

30 May 2024

South Taranaki District Council

Private Bag 902

Te Hāwera 4640

BY EMAIL planchange@stdc.govt.nz

Attention: South Taranaki District Council

Tēnā Koe

NGĀ MAHANGA - SUBMISSION TO SOUTH TARANAKI DISTRICT COUNCIL – PLAN CHANGE 3: PAPAĀINGA DEVELOPMENT

A INTRODUCTION

Pouākai, Pukeiti, Patuhā, Pioke, Paritutu, Te Iringa-a-Niu and Kaitake stand within the rohe of Ngā Mahanga a Tāiri (Ngā Mahanga and Ngāti Tāiri). Each feature prominently in our kōrero relating to the arrival of Rua Taranaki to these lands after battles with both Ngāuruhoe and Tongariro.

From these Maunga flow waters sacred to Ngā Mahanga a Tāiri, with each assigned a spiritual guardian of their own and our many wāhi tapu, sites of significance dot these treasured places, from ancient pā, papa kainga, whare wānanga, numerous urupā, to taonga and sites of highly valued natural resource such as kōkōwai, rongoā Māori and māra kai.

An inheritance handed on to us by our tūpuna, those of us today strive to fulfil our obligations as Kaitiaki, to care for these taonga, these lands, waters and wāhi tapu. For in doing so, we honour the deeds of our Tūpuna, maintain a connection to our sacred places and spaces, which define us as Ngā Mahanga a Tāiri, and ensure this legacy continues to be handed on to future generations.

With the advent of war, confiscation and colonisation, Ngā Mahanga now sits under the mantle of TTe Kahui O Taranaki. Ngā Mahanga are based at Pūniho Pā-Tarawainuku Marae which is within the STDC rohe

B SUBMISSION OF NGĀ MAHANGA TO THE PROVISIONS OF THE PROPOSED PLAN CHANGE 3: PAPAĀINGA DEVELOPMENT ARE INCLUDED IN TABLE 1.

The specific submissions and the decisions sought for Plan Change 3: Papakāinga Development are as follows:

Section / Sub-section / Provision	Support / Support in Part / Oppose	Submission <i>(Explain the reasons why you support/support in part/oppose the specific provisions or wish to have them amended.)</i>	Relief sought <i>(Give precise details of the decision you want the Council to make. To mark up changes to a provision strike through text you want to remove and underline text you want to add)</i>
--	---	--	---

Definitions – ANCESTRAL LAND	Oppose	<p>The Plan Change proposes to introduce a definition of Ancestral Land. This definition is not used anywhere else within the plan.</p>	<p>Unclear what role this definition plays within the plan.</p> <p>Remove the definition of Ancestral Land</p>
Definitions – GENERAL TITLE LAND	Support in Part	<p>The Plan Change introduces a definition for General Title Land:</p> <p><i>GENERAL TITLE LAND (IN RELATION TO PAPA KĀINGA DEVELOPMENT): means land that is owned by Māori but which is not held under Te Ture Whenua Māori Act 1993/Māori Land Act 1993.</i></p> <p>This definition needs to include a number of other exclusions for general title land to recognise properties returned through Treaty Settlement Process, or that remain in iwi, hapū or whānau ownership under a different construct.</p>	<p>Amend the definition of General Title Land to exclude a range of other typical mana whenua iwi, hapū or whānau ownership structures or titles.</p>
Definitions – PAPA KĀINGA DEVELOPMENT	Support in Part	<p>Papakāinga Development is defined as follows:</p> <p><i>PAPA KĀINGA DEVELOPMENT: means the integrated development of multiple DWELLING UNITS, that may include Marae, supporting cultural information/tourism centres and other community building and recreation facilities on Māori freehold land, Māori customary land and Crown land reserved for Māori (as defined in Te Ture Whenua Māori Act 1993/Māori Land Act 1993).</i></p>	<p>Amend the definition of Papakāinga Development to be inclusive of a range of other typical mana whenua iwi, hapū or whānau ownership structures or titles.</p>

		This definition needs to be amended to provide for a range of other land tenures as per above.	
Definitions – PAPA KĀINGA DEVELOPMENT ON GENERAL TITLE LAND	Support	<p>A new definition for Papakāinga Development on General Title Land is introduced as follows:</p> <p><i>PAPA KĀINGA DEVELOPMENT ON GENERAL TITLE LAND: means the development of multiple DWELLING UNITS that may include Marae, supporting cultural information/tourism centres and other community building and recreation facilities on general title land that is owned by Māori.</i></p> <p>This is supported on the basis that amendment to General Title Land definitions are made to enable papakāinga to be built on the range of land tenures associated with mana whenua iwi, hapū or whānau.</p>	Retain the definition of Papakāinga Development on General Title.
Rural Zone Rules – Rule 3.1.1(f)	Oppose	<p>The plan change proposes to amend the rule to read as follows:</p> <p><i><u>Papakāinga development on land held under Te Ture Whenua Māori Act 1993.</u></i></p> <p>The reference to Te Ture Whenua Māori Act 1993 is not considered necessary given the definition of Papakāinga Development already identifies the types of title and ownership where Papakāinga are able to be established as permitted activities.</p>	<p>Retain the operative plan rule which reads as follows:</p> <p><i>Papakāinga development</i></p>

<p>Rural Zone Rules – Rule 3.1.2(b)</p>	<p>Support in Part</p>	<p>The Plan change introduces a new sub-rule that reads as follows:</p> <p><i>(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.</i></p> <p><i>Matters to which the Council restricts its control:</i></p> <ul style="list-style-type: none"> <i>i. Avoiding, remedying or mitigating of actual or potential effects deriving from noncompliance with the particular performance standard(s) that is not met.</i> <i>ii. Effects on character and amenity values.</i> <i>iii. Measures proposed to avoid or mitigate potential reverse sensitivity effects.</i> <i>iv. Connection to services.</i> <i>v. In areas not serviced by reticulated wastewater, stormwater and water supply, on-site wastewater, water supply and stormwater systems are developed to serve the entire papakāinga.</i> <p>Amendments to the rule is required consistent with the changes to definitions outlined above.</p>	<p>Amend the rule as follows:</p> <p>(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>Matters to which the Council restricts its control:</p> <ul style="list-style-type: none"> i. Avoiding, remedying or mitigating of actual or potential effects deriving from noncompliance with the particular performance standard(s) that is not met. ii. Effects on character and amenity values. iii. Measures proposed to avoid or mitigate potential reverse sensitivity effects. iv. Connection to services. v. In areas not serviced by reticulated wastewater, stormwater and water supply, on-site wastewater, water supply and stormwater systems are developed to serve the entire papakāinga.
<p>Residential Zone Rules – Rule 4.1.1(e)</p>	<p>Oppose</p>	<p>The plan change proposes to amend the rule to read as follows:</p>	<p>Retain the operative plan rule which reads as follows:</p> <p><i>Papakāinga development</i></p>

		<p><u>Papakāinga development on land held under Te Ture Whenua Māori Act 1993.</u></p> <p>The reference to Te Ture Whenua Māori Act 1993 is not considered necessary given the definition of Papakāinga Development already identifies the types of title and ownership where Papakāinga are able to be established as permitted activities.</p>	
<p>Residential Zone Rules – Rule 4.1.2(a)</p>	<p>Support in Part</p>	<p>The Plan change proposes to add the following controlled activity:</p> <p>a. <i>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 for bulk and location (Rule 4.2.2), private outdoor living area (Rule 4.2.3) or access and roading requirements (Rule 4.2.9).</i></p> <p><i>Matters to which the Council restricts its control:</i></p> <p>i. <i>Site Layout.</i> ii. <i>Scale and design of buildings.</i> iii. <i>Effects on existing residential character and amenity, including privacy, loss of healthy mature trees and shading on neighbouring properties.</i> iv. <i>Location, function and amenity of on-site open space.</i></p>	<p>Amend the rule as follows:</p> <p>a. 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 for bulk and location (Rule 4.2.2), private outdoor living area (Rule 4.2.3) or access and roading requirements (Rule 4.2.9).</p> <p>Matters to which the Council restricts its control:</p> <p>vi. Site Layout. vii. Scale and design of buildings. viii. Effects on existing residential character and amenity, including privacy, loss of healthy mature trees and shading on neighbouring properties. ix. Location, function and amenity of on-site open space. x. Access, extent of impervious surfaces and landscaping.</p>

		<p>v. <i>Access, extent of impervious surfaces and landscaping.</i></p> <p>Amendments to the rule is required consistent with the changes to definitions outlined above.</p>	
<p>Township Zone Rules – Rule 5.1.1(e)</p>	<p>Oppose</p>	<p>The plan change proposes to amend the rule to read as follows:</p> <p><i>Papakāinga development on land held under Te Ture Whenua Māori Act 1993.</i></p> <p>The reference to Te Ture Whenua Māori Act 1993 is not considered necessary given the definition of Papakāinga Development already identifies the types of title and ownership where Papakāinga are able to be established as permitted activities.</p>	<p>Retain the operative plan rule which reads as follows:</p> <p><i>Papakāinga development</i></p>
<p>Township Zone Rules – Rule 5.1.2(a)</p>	<p>Support in Part</p>	<p>The Plan change proposes to add the following controlled activity:</p> <p><i>(a) 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 5.2.</i></p> <p><i>Matters to which the Council restricts its control:</i></p> <p>i. <i>Avoiding, remedying or mitigating of actual or potential effects deriving from noncompliance with the particular performance standard(s) that is not met.</i></p>	<p>Amend the rule as follows:</p> <p>(a) 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 5.2.</p> <p>Matters to which the Council restricts its control:</p> <p>i. Avoiding, remedying or mitigating of actual or potential effects deriving from noncompliance with the particular performance standard(s) that is not met.</p> <p>ii. Effects on character and amenity values.</p> <p>iii. Connection to services.</p>

		<p>ii. <i>Effects on character and amenity values.</i></p> <p>iii. <i>Connection to services.</i></p> <p>Amendments to the rule is required consistent with the changes to definitions outlined above.</p>	
Commercial Zone Rules – Rule 6.1.1(xiv)	Oppose	<p>The plan change proposes to amend the rule to read as follows:</p> <p><u><i>Papakāinga development on land held under Te Ture Whenua Māori Act 1993.</i></u></p> <p>The reference to Te Ture Whenua Māori Act 1993 is not considered necessary given the definition of Papakāinga Development already identifies the types of title and ownership where Papakāinga are able to be established as permitted activities.</p>	<p>Retain the operative plan rule which reads as follows:</p> <p><i>Papakāinga development</i></p>
Commercial Zone Rules – Rule 6.1.2(b)	Support in Part	<p>The Plan change proposes to add the following controlled activity:</p> <p>b. <i>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 6.2.</i></p> <p><i>Matters to which the Council restricts its control:</i></p> <p>i. <i>Avoiding, remedying or mitigating of actual or potential effects deriving from noncompliance with the particular performance</i></p>	<p>Amend the rule as follows:</p> <p>a. 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 6.2.</p> <p>Matters to which the Council restricts its control:</p> <p>iv. Avoiding, remedying or mitigating of actual or potential effects deriving from noncompliance with the particular performance standard(s) that is not met.</p> <p>v. Effects on character and amenity values.</p> <p>vi. Connection to services.</p>

		<p><i>standard(s) that is not met.</i></p> <p>ii. <i>Effects on character and amenity values.</i></p> <p>iii. <i>Connection to services.</i></p> <p>Amendments to the rule is required consistent with the changes to definitions outlined above.</p>	
--	--	---	--

C CONCLUSIONS AND RECOMMENDATIONS

1. Ngā Mahang Support, Support in Part and Oppose sections of Proposed Plan Change 3: Papakāinga Development, and seek the amendments as described in Table 1 to the Proposed Plan Change.
2. Ngā Mahanga could not gain an advantage in trade competition through this submission.
3. Ngā Mahanga wishes to be heard in support of our submission.
4. Ngā Mahanga will consider presenting a joint case with others who have made similar submissions.
5. Electronic address for service: secretary@puniho.co.nz, tanemanu77@gmail.com
Postal Address: PO Box 385, New Plymouth 4310
Contact person: Tāne Manu

Ngā Mihi

Tāne Manukonga - Puniho Pa Trustee
Ngā Mahanga Hapu Representative