

Submission by Te Kotahitanga o Ngati Tuwharetoa (TKNT) on Taupo District Council Plan Change 42 to the hearing Panel

Date: 22/08/2023

1. My full name is **George Te Waaka Eruera Asher**. I am an advisory member of **Te Poari Mahi**, the strategic advisory entity to **Te Kotahitanga o Ngati Tuwharetoa (TKNT)**. The role and purpose of TKNT is outlined in my original submission (9 December, 2022)
2. In making this submission to the Hearing Panel, I reference my submission to the Hearing Panel on Plan Change 38 (18/08/23) and my original submission on Plan Change 42. These references are important because they provide important context for the recommendations in this submission.
3. In my submission on Plan Change 38 (PC38), I recommended that the statutory requirement pertaining to Section 181 of the Ngati Tuwharetoa Settlement Act, 2018, be explicitly inserted in Objective 2.1.2 and Policy 2.1.3 (of PC 38)
“Recognise and provide for the vision, objectives, values, and desired outcomes in Te Kaupapa Kaitiaki.”
4. I also alluded to the importance in Policy 2.1.3 (of PC38) of the explicit statement:
“Recognise and provide for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu (sacred sites), and other taonga (treasures).”

5. These Section 38 objectives and policy statements provide overriding context, reference and understanding of tangata whenua activities within the “general rural and rural lifestyle environments” referred to within Plan Change 42. Furthermore, consideration and application of these key statements will ensure credibility, cross-referencing and consistency of objectives, policies, rules and standards formulated within PC42, particularly where they apply to tangata whenua activities, including ‘Papakainga’. This cross-referencing is also important to avoid conflict between statements within objectives and policies and avoid, inadvertently, relegating papakainga housing from a permitted activity status to a discretionary activity.

6. Hapu and whanau of Ngati Tuwharetoa perceive the rural landscape within PC42 as being characterised by culturally significant indicators that have been present and referenced for over 700 years. Physical modifications over the past 70 years have not diminished this perception. Kainga were established to ensure that tangata whenua were able to occupy whenua, access and utilise natural resources, exercise caretaking and kaitiaki obligations and fulfil social and cultural activities including protection of hapu/whanau. For many tangata whenua who maintain rural connections the landscape is unchanged despite transformations over the past 50 to 70 years.

7. The question for Taupo District Council when formulating its objectives, policies and rules on PC42, is whether or not it considers tangata whenua characterisation of the rural environment is appropriately represented in its characterisation of

the rural environment and whether its characterisation has been influenced by subjective views and assessments that may exclude or compromise a fair adoption of tangata whenua values.

8. My original submission on Plan Change 42 is copied below:

RECOMMENDATION 16

1. That TKNT support the deletion of the previous definition in the Taupo District Plan for Papakāinga and support the new definition of Papakāinga.
2. That TKNT support the proposal to split the rural environment into two zones, namely the General Rural Environment and the Rural Lifestyle Environment.
3. That TKNT generally support the Proposed Objectives and the Proposed Policy.
4. That TKNT generally commend the progress that has been made by TDC in developing the rural rules affecting Papakāinga, however, TKNT note to TDC that it is in the early stages of developing its kainga programme including Papakāinga and recommends that TKNT, prospective home owners' and TDC hold further discussions prior to the finalisation of detailed rules for Papakāinga.
5. That TKNT note that innovative Papakāinga performance standards are being proposed and implemented in many local authorities in NZ that are not yet available under the proposed TDC performance standards.
6. That in view of its being in the early stages of developing its kainga programme, including Papakāinga, TKNT recommend that prospective home owners' and TDC hold

further discussions prior to the finalisation of detailed performance standards for Papakāinga.

7. That TKNT oppose the stringent performance standards proposed for maximum building coverage and recommend that it be increased for Papakāinga.
 8. That TKNT oppose the proposed minimum building setbacks of 15m and recommend that consideration be given for prospective Papakāinga owners to reduce there requirements for minimum building setback.
 9. TKNT commend TDC for the progressive changes it has made to accommodate Papakāinga in the Taupo District.
9. While TKNT is generally supportive of the majority the proposed papakainga related objectives and policies, a number of conflicting provisions are of concern to TKNT because they may potentially limit or even prohibit the eventual outcomes envisaged for “Papakainga” and related cultural activities.
10. Examples of potential conflicts include:
- a. Omission of significant tangata whenua activities and representation of traditional and contemporary values and presence which characterises their presence within the rural environment of the Taupo District.
 - i. Hapu as kaitiaki at place
 - ii. Historical and cultural landmarks
 - iii. Importance of marae and existing kainga & waahi tapu
 - iv. Proportion of rural land activities in Ngati Tuwharetoa/Māori ownership
 - v. Lake Taupo reserves Scheme

- vi. Ownership and value of significant water bodies
- b. Promotion of protection of characteristics that are not adequately understood or socialised in context of their impact/relevance re tangata whenua
 - i. Protection of infrastructure
 - ii. Allotment size, space, setbacks
 - iii. Indigenous biodiversity values
 - iv. Some rules and standards that are narrowly construed and based on a limited understanding and analysis of tangata whenua values. They are constructed without apparent explanation. They may result in many applications for Papakainga being potentially jeopardised put at risk of delay, additional costs and/or failure. (4b.1.6: Papakāinga)
 1. Papakāinga on Māori customary land and Māori freehold land which complies with all of the performance standards in 4b.2 is a **Permitted activity**
 2. Papakāinga on Māori customary land and Māori freehold land which does not comply with one or more performance standard in 4b.2 is a **Restricted Discretionary activity**
 3. Papakāinga on general land owned by Māori is a **Restricted Discretionary activity**

11. TKNT recommended that these particular issues be addressed accordingly.