and location (a) Height and location requirements</p>	Oppose	<p>As whenua Māori is a scarce resource and in most instances there are a number of owners of Māori land, to ensure the whenua is able to be utilised to provide for the relationship of Ngāti Hāua and our culture and traditions, we recommend removal of the bulk and location requirements for</p>	<p>Ngāti Hāua seek amendments to the bulk and location (a) height and location requirements for Papakāinga.</p>

Section/ Sub-section/ Provision	Position	Submission	Relief sought
		<p>papakāinga. This is similar to the requirements for the Parihaka Cultural Area.</p>	
<p>Financial/ Development Contributions</p>	<p>Support</p>	<p>Ngāti Hāua made a submission to the STDC Draft Long-Term Plan 2024 – 2034 in relation to the removal for the requirement of financial/ development contributions for papakāinga and housing provision on whenua Māori.</p> <p>We stated in our submission that <i>'the Council's proposed Revenue and Financing Policy must go further to ensure tangata whenua are able to utilise our whenua in the least encumbered way possible and to support the principles set out in the Preamble to Te Ture Whenua Māori Act 1993. Development contributions are another barrier for us in successfully utilising our ancestral lands in a way that meets our needs and aspirations. We recommend Papakāinga and housing developments on whenua Māori are exempt from development contributions and this be reflected in the</i></p>	<p>Remove the requirement for financial/ development contributions for papakāinga in the Plan through the rule framework.</p>

Section/ Sub-section/ Provision	Position	Submission	Relief sought
		<p><i>Proposed Revenue and Financing Policy. This also acknowledges the significant housing needs amongst our community'.</i></p> <p>Whilst we appreciate that submission was made under the Local Government Act requirements, we consider it appropriate that this is reflected in the Plan. Ngāti Hāua understand there are provisions under the Resource Management Act which enable this consideration.</p>	
Section 20: Resource Consent Information Requirements and Assessment Matters	Oppose	Ngāti Hāua are unclear how this section is utilised. We recommend amendments to ensure the engagement of the expert advice of tangata whenua to inform resource consent applications.	<p>Clarity sought in relation to how section is utilised.</p> <p>Consequential amendments sought to ensure the provision of expert advice of tangata whenua to inform resource consent applications.</p>

Table 1: Ngāti Hāua Hapū submission points