
Draft Plan Change 23 - Papakāinga

Full Report

A review of papakāinga provisions in other District Plans,
and
Recommend changes to the Waipā District Plan

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Prepared by:

Revision History

Revision No.	Prepared By	Description	Date
1	James Whetu	<i>First draft document for review by Waipā District Council and Ngā Iwi Tōpū o Waipā</i>	July 2022
2	James Whetu	<i>Final Report</i>	October 2022

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Executive Summary

This report is the review and analysis of the Waipā District Plan, Proposed Waikato District Plan (Decisions Version), and Matamata-Piako District Plan (Plan Change 54-Papakāinga), Proposed New Plymouth District Plan (Notified Version) to support the preparation and progression of Plan Change 23 - Papakāinga.

The review focused on identifying provisions in those RMA Planning Documents that enable papakāinga/papakāinga housing. The review did not extend into how the District Plans are giving effect to treaty settlement legislation, or mechanisms within (e.g Te Ture Whaimana o Te Awa o Waikato / Vision and Strategy for the Waikato River). Nor did the review delve deep into provisions that recognised Tāngata Whenua values and environmental aspirations in the sustainable management of sites and areas of significance to Māori, nor the identified ecological areas such as Significant Natural Areas and Outstanding Natural Features and Landscapes.

The methodology for the review was primarily literature review focused on keyword search (and their definitions) across the three District Plans, and then identify objectives, policies and rules that enable papakāinga development and development on Māori land. To understand the rationale of Council, where available, a review of either (or both) of relevant issues and options document, section 32 reports or Commissioners' decision was undertaken.

The findings of the review identified the following:

- A. Re-frame the Issue Statement for Plan Change 23 – Papakāinga*
- B. Papakāinga definition*
- C. Defining, identifying and recognising Māori Land*
- D. Reciprocating the role Māori Land Court*
- E. Introduce Māori Purpose Zone*
- F. Enable the scale in the use and development of Māori land, and*
- G. Provide flexibility/agility in the District Plan*

Two options are outlined in the report, with a preferred option recommended.

Also included is a preliminary Māori Engagement Plan with an indicative timetable.

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1. Introduction

1.1 Purpose of Report

To support the preparation of Plan Change 23 – Papakāinga, Whetū Consultancy Group (hereon “Whetu”) has been commissioned by the Waipā District Council to undertake a review and analysis of the Waipā District Plan, Proposed Waikato District Plan, and Matamata-Piako District Plan, and any relevant Council reports. Whetū decided to also carry out a review of the Proposed New Plymouth District Plan.

The approach to prepare Plan Change 23 – Papakāinga (hereon ‘Plan Change 23’) is over two stages:

- Stage 1 – Review and Reporting (includes draft iwi engagement plan)
- Stage 2 – Prepare and Deliver Plan Change 23

This report fulfils Stage 1.

1.1.1 Report Structure

This report is intended to be the full report that provides statements on:

- methodology;
- complete review and analysis (includes Part A - Review);
- discussions with, and directions from Ngā Iwi Tōpū o Waipā (and/or other Mana Whenua representatives);
- suggested extent of the changes to the Waipā District Plan;
- draft iwi engagement plan

It is anticipated that the Part B – Report will be reviewed and further discussed with Ngā Iwi Tōpū o Waipā and/or other Mana Whenua representatives during its development and completion.

There are three sections to the report:

- Section 1 – Introduction outlining purpose, and methodology
- Section 2 – Review summaries of the three District Plans

- Section 3 – Review of the Waipā District Plan
- Section 4 – Review of National Directions (Higher Level Documents)

1.2 Scope and Methodology

1.2.1 Context

The Issues and Options report *Providing for Papakainga Housing in Waipa District: Some Options* prepared Kivell Consulting Ltd (hereon “the consultant”) identified the issue of, and opportunity for, papakāinga in the Waipā district. The consultant informs that:

- Issue

“Council concern is dealing with the un-intended consequences of a ‘new round’ of de facto rural residential development....triggered by.....papakainga housing..”

- Opportunity

“On the other hand, enabling papakainga housing to establish can re-invigorate’ tangata whenua relationship with their culture and traditions and their lands....in principle is supported by the Council.”

The consultant outlines in their report the statutory structure. This is not repeated here.

1.2.2 Review Scope

In-Scope

The review focused on identifying provisions in the Proposed Waikato District Plan (Decisions Version), Plan Change 54: Papakāinga to the Matamata-Piako District Plan, and the Proposed New Plymouth District Plan, and their relevant Council reports, that enable papakāinga/papakāinga housing.

Out-of-Scope

The review did not extend into how the District Plans are giving effect to treaty settlement legislation, or mechanisms within (e.g Te Ture Whaimana o Te Awa o Waikato / Vision and Strategy for the Waikato River). Nor did the review delve deep into provisions that recognised Tāngata Whenua values and environmental aspirations in the sustainable management of sites and areas of significance to Māori, nor the identified ecological areas such as Significant Natural Areas and Outstanding Natural Features and Landscapes.

1.2.3 Methodology

The methodology for the review was primarily literature review focused on keyword search (and their definitions) across the three District Plans, and then identify objectives, policies and rules that enable papakāinga development and development on Māori land.

To understand the rationale of Council, where available, a review of either (or both) of relevant issues and options document, section 32 reports or Commissioners' decision was undertaken.

An initial review report was presented to, and reviewed by, Ngā Iwi Tōpū o Waipā. Discussions from that meeting provided a forum for further learnings and perspectives on improvements sought by Mana Whenua for the Waipā District Plan.

1.3 Use of Tohutō/Macrons and Double Vowels

Throughout the report, Māori words and names are used and cited.

In our report writing, the practice of Whetū is to use macrons over the vowels in text rather than double vowel, which we know, and respect, is Waikato-Tainui tikanga. When information has been drawn and in-text cited from Waikato-Tainui sources or sources that have adopted Waikato-Tainui tikanga, we have retained the use of the doubles vowel and these have been italicised and highlighted in blue.

2. Summary Reviews of RMA District Plans

This section is a short concise report outlining the review findings of the following District Planning documents (and relevant Council reports):

- Proposed Waikato District Plan
- Operative Matamata-Piako District Plan
- Proposed New Plymouth District Plan

2.1 Proposed Waikato District Plan (Decisions Version)

The Waikato District Council (hereon “WDC”) is a territorial authority in the northern area of the Waikato region, located between Hamilton City Council and Auckland Council. The WDC is a partner on Future Proof.

There are currently two District Plans:

- Operative Waikato District Plan
- Proposed Waikato District Plan

There are three version of the Proposed Waikato District Plan; the Notified version, the Decisions version, and the Appeals version. The version that was reviewed for this report was the Decisions version of the Proposed Waikato District Plan (“hereon Proposed WDP”).

The full review for the Proposed Plan is contained within **Appendix A**, and below are a key summary points from the review:

A. Definitions/Interpretation for Papakāinga

The Proposed WDP recognises a different forms of papakāinga activities (e.g. papakāinga, papakāinga building, and papakāinga housing development) and accordingly provides definitions/interpretation for those terms. Also, kaumatua housing has been differentiated in the Proposed WDP.

B. Recognises relationship of Māori with ancestral land

Enabling papakāinga is through the Proposed WDP’s recognition of Māori as Tangata Whenua. Objectives in the Tangata Whenua chapter, the Strategic Direction chapter, the Historical and Cultural Values chapter, and Natural Environment Values chapter,

sets a platform for Māori to use, develop and subdivide Māori owned land in the Waikato district.

C. Reference to the types of Māori land tenure

The Proposed WDP recognises Māori land tenure in the following forms for papakāinga development:

- Māori Freehold; Māori Customary; and Māori Reservation, and
- Treaty Settlement land

D. Development Plan

When developing Māori land, the Proposed WDP prescribes that “Concept Management Plans” are provided. A Concept Management Plan is defined/interpreted as *“a concept plan that provides an overview of foreseeable uses of Maaori land over time”*.

E. Development in Sensitive Environments

The Proposed WDP recognises that some Māori land are located in sensitive environments. As an example, the use and development of Māori land in the Whaanga Coast is provided for, but not extensively.

F. Hopuhopu Zone (Special Purpose Zone)

This new zone was achieved through a submission to the Notified version of the Proposed WDP.

Hopuhopu was returned to Waikato-Tainui as part of its 1995 Treaty settlement, with the tenure of the land identified as Treaty settlement land. The Hopuhopu Zone is tailored to/for Waikato-Tainui to enable development at both size and scale.

2.2 Matamata-Piako District Plan (Plan Change 54: Papakāinga)

In July 2005, the Matamata-Piako District Plan (hereon “MPDP”) became operative.

A proposed plan change to the MPDC is currently underway to investigate both the appropriateness and extent of change to their District Plan to enable quality papakāinga developments in the Matamata-Piako district. Proposed Plan Change 54 – Papakāinga (hereon “PC54”) had completed its public consultation process on 4 March 2022. PC54 is

seeking to introduce a Special Māori Purpose Zone and district-wide provisions. In the review of the PC54, the MPDP was also reviewed.

The full review for the MPDP and PC54 is contained within **Appendix B**, and below are a key summary points from the review.

A. Definitions/Interpretation for Papakāinga and related activities

PC54 will introduce a new definition/interpretation into the MPDP for papakāinga, as well as for buildings, commercial and social activities that are included within papakāinga and/or in the newly created Māori Purpose Zone.

B. Reference to types of Māori land tenure

PC54 will recognise Māori land tenure in the following forms:

- Māori Freehold; Māori Customary; and Māori Reservation,
- General Land owned by Māori, and
- Treaty Settlement land

C. Introduces a Tangata Whenua chapter

To enable papakāinga, PC54 will introduce a Tangata Whenua chapter that will focus on papakāinga and will comprise three (3) objectives and seven (7) policies.

D. Development Plan

To use, develop, and subdivide Māori land, PC54 will require a “Māhere Ahu Papakāinga (Papakāinga Development Plan)” to be submitted with any resource consent application.

E. Māori Purpose Zone - Enabling papakāinga in both urban and rural settings

PC54 will introduce a Māori Purpose Zone into the MPDP. There are two precincts proposed within the Māori Purpose Zone; Precinct 1 (rural setting) and Precinct 2 (urban setting). Precinct 2 provides for an intensive form of use, development and subdivision of Māori land with access and/or existing connection to infrastructure.

2.3 Proposed New Plymouth District Plan (Notified Version)

The New Plymouth District Council (hereon “NPDC”) is located in the Taranaki region and has a mixture of urban, town/village, rural and coastal environments. NPDC is identified as a Tier 2 Council. The Council notified their Proposed New Plymouth District Plan (hereon “Proposed

NPDP”) on 23 September 2019. The Operative Plan was adopted in 2005. The hearings process on the Proposed NPDP started on Monday 7 July 2021.

The full review for the Proposed NPDP is contained within **Appendix C**, and below are a key summary points from the review.

A. Definitions/Interpretation

There are only two relevant terms in the Proposed NPDP that will provide for papakāinga, the two terms are Papakāinga Housing and Māori Purpose Activities. The latter term provides for papakāinga development, among other activities.

B. Reference to types of Māori land tenure

The Proposed NPDP only refers to Māori land as Māori Freehold; Māori Customary; and Māori Reservation.

C. Māori Purpose Zone and Iwi/Hapū Development Plans

In introducing Māori Purpose Zones, the Proposed NPDP requires whānau, hapū or iwi to submit an Iwi/Hapū Development Plan to guide Council when administering activities proposed, and performed, in that zone.

D. Kaupapa Māori framework

The Proposed NPDP contained in the Tangata Whenua chapter a framework that was co-developed with its Iwi partners.

3. Waipā District / Takiwā o Waipā

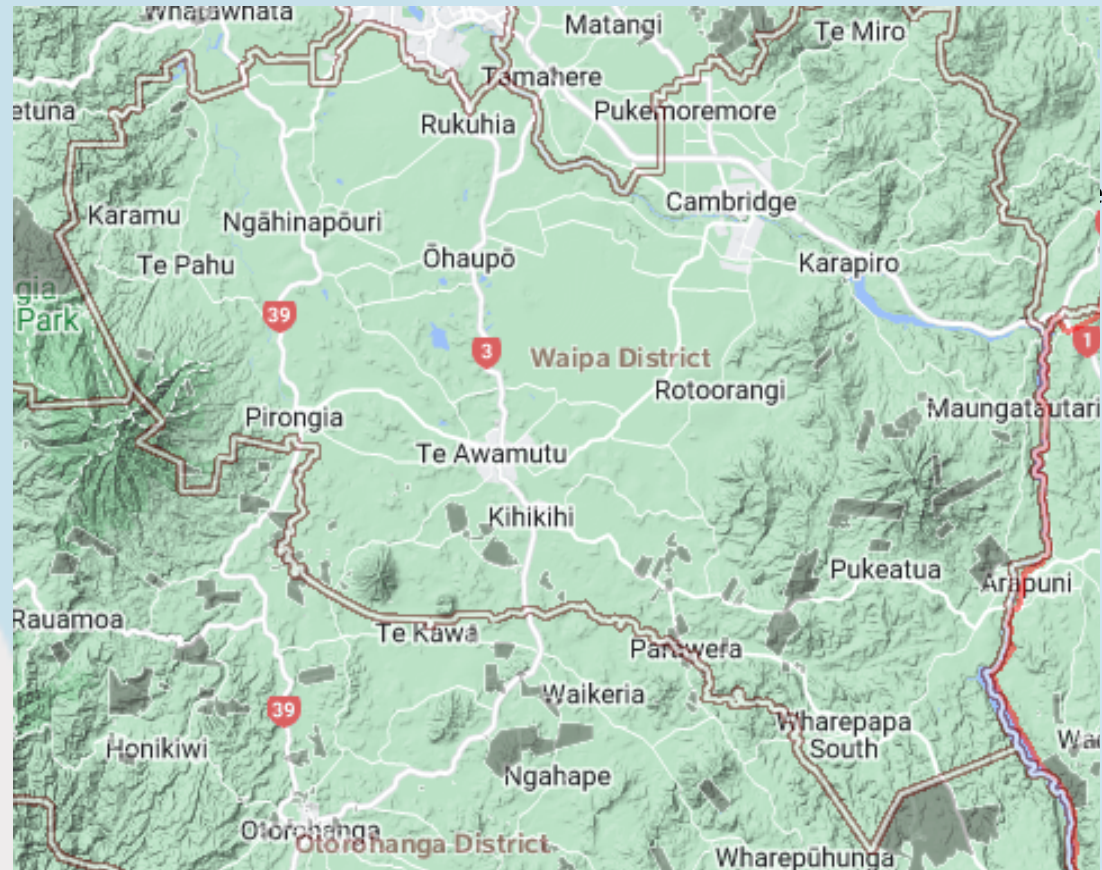
3.1 Whenua Māori in Waipā District

Appendix D contains an inventory of whenua Māori (Te Ture Whenua Māori) that have been identified in the Waipā district and cross-referenced to the Planning Maps of the Waipā District Plan.

There are approximately 112 whenua Māori landholdings in the Waipā that are primarily clustered in Maungatautari, Pukeatua, Kihikihi/Mangatoatoa, and Kakepuku areas. Majority of the landholdings are located in rural environments with large land areas, however there are a small number of those rural landholdings that contain less than 1ha in area.

All marae in the Waipā are positioned on whenua Māori, with land adjoining and adjacent to those marae also identified as whenua Māori.

Only one parcel of land gazetted for Māori purpose is in an urban environment, with three other parcels located in the Pirongia township which are identified within a residential setting.



Sourced from Māori Land Online www.maorilandonline.govt.nz

3.2 Mana Whenua

There are a number of Iwi and Hapū within the Waipā district:

- Ngāti Apakura
- Ngāti Hauā
- Ngāti Hikairo
- Ngāti Korokī Kahukura
- Ngāti Māhanga
- Ngāti Maniapoto
- Raukawa
- Waikato - Tainui

It is noted that the Waipā District Council have Joint Management Agreements (JMAs) with Te Whakakitenga o Waikato (Waikato-Tainui), Raukawa and Ngāti Maniapoto, as well as having a committee of Council formed of Mana Whenua and Mayor and Councillors, Ngā Iwi Tōpū o Waipā.

3.2.1 Mātauranga me ngā Whakaaro ā Mana Whenua

Below are descriptions of the term papakāinga sourced from the Māori dictionary *Te Aka* and iwi management plans¹.

Papakāinga Descriptions	
Source	Description
Māori Dictionary <i>Te Aka</i>	<i>Original home; home base; village; communal Māori land</i>
Tai Tumu Tai Pari Tai Ao Waikato-Tainui Environmental Management Plan	<i>“Are communities or places...clustered around marae and other places of significance.”</i> Page 96 <i>“Not limited to multiple owned Maaori land”</i> Page 96 <i>“Papakaainga (dwellings)”</i> Page 96

¹ Tai Tumu Tai Pari Tai Ao - Waikato-Tainui Environmental Plan; Te Rautaki Taiao o Raukawa - Raukawa Environmental Management Plan; and Ko Ta Maniapoto Mahere Taiao - Maniapoto Environmental Management Plan

There was no description of papakāinga in Te Rautaki Ki Taamata Ao Turoa o Hauaa – Ngaati Hauaa Environmental Management Plan

	<p><i>“Successful papakāinga have and will continue to have links with social, health and education providers, and access to economic opportunity, and a sustainable environmental footprint.” Page 97</i></p>
<p>Te Rautaki Taiao o Raukawa</p> <p>Raukawa Environmental Management Plan</p>	<p><i>“The concept of papakāinga is generally tied to ancestral whenua....” Page 113</i></p> <p><i>“Our papakāinga acknowledge the wider cultural landscape, are well designed and laid out, feature renewable and low energy reticulation and waste management systems, and are strongly connected to our broader communities.” Page 114</i></p> <p><i>“...embracing rural and urban forms..” Page 114</i></p> <p><i>“..enable siting of papakāinga on both ancestral and non-ancestral whenua” Page 114</i></p>
<p>Ko Ta Maniapoto Mahere Taiao</p> <p>Maniapoto Environmental Management Plan</p>	<p><i>“The development of papakāinga housing and marae may strengthen whānau relationships with ancestral lands and is important to help the health and wellbeing of the people of Maniapoto.” Page 46</i></p> <p><i>“Papakāinga may also be contemporary or ancient marae or pā sites with or without accompanying dwellings or other buildings.” Page 46 and 111</i></p> <p><i>“Papakāinga means tāngata whenua communities, places where tāngata whenua live primarily clustered around marae and other places of significance.” Page 111</i></p> <p><i>“The extent of individual papakāinga should be determined in consultation with tāngata whenua and is not necessarily confined to multiple owned Māori land. The definition may also extend to include taura here² communities who establish modern/urban papakāinga.” Page 111</i></p>

² Taurahere are tribal members/whānau group(ing) living outside of the rohe/takiwā of the iwi but still connected to their iwi.

In the discussion with Ngā Iwi Tōpū o Waipā, their view on papakāinga are consistent with the descriptions outlined in the above table e.g by Māori for Māori or by whānau for whānau. It is acknowledged that discussions and workshops with Mana Whenua as part of the Ahu Ake - Waipā Community Spatial Plan preparation process, has captured in-depth contributions (mātauranga and whakaaro) from Mana Whenua, especially as it relates to papakāinga. Although Plan Change 23 and Ahu Ake - Waipā Community Spatial Plan are two separate and individual projects of the Waipā District Council, it is acknowledged that both projects co-exist and will support each other (where appropriate) to deliver shared outcomes, whilst upholding the integrity of their individual statutory obligations.

3.3 Waipā District Plan

The full review for the Waipā District Plan is contained within **Appendix E**, and below are a key summary points from the review.

3.3.1 Marae Development Zone

The Marae Development Zone was introduced in 2012 as part of the public notification of the current Operative Waipā District Plan (hereon “Waipā District Plan”).

The background for the Marae Development Zone was to recognise the historic context of the Waipā district where it was once relatively densely populated with large numbers of pa, marae and papakāinga.

Presently, there are seven (7) existing marae, with six (6) of these located in the rural setting, and with Ōtāwhao Marae at the Te Awamutu College grounds. The intention of the zone is to enable the development of the six rural-based marae and papakāinga to allow tangata whenua to reconnect and enable intensity of development .

There Marae Development Zone is only applied at the six marae.

3.3.2 District Wide Natural and Cultral Heritage Provisions

As outlined in the Whenua Māori inventory table contained in **Appendix D**, many of the whenua Māori in the Waipā district are located within sensitive environments, such as

Outstanding Natural Features and Landscapes. The District Wide Natural and Cultural Heritage chapter of the Waipā District Plan contain four relevant sections:

- Section 22 - Heritage and Archaeology
- Section 24 - Indigenous Biodiversity
- Section 25 - Landscapes and Viewshafts, and
- Section 26 - Lakes and Water Bodies

These sections seek to manage the adverse effects from, and the avoidance of, inappropriate development in these identified sensitive areas/environments.

These sections provide for a variety of activities for Māori to have relationship with their ancestral lands, water, sites, waahi tapu and other taonga, so long as those activities are not inconsistent or inappropriate with the overlay.

3.3.3 Designations

There are a number of whenua Māori that have designations traversing the landholding e.g High Voltage Electricity Transmission Line, or adjoin a designation i.e National Railway Main Trunk.

3.3.4 Definitions

It was identified that the Waipā District Plan only has two terms; Marae or Pa and Papakāinga development.

‘Marae’ or ‘Pā’

means an area of land set apart for the common use of TĀNGATA WHENUA of Waipā DISTRICT, and includes a complex of BUILDINGS such as whareniui (meeting house), wharekai (dining hall), whārepaku (ablution block), papakāinga (housing); and/or other facilities generally associated with a MARAE or PĀ.

‘Papakāinga development’

means a comprehensive RESIDENTIAL DEVELOPMENT for TĀNGATA WHENUA residing in the Waipā DISTRICT to provide residential accommodation for members of the iwi or hapū group, and also includes communal BUILDINGS and facilities (e.g. whare hauora [health centre], whakangahau [recreation]).

There are no terms in the Waipā District Plan for Māori Land e.g Māori freehold land or Māori customary land.

3.4 Case Study: Ngāti Korokī-Kahukura Papakāinga

3.4.1 Resource Consent Application and Council Assessment

In 2018, the Ngāti Korokī-Kahukura Trust lodged an application with the Waipā District Council for a papakāinga development at Westlea Road, Cambridge. The proposal was a concurrent resource consent application to construct papakāinga housing and subdivision consent application to subdivide one (1) Rural Zone property (held in general title and not whenua Māori) into 11 papakāinga residential unit titles and one common area. A master/concept plan for the papakāinga development was provided with the application

Although held under general title, the Ngāti Korokī-Kahukura Trust outline their ancestral association with the land in question. The creation of individual unit title allotments were proposed as necessary to measures by the Trust in order to obtain mortgage financing.

In the assessment against the Waipā District Plan, the following was determined by the Waipā District Council:

- Papakāinga development in the Rural Zone is provided for as a Discretionary Activity
- There were bulk and location non-compliances which determined the proposal to be assessed as a Non-Complying Activity
- In addition to the above non-compliances, there were subdivision non-compliances which reinforced the Non-Complying Activity status

The Council also considered that the actual and potential adverse effects on the environment and on the immediate neighbouring properties were potentially minor or more than minor and therefore the application was limited notified to five (5) neighbouring properties. Three neighbouring properties lodged submissions in opposition to the proposal. The application was heard by two independent hearing commissioners.

3.4.2 Decision of Hearings Commissioners

On 26 February 2019 the hearing for the papakāinga development commenced.

The section 42A report prepared by the Waipā District Council outlined the following:

- The proposal is a Non-Complying Activity
- Proposal is consistent with the Waikato Regional Policy Statement and Waikato Regional Plan
- The proposal was assessed against the objectives and policies in the following sections of the Waipā District Plan:
 - Section 01 - Strategic Policy Framework
 - Section 04 - Rural Zone
 - Section 15 - Infrastructure, Hazards Development and Subdivision
 - Section 16 - Transportation
 - Section 20 - Health and General Amenity
- The effects to the following matters were identified and assessed:
 - Rural character and amenity
 - Landscape and visual
 - Road network
 - Infrastructure
- Proposal is consistent with Part 2 of the Resource Management Act 1991
- Proposal recommended to the hearing commissioners for resource consents to be granted with conditions

The hearing commissioners received and heard a number of matters from all parties. Of note, a matter raised by Counsel for Ngāti Korokī-Kahukura Trust advised that the definition for papakāinga in the Waipā District Plan is inconsistent with the Waikato Regional Policy Statement.

On 1 May 2019, the hearing commissioners granted resource consent for land use and subdivision to the Ngāti Korokī-Kahukura Trust for their papakāinga development.

4. Analysis and Recommendations

4.1 Review Findings

After completing the review of the Proposed WDP, the MPDP and PC54, the Proposed NPDP, and the Waipa District Plan, as well as the process for the Ngāti Korokī-Kahukura Trust papakāinga development, Whetū are of the view that the learnings and opportunities stated in the Issues and Options report are re-visited.

In a broad sense, the review highlighted the following findings for consideration in Plan Change 23:

A. Issue Statement

- Re-frame the current issue statement to focus on addressing the inability for Māori to use their lands.

B. Papakāinga definition

- An agreed definition between Treaty Partners on the terms papakāinga / papakāinga housing / papakāinga development would ensure that the Waipā District Plan enables papakāinga development as envisioned by Mana Whenua, e.g marae-based papakāinga; urban/contemporary forms of papakāinga; papakāinga developments with economic, social and cultural activities within it; papakāinga pursued by mātāwaka.

C. Defining, identifying and recognising Māori Land

- Understanding and recognising Māori land tenure in all its forms can both enable, and address concerns associated with, papakāinga development across the Waipā district.

D. Reciprocating the role Māori Land Court

- Understanding and complementing the processes and decisions of the Māori Land Court, rather than deferring, can provide certainty for iwi, hapū, and whānau in their efforts and energy to progress and achieve betterment, whether via papakāinga housing or other economic, social and cultural activities.

E. Māori Purpose Zone

- This is an available tool/mechanism that can enable papakāinga development, whether in addition to, or replacement of, the current Marae Development Zone.

F. Enable scale

- In a similar vein to above, the Hopuhopu Zone in the Proposed WDP is an example of allowing kaupapa Māori development to occur at a scale.

G. Providing flexibility/agility in the District Plan

- Allow papakāinga to occur on Treaty Settlement land and General Land owned by Māori.
- Recognising that, as a kaupapa, there is no “end-point” with papakāinga, therefore the ability for flexibility/agility in the District Plan to accommodate the evolution of whānau and communities.

4.2 Recommendations

4.2.1 Reframing the Resource Management Issue

In the Issues and Options paper, the consultant outlined that the resource management issue for Plan Change 23 is to address *the un-intended consequences of a ‘new round’ of de facto rural residential development triggered by papakāinga housing*, whilst also the opportunity to *enable papakāinga housing*.

The investigation for this review report found that very little papakāinga developments have occurred in the rural/rural-residential environments of the Waipā district. In total, only two applications have been lodged with the Waipā District Council, with the most recent being the resource consent application from the Ngāti Korokī-Kahukura Trust.

The review of both the Waipā District Plan and the process for the Ngāti Korokī-Kahukura Trust papakāinga development leads towards a focus on improving the delivery of the Waipā District Plan by establishing a more enabling framework for Tangata Whenua to use, develop and subdivide Māori land rather than a focus on addressing un-intended consequences of rural residential development in the Rural Zone.

The recommendation is to re-frame the current resource management issue for Plan Change 23 to the following:

New Issue Statement

Inability for Tangata Whenua to utilise their ancestral lands and resources for cultural and housing needs

The new issue statement seeks to identify and address the matters in the Waipā District Plan that constrain and reinforce the inability for Tangata Whenua in the Waipā district to access, utilise, manage and enjoy their resources in the form of Māori land.

This new issue statement is considered consistent with the Waipā District Plan, as well as with the Proposed WDP and PC54, to enable Māori (as Tangata Whenua) to construct papakāinga on their lands and to allow complementary activities that improve cultural wellbeing.

4.2.2 Definitions for Papakāinga and Māori Land

It is important that there is a clear papakāinga definition/interpretation prescribed in the Waipā District Plan.

It was identified at the Ngāti Korokī-Kahukura Trust hearing that the current Waipā District Plan definition for papakāinga is inconsistent with the Waikato Regional Policy Statement (hereon “RPS”) definition. Plan Change 23, as a RMA Planning Document, has a statutory requirement to give effect to the RPS. Below is the RPS definition:

Papakāinga – the idea of a homestead, an area or local vicinity that holds close kinship ties. Often used to describe housing in association with a marae or pā, or otherwise on Māori land.

Any new definition/interpretation for papakāinga presented as part of Plan Change 23 will need to be consistent with the above.

Similarly, Plan Change 23 will need to propose a definition/interpretation for Māori land.

The definition in Te Ture Whenua Māori Act 1993 for Māori land (Māori Freehold, Māori Customary Land, and Māori Reservation) is recommended. Additionally, other forms of land tenure are recommended for inclusion, these are:

- Treaty settlement land, and
- General land owned by Māori

It was noted in the Commissioners decision for the Ngāti Korokī-Kahukura Trust proposal that, in their view, papakāinga in the Waipā district can be established on Māori-owned land held in general title.

4.2.3 Options – Extent of Changes to the Waipā District Plan

Below are two options that set out the extent of changes needed to the papakāinga provisions of the Waipā District Plan.

Options	Extent of Change to the Waipā District Plan	Comments
<p>Option 1</p> <p>Introduce additional, and amend/replace existing, provisions in relevant sections of the Waipā District Plan</p>	<p>Part B – Definitions</p>	<p>Introduce new, and replace existing, terms:</p> <ul style="list-style-type: none"> • Māori land • Papakāinga (includes Building, Housing and Development) • Papakāinga Development Plan
	<p>Part D – Zone Provisions</p> <ul style="list-style-type: none"> • Section 03 – Large Lot Residential Zone; • Section 04 – Rural Zone 	<p>Majority of whenua Māori in the Waipā district are in the Rural Zone, with three in the Large Lot Residential Zone.</p> <p>Changes to Sections 03 and 04 are aimed to recognise Māori land in those zones, and will provide for a scale of use, development, and subdivision that is appropriate for that zone.</p>
	<p>Part E – District Wide Provisions</p> <ul style="list-style-type: none"> • Section 15 – Infrastructure, Hazards, Development & Subdivision; • Section 16 – Transportation; • Section 17 – Works and Utilities; • Section 20 – Health and General Amenity; and 	<p>Changes to these sections are aimed to recognise Māori land and the different types of use and development (and subdivision) of Māori land.</p> <p>Learnings from, and the Commissioners’ decision on, the Ngāti Korokī-Kahukura Trust papakāinga development will assist to inform the extent of change in these sections.</p>

	<ul style="list-style-type: none"> Section 21 – Assessment Criteria and Information Requirements 	
	<p>Part F – District Wide Natural and Cultural Heritage</p> <ul style="list-style-type: none"> Section 22 – Heritage and Archaeology; Section 24 – Indigenous Biodiversity; Section 25 – Landscapes and Viewshafts; and Section 26 – Lakes and Water Bodies 	<p>Most of the whenua Māori in the Waipā district are located in sensitive environments that have one or more of the overlays captured in sections 22; 24 – 26 of the Waipā District Plan.</p> <p>Changes to these sections are aimed to recognise Māori land and provide for an acceptable/appropriate level of use and development (and subdivision) that is not inconsistent with those values.</p>
	Part G – Anticipated Environmental Results	It is anticipated that there will be a change to Part G to recognise the existing, and new, measures proposed in Plan Change 23.
	<p>Appendices – Design Guidelines</p> <ul style="list-style-type: none"> Appendix DG7 – Guidance for Assessments 	To reciprocate the changes to sections in Part F, the anticipated change to Appendix DG7 is to provide further guidance on appropriate level of use and development of Māori land in sensitive environments.
<p>Option 2</p> <p>Introduce Māori Purpose Zone and apply zone across all Māori land</p>	Part B – Definitions	As stated above in Option 1
	<p>Part D – Zone Provisions</p> <ul style="list-style-type: none"> Section 13 - Marae Development Zone Māori Purpose Zone 	<p>Replace Marae Development Zone with Māori Purpose Zone.</p> <p>Introduce new, and amend existing, provisions (objectives, policies and rules) in section 13 to enable papakāinga and use and development of Māori land.</p>

Part E – District Wide Provisions <ul style="list-style-type: none"> • Sections 15 – 21 	As stated above in Option 1
Part F – District Wide Natural and Cultural Heritage <ul style="list-style-type: none"> • Sections 22; 24 – 26 	As stated above in Option 1
Part G – Anticipated Environmental Results	As stated above in Option 1
Appendices – Design Guidelines <ul style="list-style-type: none"> • Appendix DG7 – Guidance for Assessments 	As stated above in Option 1
Planning Maps <ul style="list-style-type: none"> • Māori Purpose Zone 	Identify Māori land in the Waipā district that will have Māori Purpose Zone

4.2.4 Preferred Option – Option 2 Māori Purpose Zone

The recommended option for Plan Change 23 is Option 2. This is the introduction of a Māori Purpose Zone into the Waipā District Plan, and for the zone to be applied across all Māori land, with consequential changes to relevant sections to reciprocate the new zone, whilst also protecting and preserving the values of, and avoiding significant risk from activities in, sensitive environments.

5. Māori Engagement Plan

Plan Change 23 is of interest to the Waipā District Council's Joint Management Agreement (hereon "JMA") partners, to mana whenua, to whenua Māori trusts, and to Ngā Iwi Tōpū o Waipā.

Additionally, it is known that Plan Change 23 co-exists, and working with, the Ahu Ake - Waipā Community Spatial Plan (hereon "Ahu Ake") where in-depth discussions and workshopping is being carried out, and will continue to do, with Mana Whenua.

Although Plan Change 23 and Ahu Ake are two separate and individual projects of the Waipā District Council, both projects will support each other (where appropriate) to deliver shared outcomes, whilst also upholding the integrity of their individual statutory obligations.

5.1 Engagement Commitments

Plan Change 23 will:

- Uphold JMA process with partners
- Involve Ngā Iwi Tōpū o Waipā
- Deliver a kaupapa Māori approach to engagement with Māori
- Arrange individual, and collective, hui/wānanga with iwi, hapū and whenua Māori trusts
- Consult in a manner that meets statutory obligations of clauses 3 and 3B in Schedule 1 of the Resource Management Act 1991
- Work with the Ahu Ake project on matters related to papakāinga, mātauranga Māori, and cultural values

5.1.1 Joint Management Agreements

The Waipā District Council have three JMAs. The partners are Waikato-Tainui, Raukawa, and Ngāti Maniapoto. Upholding the processes in the JMAs is an imperative first action in engagement with Māori.

A key action for the next meeting with JMA partners will be the establishment of a Joint Working Party, and collaboration to develop the joint recommendations to commence Plan Change 23.

5.1.2 Involve Ngā Iwi Tōpū o Waipā

Ngā Iwi Tōpū o Waipā have received, and provided feedback on, the initial review report, and have expressed an interest to receive progress reports and to assist the engagement with iwi, hapū and whānau via pānui, venue, tikanga, and contact details.

5.1.3 Kaupapa Māori approach

A kaupapa Māori approach is shaped and driven by Māori world views, including recognition of Māori indigeneity and the primacy of Māori interests³. The engagement with Māori for Plan Change 23 will be guided by the following seven values⁴:

- Aroha ki te tangata (respect for people)
- Kanohi ki te kanohi (being a face that is seen and known)
- Tītiro, whakarongo... kōrero (look, listen, then later, speak)
- Manaaki ki te tangata (look after people)
- Kia tūpato (be careful)
- Kua e takahia te mana o te tangata (do not trample the dignity of the people)
- Kia māhaki (be humble)

While the issue(s) and preferred option for Plan Change 23 have been defined prior to engagement with Māori, the engagement process will aim to empower, enrich and add value to the aspirations of Māori, and to support the focus on improving the delivery of the Waipā

³ Mane, J. (2009). Kaupapa Māori: A community approach. *Mai Review*, 3(1), 1-9.

⁴ Smith, L. T. (1999). *Decolonizing methodologies: research and indigenous peoples*. Dunedin, NZ: Zed Books; University of Otago Press.

District Plan by establishing a more enabling framework for Tangata Whenua to use, develop and subdivide Māori land.

5.1.4 Hui/wānanga; Schedule 1 of RMA; and Ahu Ake

Individual, and collective, hui/wānanga will be arranged with iwi, hapū and whenua Māori trusts to support the discussion on papakāinga and consultation obligations under the Resource Management Act 1991.

To avoid hui fatigue with Māori engagement, and any duplication of processes, Plan Change 23 and will work with the Ahu Ake project on matters related to papakāinga, mātauranga Māori, and cultural values.

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- Matamata-Piako District Plan
<https://eplan.mpdc.govt.nz/MasterPlanWeb/Modules/EPlan/ePlanViewer.aspx>
- Plan Change 54 – Papakāinga Issues and Options Paper for Discussion (November 2019)
<https://www.mpdc.govt.nz/component/fileman/file/CouncilDocuments/Plans/DistrictPlan/ProposedPlanChanges/PPC54/Issues%20and%20Options.PDF?routed=1&container=fileman-files>
- Proposed District Wide Change
<https://www.mpdc.govt.nz/component/fileman/file/CouncilDocuments/Plans/DistrictPlan/ProposedPlanChanges/PPC54/District%20Wide%20Provisions.pdf?routed=1&container=fileman-files>
- Proposed Māori Purpose Zone
<https://www.mpdc.govt.nz/component/fileman/file/CouncilDocuments/Plans/DistrictPlan/ProposedPlanChanges/PPC54/Maori%20Purpose%20Zone%20Provisions.pdf?routed=1&container=fileman-files>

New Plymouth District Council

- Proposed New Plymouth District Plan 2019 <https://districtplan.npdc.govt.nz/eplan/>
- Section 32 Reports
 - Overview Strategic Objectives
 - Sites and Areas of Significance to Māori
 - Ecosystems and Indigenous Biodiversity
 - Natural Features and Landscapes
 - Māori Purpose Zone<https://proposeddistrictplan.npdc.govt.nz/media/aorhsndd/32-maori-purpose-zone.pdf>

Waikato District Council

- Proposed Waikato District Plan 2022 (Decisions Version)
<https://www.waikatodistrict.govt.nz/your-council/plans-policies-and->

[bylaws/plans/waikato-district-plan/district-plan-review/decisions/proposed-waikato-district-plan](https://www.waikatodistrict.govt.nz/docs/default-source/bylaws/plans/waikato-district-plan/district-plan-review/decisions/proposed-waikato-district-plan)

- Section 32 Reports

- Strategic Direction https://www.waikatodistrict.govt.nz/docs/default-source/your-council/plans-policies-and-bylaws/plans/district-plan-review/section-32-reports/s32---2-strategic-direction-and-management-of-growth-notification-18072018.pdf?sfvrsn=93ed80c9_2
- Tangata Whenua https://www.waikatodistrict.govt.nz/docs/default-source/your-council/plans-policies-and-bylaws/plans/district-plan-review/section-32-reports/s32---11-tangata-whenua-notification-18072018.pdf?sfvrsn=daed80c9_2

- Section 42A Reports

- Tangata Whenua, Whaanga Coast and Maori Freehold Land https://www.waikatodistrict.govt.nz/docs/default-source/your-council/plans-policies-and-bylaws/plans/district-plan-review/hearings/hearing-4/section-42a-reports/h4-tangata-whenua-s42a-report-11-10-2019-final.pdf?sfvrsn=67ba84c9_2

- Commissioner Decision Reports

- Strategic Directions https://www.waikatodistrict.govt.nz/docs/default-source/your-council/plans-policies-and-bylaws/plans/district-plan-review/decisions/proposed-waikato-district-plan/decision-report-5-strategic-directions/decision-report-5-strategic-directions.pdf?sfvrsn=ccf49ac9_2
- Tangata Whenua https://www.waikatodistrict.govt.nz/docs/default-source/your-council/plans-policies-and-bylaws/plans/district-plan-review/decisions/proposed-waikato-district-plan/decision-report-6-tangata-whenua/decision-report-6-tangata-whenua.pdf?sfvrsn=d3f49ac9_2
- Hopuhopu Zone https://www.waikatodistrict.govt.nz/docs/default-source/your-council/plans-policies-and-bylaws/plans/district-plan-review/decisions/proposed-waikato-district-plan/decision-report-28b-zoning---hopu-hopu-special-development/decision-report-28b-zoning---hopuhopu-special-development.pdf?sfvrsn=f7f59ac9_2
- Definitions <https://www.waikatodistrict.govt.nz/docs/default-source/your-council/plans-policies-and-bylaws/plans/district-plan->

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Waipa District Council

- Waipa District Plan <https://www.waipadc.govt.nz/our-council/waipadcc-plan/waipadcc-plan#toc-link-4>
- Issues and Options Paper *Providing for Papakainga Housing in Waipā District* Prepared by Kivell Consulting Ltd (August 2018) <https://www.waipadc.govt.nz/our-council/waipadcc-plan/wpdc-variations/current-plan-changes/proposed-plan-change-23-papakainga>

Appendix A – Review of the Proposed Waikato District Plan (Decisions Version)

The Waikato District Council (hereon “WDC”) is a territorial authority in the northern area of the Waikato region, located between Hamilton City Council and Auckland Council. The WDC is a partner on Future Proof.

The Waikato district is experiencing significant growth, and due to its proximity to Hamilton City, the WDC is identified as a Tier 1 Council.

The Council have Joint Management Agreements (JMAs) each with Te Whakakitenga o Waikato (Waikato-Tainui) and Ngāti Maniapoto, as well as Memorandum of Understandings with Ngā Uri o Māhanga, Ngāti Hauā Iwi Trust, and Ngāti Hounuku.

There are currently two District Plans:

- Operative Waikato District Plan
- Proposed Waikato District Plan (Decisions Version)

WDC notified the decisions version of the Proposed Waikato District Plan (hereon “Proposed Plan”) on Monday 17 January 2022. It is this version of the Proposed Plan that was reviewed. Consistent with National Planning Standards, there are five parts (including Planning Maps) to the Proposed Plan which also contain individual sections and chapters therein:

Proposed Waikato District Plan	
Part 1: Introduction and General Provisions	<ul style="list-style-type: none"> • Introduction • How the plan works • Interpretation • National direction instruments • Tangata whenua
Part 2: District-Wide Matters	<ul style="list-style-type: none"> • Strategic direction • Energy, infrastructure and transport • Hazard and risks • Historical and cultural values • Natural environmental values • Subdivision • General district-wide matters

Part 3: Area-Specific Matters	<ul style="list-style-type: none"> • Zones • Precincts (multi-zone) • Designations
Part 4: Schedules and Appendices	<ul style="list-style-type: none"> • Historic heritage items • Notable trees • Sites and areas of significance to Maaori • Natural character areas • Outstanding natural features and landscapes • Acoustic insulation • Criteria for determining significance of indigenous biodiversity • Biodiversity offsetting • Huntly heritage area guidance • Matangi heritage area guidance • Tree removal certificate • Esplanade priority areas • Raglan navigation beacon • Rangitahi Structure Plan • Te Kowhai Aerodrome • Mercer Airport • Hampton Downs motorsport and recreation • TaTa Valley concept plan • Havelock precinct plan

Each part of the Proposed Plan was reviewed.

Part 1: Introduction and General Provisions

It is noted that the Proposed Plan uses Waikato-Tainui dialect (the use of double vowel in Māori terms rather than the use of tohūtō/macron).

Key sections within Part 1 that were reviewed:

- Section 3 – Interpretation
- Section 5 – Tangata Whenua

Part 1: Section 3 – Interpretations

There are a number of relevant and key terms that enable papakāinga. The full list of those terms and definitions are identified in Appendix B of the Part B – Report.

The inclusion of terms that recognise the distinct landholdings described in Te Ture Whenua Māori Act 1993, specifically *Maaori freehold land*, *Maaori customary land*, and *Maaori reservation* recognises the nuances of Māori land ownership and tenure, as well as the role

of the Māori Land Court and its processes (e.g *Concept Management Plan*). Additionally there is an interpretation for *Treaty settlement land* as a form of Māori land ownership and tenure. There are also interpretations/definitions for *papakaainga*, *papakaainga building* and *papakaainga housing development*.

Part 1: Section 5 – Tangata Whenua

The Proposed Plan makes specific reference to Te Whakakitenga o Waikato (Waikato-Tainui), and distinguishes Waikato-Tainui as the iwi authority, alongside the Maniapoto Māori Trust Board, Raukawa Settlement Trust and the Hauraki Collective. It also reference to the Kiingitanga and the 33 iwi/hapū and 68 Marae.

As Tangata Whenua, the section states that the Proposed Plan recognises Tangata Whenua relationship, cultures and traditions with their ancestral lands as a matter of national importance by supporting Tangata Whenua in the “*development of good quality papakaainga housing on multiple-owned land, which is reflected through the policies in the ML – Maaori Land chapter*”.

Council Report

Section 32 Report - Tangata Whenua

The section 32 report advises that there are two main issues:

- enabling the development of Maaori owned land, and
- protecting areas and sites of significance to Maaori.

With regard to *enabling the development of Māori owned land*, the Proposed Plan seeks to address introduce provisions that support the development of Marae Complexes and Papakaainga housing and providing for a range of activities to support the economic, social and viability of the land. The Tangata Whenua topic is district wide and pertains to both Maaori Freehold Land as well as privately owned land. (Page 5)

Issue statement: Inability to utilise resources (Page 17)

The inability for Tangata Whenua to access, utilise, manage and enjoy their traditional resources diminishes their relationship with their ancestral lands, water, sites, waahi tapu and other taonga.

Enabling Maaori to establish and maintain their relationship, cultures and traditions with their ancestral lands is a matter of national importance. Providing that such activity is consistent with the environmental capacity of the area to sustainably use ancestral land for such purposes that will promote the economic, cultural and social health and wellbeing of the Maaori community

Part 2: District-Wide Matters

Key sections within Part 1 that were reviewed:

- Section 1 – Strategic Direction
- Section 4 – Historical and Cultural Values
- Section 5 – Natural Environmental Values
- Section 6 – Subdivision

Part 2: Section 1 – Strategic Direction

This section contains two chapters, with Chapter 1 – Strategic Directions stating the overarching direction for the Proposed Plan via 13 objectives and supporting policies. One of objectives is a Tangata Whenua objective:

SD-O2 Tangata Whenua

Tangata whenua's relationships, interests, including commercial interests and associations with their culture, traditions, ancestral lands, waterbodies, sites, areas and landscapes, and other taonga are recognised and provided for.

Part 2: Section 4 – Historical and Cultural Values

The section contains six (6) chapters, of relevance to the review is Chapter 17 – Māori Land. Within this chapter the Proposed Plan is an introduction, objective, policies and rules.

The introduction provides an overview of Māori land tenure, with specific reference to section 2 of *Te Ture Whenua Māori Act 1993*. In this manner, the Proposed Plan refers to **trusts and incorporations** established under the Act. Additionally, the chapter recognises Treaty settlement land as Māori land.

There is only one objective for the Chapter 17 - Māori land:

ML-O1 Whenuatanga (land management)

Tangata Whenua have the ability to utilise, manage and enjoy Māori land in accordance with tikanga Māori, including maatauranga Māori.

The objective ML-O1 is supported by three (3) regulatory policies and two (2) non-regulatory policies. There are specific rules (five (5) in total) in the chapter, with cross reference to other rules in the Proposed Plan that apply where it relates to the underlying zone, as well as identifying rules that do not apply which primarily relate to water, wastewater and stormwater and transportation.

Rule ML-R1 introduces *Maaori purpose activity* and proceeds to list activities that are permitted, and what/when resource consent is required for a Restricted Discretionary Activity. The Proposed Plan describe *Maaori purpose activity* as:

Means the use of Maaori land and/or buildings on Maaori land for one or more of any of the following activities:

- | | |
|----------------------------------|--|
| <i>(a) Marae;</i> | <i>(h) Church;</i> |
| <i>(b) Papakaaingā;</i> | <i>(i) Hauora;</i> |
| <i>(c) Papakaaingā building;</i> | <i>(j) Koohangā;</i> |
| <i>(d) Cultural event;</i> | <i>(k) Conference centre and facilities;</i> |
| <i>(e) Urupā;</i> | <i>(l) Waanangā;</i> |
| <i>(f) Tūāhū;</i> | <i>(m) Recreation facilities;</i> |
| <i>(g) Waharō;</i> | <i>(n) Papa taakaro</i> |

The objective, policies and rules of Chapter 17 – Maaori Land are outlined in Appendix B of the Part B – Report.

Part 2: Section 5 – Natural Environmental Values

There are three chapters contained in this section with Chapter 22 – Ecosystems and Indigenous Biodiversity and Chapter 24 – Natural Features and Landscapes considered relevant.

With Chapter 22, the Proposed Plan recognises that there will be Māori land (except Treaty settlement land) within identified Significant Natural Areas (SNAs) and provides, as a Permitted Activity, vegetation clearance and other earthworks to construct papakāinga.

Similarly with Chapter 24, the Proposed Plan recognises that there will be Māori land (except Treaty settlement land) within Outstanding Natural Features and Landscapes (ONFLs) with the following policy:

NFL-P3 The relationship of Maaori with natural resources and land

(2) Provide for the development of Maaori Freehold Land, within Outstanding Natural Features and Landscapes, including within the Whaanga Coast specific area.

Part 2: Section 6 – Subdivision

There is only one chapter in the section.

For the subdivision of Māori Freehold Land to be recognised as a Discretionary Activity (*Rule SUB-45 Subdivision of Maaori Freehold Land*) by the Proposed Plan, is if it is a full partition under Te Ture Whenua Māori Act 1993. If the subdivision is not a full partition, then it is a Non-Complying Activity.

Council Report

Section 32 Report - Tangata Whenua

“Legacy district plans have not fully understood or supported the land tenure of Maaori land ownership and the concept of whakapapa or kaitiakitanga and the application of these concepts to land in terms of a Maaori view.” (Page 5)

“It is Maaori who have had to adapt to a eurocentric approach to land management and this has resulted in an inability to fully utilise traditional resources in a way that supports their concepts.” (Page 5)

“Maaori wish to redevelop their own sense of place on their own lands for the cultural wellbeing of their whanau.” (Page 5)

“..There is approximately only 5% of the Waikato District that is either Maaori Freehold Land or Maaori Customary Land and in this regard the provisions for Tangata Whenua are small in scale across the district. In this regard there will not be a significant change to the character and amenity of local communities.” (Page 20)

Section 42A Report - Tangata Whenua

On Concept Management Plans

“A Concept Management Plan can be used for all the foreseeable uses for the land over time. By placing papakainga alongside the future uses on one single map, the project manager and the Land Trust can make decisions about placement of buildings and infrastructure so as not to cut off the possibility of future developments.” (Page 28)

“...Concept Management Plan is not compulsory, but it is an important process to carry out if the Land Trust wants to maximise the use of the land for future generations.” (Page 28)

Part 3: Area-Specific Matters

There are six (6) sections and 25 chapters. Of relevance were the following sections and chapters:

- Section 2 – Rural Zone; Chapter 5 – Whaanga Coast Development Precinct
- Section 6 – Special Purpose Zones; Chapter 18 – Hopuhopu Zone

Part 3: Section 2 – Rural Zone; Chapter 5 – Whaanga Coast Development Precinct

All relevant district wide chapters and general rural Zone provisions apply to this chapter.

The Proposed Plan provides for the development of Māori land in the Whaanga Coast area but within the following objective and policies:

PREC5 – O1 Whaanga Coast

Rural character and amenity are maintained.

PREC5 – P1 Whaanga Coast

Enable the use and development of Maaori land for a range of activities in accordance with tikanga Maaori including kainga nohoanga and mahinga kai to support the social, cultural and economic aspirations of mana whenua on the Whaanga coast.

PREC5 – P2 Whaanga Coast development specific control area.

Provide for a bulk and scale of land use and development to enable papakaainga housing in the Whaanga Coast development specific control area.

To support policy PREC5-P1, the land use rules for papakaainga are permitted in the Whaanga Coast Development Precinct.

Part 3: Section 6 – Special Purpose Zones; Chapter 18 – Hopuhopu Zone

All relevant district wide chapters apply to this chapter.

The Hopuhopu Zone is tailored to/for Waikato-Tainui to enable development of the defined area. There are six (6) objectives and a total of 30 policies. These are outlined in Appendix B of the Part B – Report.

The zone enables a number of land use activities, including papakaainga, to occur as a Permitted Activity.

Council Reports

Section 32 Report – Tangata Whenua

There was no reference of, nor provisions for, the development of Hopuhopu.

Council Reports

Section 42A Report - Tangata Whenua

On Whaanga Coast Development Area

- *Submissions in support of Chapter 2 have welcomed the overall purpose of the chapter in the Proposed Waikato District Plan (PWDP), and see the intentions as overcoming some of the barriers and difficulties in developing Maaori land for the wellbeing of whanau and their hapuu. Many submitters commented that the content in the PWDP supports the social, cultural and economic aspirations of mana whenua. Strong support is expressed by descendants of the Whaanga Coast - Ngaati Koata hapuu - who feel that they will now be able to reinvigorate their connections with the whenua, the local Iwi and the wider community. (Page 8)*
- *The Whaanga Coast contains significant Maaori freehold land, and this is an important consideration for Tangata Whenua. (Page 62)*

On Hopuhopu Zone

- *In the Operative Waikato District Plan, Hopuhopu is in four zones.....The Proposed Waikato District Plan does not include a Pa Zone, and the endowed college has been placed in the Rural Zone, along with all the open space. Housing and industrial areas remain in the Residential and Business Zones respectively. (Page 31)*
- *The change of zoning from Pa to Rural reduces the range of permitted activities at the endowed college. The operative Pa Zone permits a wide range of activities, including cultural, residential, and educational activities. These are not provided for in the Rural Zone. (Page 31)*
- *Hopuhopu has a special "Te Wherowhero" title created by the settlement legislation. The nature of the title is important, because the Proposed Plan proposes that land in Maaori freehold title will enjoy a new planning approach. (Page 32)*
- *The submission from Waikato-Tainui [286.1] seeks changes to the PWDP to make up for the loss of Pa zoning. It asks for the Rural Zone land at Hopuhopu (which includes the endowed college) to be classified as a specific site, with an extended range of permitted activities. (Page 32)*
- *The provisions requested are reflective of the aspirations of Waikato -Tainui and how they wish to utilise the land at Hopuhopu. This includes amendments which provide for the activities proposed to be provided under Maaori Freehold Land (as referred to above), that are not provided for as permitted activities at Hopuhopu due to the status of the title. It also includes additional provisions, some of which reflect activities that currently occur on the site as well as those that they wish to establish. (Page 32)*

Part 4: Schedules and Appendices

There are 14 appendices in Part 4. There were no provisions/matters within these appendices that were of relevance to the review.

Appendix B – Review of Matamata-Piako District Plan (Plan Change 54: Papakāinga)

The Matamata-Piako District Council (hereon “MPDC”) is located in the eastern region of the Waikato, and although predominantly rural, the district includes three small towns Matamata, Morrinsville and Te Aroha. The MPDC is a partner on Future Proof.

There are a number of Iwi within the district:

- Ngāti Hako
- Ngāti Hauā
- Ngāti Hinerangi
- Ngāti Korokī Kahukura
- Ngāti Maru
- Ngāti Pāoa
- Ngāti Rāhiri Tumutumu
- Ngāti Tamaterā
- Ngāti Tara Tokanui
- Ngāti Whanaunga
- Raukawa
- Waikato - Tainui

The MPDC also have a Council committee Te Manawhenua Forum that facilitates Tangata Whenua contribution in Council’s processes and decision making.

In July 2005, the Matamata-Piako District Plan (hereon “MPDP”) became operative. A proposed plan change to the MPDC is currently underway to investigate both the appropriateness and extent of change to their District Plan to enable quality papakāinga developments in the Matamata-Piako district. Proposed Plan Change 54 – Papakāinga (hereon “PC54”) had completed its public consultation process on 4 March 2022. PC54 is seeking to introduce a Special Māori Purpose Zone and district-wide provisions.

In the review of the PC54, the MPDP was also reviewed.

As an older plan, the MPDP is not consistent with National Planning Standards in format and structure. The MPDP has three parts (including Planning Maps). Part A and Part B are outlined in the table below:

Matamata-Piako District Plan	
Part A: Issues, Objectives and Policies	<ul style="list-style-type: none"> • Introduction • Sustainable Management Strategy • Environment

Part B: Rules	• Chapter 1 General Provisions	• Chapter 9 Transportation
	• Chapter 2 Activity Table	• Chapter 10 Natural Environment and Heritage
	• Chapter 3 Development Controls	• Chapter 11 Natural Hazards
	• Chapter 4 Activity related Performance Standards	• Chapter 12 Surface of Water
	• Chapter 5 Performance Standards – All Activities	• Chapter 13 Other Methods
	• Chapter 6 Subdivision	• Chapter 14 Monitoring
	• Chapter 7 Development Contributions	• Chapter 15 Definitions
	• Chapter 8 Works and Network Utilities	• Chapter 16 Settlement Zones
		Schedules
		Appendices

Part A: Issues, Objectives and Policies

There are three (3) sections in Part A of the MPDP, of relevance are Section 2: Sustainable Management Strategy and Section 3: Environment.

Part A: Section 2: Sustainable Management Strategy

Identified as a significant resource management issue were matters associated with Tangata Whenua⁵.

A number of matters of concern to Tangata Whenua are outlined in this sub-section with the following matter being identified as relevant to this review ...*more flexibility to manage and develop Māori land and natural resources.*

Part A: Section 3: Environment

There are nine (9) sub-sections in this section, these sub-sections are:

⁵ Part A: Chapter 2 Sustainable Management Strategy – 2.3 Significant Resource Management Issues: 2.3.3 Tangata Whenua

- 3.1 Natural Environmental and Heritage
- 3.2 Natural Hazards
- 3.3 Land and Development
- 3.4 Subdivision
- 3.5 Amenity
- 3.6 Surface of Water
- 3.7 Works and Network Utilities
- 3.8 Transportation
- 3.9 Development Contribution

It is proposed in PC54 to introduce a new sub-section 3.10 Tangata Whenua. This sub-section will contain objectives and policies for papakāinga. These are proposed draft objectives and policies in PC54 are:

Papakāinga O1

Enable Māori to maintain and enhance their traditional and cultural relationship with their ancestral land and to enhance their social, economic and cultural wellbeing.

Papakāinga O2

Enable settlement patterns, activities and development in accordance with kaupapa Māori and tikanga.

Papakāinga O3

Manage adverse effects of buildings, structures and activities on the amenity values, character and quality of the surrounding environment.

Papakāinga P1

To provide for papakāinga on Māori Freehold Land that is administered under the Te Ture Whenua Māori Act 1993.

Papakāinga P2

To provide for papakāinga on general land owned by Māori and Treaty Settlement Land, only where it can be demonstrated that:

- a) The land is ancestral Māori land; and*
- b) The land will be maintained in whanau ownership in perpetuity.*

Papakāinga P3

To maintain rural character and the amenity of adjoining properties by controlling the bulk and location of buildings and structures.

Papakāinga P4

To ensure sites have provision for the treatment and disposal of stormwater and wastewater, and the provision of water, electricity and telecommunications.

Papakāinga P5

To promote on-site amenity through setbacks, landscaping, open space and communal areas.

Papakāinga P6

To ensure an integrated and sustainable management approach to development by requiring the preparation of Papakāinga Development Plans.

Papakāinga P7

Subdivision of papakāinga shall only occur where:

- a) It can be demonstrated that the papakāinga will remain in whanau ownership in perpetuity; and*
- b) The subdivision will not compromise the functionality of the papakāinga; and*
- c) Infrastructure services are provided for each lot. Some of these services may be communal (for example: a shared wastewater system).*

In canvassing the other sub-sections of Section 3, there were objectives and policies that could compromise the pursuit of papakāinga developments if they were to be located in outstanding natural features and landscapes and/or heritage.

The full assessment is provided in Appendix C of the Part B – Report.

Council Report

Issues and Options Paper – Plan Change 54 – Papakāinga

The issues identified in the paper were:

1. Growing Māori population and a shortage of quality affordable housing / inability to live on ancestral land
2. Inadequate recognition of kaupapa and mātauranga Māori in resource management planning and decision-making
3. Multiple ownership of land and associated challenges
4. Limited resources, capacity or capability to navigate processes to develop papakāinga
5. Lack of servicing and other infrastructure
6. The operative District Plan is not as efficient or enabling as it could be

Outcomes sought from Plan Change 54:

- A. Concept of ‘Papakāinga’
- B. Needs and aspirations of each iwi , hapū and whānau will vary
- C. The plan change should not be limited to ‘Māori land’

Papakāinga is a concept that can encapsulate a range of development on land owned by Māori...Papakāinga housing may not solely focus on housing, and include activities which support the social, cultural and economic wellbeing of tangata whenua...” – Concept of ‘Papakāinga’

Part B: Rules

PC54 are proposing changes to the MPDP to enable papakāinga development in the district.

The chapters in Part B: Rules of the MPDP that will be changed by PC54 are:

- Chapter 1: General Provisions
- Chapter 2: Activity Table
- Chapter 3: Development Controls
- Chapter 4: Activity Related Performance Standards
- Chapter 5: Performance Standards
- Chapter 6: Subdivision
- Chapter 15: Definition

Additionally, PC54 will introduce a *Māori Purpose Zone* chapter in Part B: Rules of the MPDP.

Part B: Chapter 1: General Provisions

The amendments to the MPDP (as proposed in PC54) is to remove and replace the current requirements for marae, wharenui and housing developments to include evidence of landowners agreement. The amendment will request a *Māhere Ahu Papakāinga (Papakāinga Development Plan)* instead of landowners agreement and that the Papakāinga Development Plan is presented with any resource consent application for papakāinga.

Part B: Chapter 2: Activity Table

In the activity table, PC54 will introduce new rules for papakāinga (and associated activities) on *Māori Freehold Land* and *General Land owned by Māori or Treaty Settlement Land* across the Rural, Rural-Residential, Residential, Industrial, Business, and Kaitiaki (Conservation) Zones. However, any proposal for papakāinga development in the Industrial, Business, and Kaitiaki (Conservation) Zones will be assessed as a Non-Complying Activity.

Also, PC54 will seek to exempt papakāinga from density/number of dwellings on sites located in the Rural and Rural-Residential Zones, but will make any papakāinga proposal subject to rules regarding activities in proximity to intensive farming activities or extractive industry activities.

Part B: Chapter 3: Development Controls

PC54 will introduce provisions regarding internal setbacks between buildings within a papakāinga development.

Part B: Chapters 4 and 5: Performance Standards; and Chapter 6: Subdivision

PC54 will introduce provisions (e.g wastewater treatment) and matters of discretion where it relates to papakāinga developments.

Within the subdivision chapter, PC54 will allow for subdivision of papakāinga across all zones, as either a Discretionary Activity or Non-Complying Activity. The additional performance standard for papakāinga subdivision is the .. *legal mechanism must be put in place to ensure the lots remain in whanau ownership in perpetuity*, as well as the assessment criteria below:

In assessing an application for subdivision of papakāinga, Council shall take into account:

- a) How the lots will be serviced with three waters infrastructure, electricity and telecommunications;*
- b) Access arrangements;*
- c) Location of communal areas;*
- d) The location of any archaeological site, heritage site or waahi tapu site;*
- e) The nature and context of surrounding land use and built form;*
- f) Any input, advice or consents for wastewater disposal and treatment provided by the Waikato Regional Council;*
- g) How the development will function and be retained as a papakāinga in perpetuity.*

Part B: Chapter 15: Definitions

PC54 introduces a number of new terms into MPDP to qualify and enable papakāinga developments. Below are key terms identified in PC54:

Papakāinga: *A development by tangata whenua on ancestral lands in their traditional rohe and established to be occupied by tangata whenua for residential activities and ancillary social, cultural, economic, conservation and/or recreation activities to support the cultural, environmental and economic wellbeing of tangata whenua.*

Marae-related activities: *Traditional cultural activities and events undertaken on a marae that could include: whanau, hapū and iwi hui, tangi, kapa haka, education visits and overnight accommodation associated with these activities.*

Māori Freehold Land: *Land where the beneficial ownership has been determined by the Māori Land Court by freehold order. See section 129, Te Ture Whenua Māori Act 1993.*

General Land owned by Maori: Land which is an estate in fee simple which is beneficially owned by a Māori or by a group of persons of whom a majority are Māori. See section 129, Te Ture Whenua Māori Act 1993.

Treaty Settlement Land: Land that has been acquired by a post settlement governance entity through treaty settlement legislation.

Reference: Raukawa Claims Settlement Act 2014 Ngāti Hauā Claims Settlement Act 2014 Ngāti Korokī Kahukura Settlements Act 2014 Ngāti Hinerangi Claims Settlement Act 2021.

Note: Does not include land returned through Right of First Refusal or Investment lands

The full list on new terms is provided in Appendix C of the Part B – Report.

Part B: New Chapter: Māori Purpose Zone

PC54 will introduce a new chapter in Part B: Rules. The purpose of this zone is to provide for papakāinga development in identified areas of the Matamata-Piako district.

It is outlined in PC54 that the intent of the Māori Purpose Zone is to recognise existing developments on ancestral lands, as well as enable the establishment of residential activities and ancillary social, cultural and economic, conservation and recreation activities.

Two (2) precincts are proposed in the Māori Purpose Zone.

- Precinct 1
 - Are sites that have Māori Freehold status under Te Ture Whenua Māori Act 1993
 - Include existing marae and adjoining property that has potential for papakāinga development
 - Potential for increased housing density to 10 houses per property
 - Enable establishment of home businesses and small scaled community facilities.
- Precinct 2
 - Are sites with existing papakāinga and are connected to existing infrastructure
 - One residential unit per title
 - Sites will be 500m² and are under Maori title

There will be three new objectives and eight (8) policies proposed for the Māori Purpose Zone, these are:

MPZ O1 Enable Māori to maintain and enhance their traditional and cultural relationship with their ancestral land and to enhance their social, economic and cultural wellbeing.

MPZ O2 Enable settlement patterns, activities and development in accordance with kaupapa Māori and tikanga.

MPZ O3 Manage adverse effects of buildings, structures and activities on the amenity values, character and quality of the surrounding environment.

MPZ P1 To provide for marae and papakāinga on ancestral land, including residential activities, and ancillary social, cultural, economic, conservation and recreation activities.

MPZ P2 To recognise existing papakāinga in the district and to enable further development of housing on these sites, only where: a) The land is and will continue to be Maori Freehold land in perpetuity; or b) A legal mechanism is in place to ensure the land will be maintained in whanau ownership in perpetuity.

MPZ P3 To maintain rural character and the amenity of adjoining properties by controlling the bulk and location of buildings and structures.

MPZ P4 Non-residential activities shall be of a scale, and location that does not adversely affect: a) Adjoining properties; b) The character of the surrounding area; and c) The safe and efficient operation and functioning of the surrounding transport network.

MPZ P5 To ensure sites have provision for the treatment and disposal of stormwater and wastewater, and the provision of water, electricity and telecommunications.

MPZ P6 To promote on-site amenity through setbacks, landscaping, open space and communal areas.

MPZ P7 To ensure an integrated and sustainable management approach to development by requiring the preparation of Papakāinga Development Plans.

MPZ P8 Subdivision of papakāinga shall only occur where: a) It can be demonstrated that the papakāinga will remain in whanau ownership in perpetuity; and b) The subdivision will not compromise the functionality of the papakāinga; and c)

Infrastructure services are provided for each lot. Some of these services may be communal (for example: a shared wastewater system).

Part C: Planning Maps

With PC54 introducing a *Māori Purpose Zone*, there are 13 sites identified in Part C: Planning Mappings that will receive the new zone , these sites are:

- Rengarenga Marae
- Kai-a-te-mata Marae
- Raungaiti Marae
- Rukumoan Maarae
- Rukumoana Road
- Waiti Marae (Waiora)
- Tui Pā
- Te Ūkaipō Marae
- Paeahi Marae
- Tangata Marae
- Te Omeka Marae
- Hinerangi Marae/Tamapango Marae
- Te Ōhaki Marae
- Tawhai

Appendix C – Review of Proposed New Plymouth District Plan

The Council notified their Proposed New Plymouth District Plan on 23 September 2019. The Operative Plan was adopted in 2005. The hearings process on the Proposed Plan started on Monday 7 July 2021.

Consistent with the National Planning Standards, there are five parts (including Planning Maps) to the Proposed Plan which also contain individual sections and chapters therein:

Proposed New Plymouth District Plan	
Part 1: Introduction and General Provisions	<ul style="list-style-type: none"> • Introduction • How the plan works • Interpretation • National Direction Instruments • Tangata Whenua
Part 2: District-Wide Matters	<ul style="list-style-type: none"> • Strategic Direction • Energy, Infrastructure and Transport • Hazard and Risks • Historical and Cultural Values • Natural Environmental Values • Subdivision • General District-wide Matters
Part 3: Area-Specific Matters	<ul style="list-style-type: none"> • Residential Zones • Rural Zones • Commercial and Mixed Zones • General Industrial Zone • Open Space and Recreation Zones • Special Purpose Zones • Development Areas • Designations

<p>Part 4: Schedules and Appendices</p>	<ul style="list-style-type: none"> • Appendix 1 – Subdivision Design Guide • Appendix 2 – Residential Design Guide • Appendix 3 – City and Town Centre Design Guide • Schedule 1 – Heritage Buildings and Items • Schedule 2 – Heritage Buildings (Interior Elements) • Schedule 3 – Archaeological Sites or Sites and Areas of Significance to Māori • Schedule 4 – Notable Trees • Schedule 5 – Viewshafts • Schedule 6 – Rural Significant Natural Areas • Schedule 7 – Urban Biodiversity Areas • Schedule 8 – Natural Features and Landscapes • Schedule 9 – Significant Waterbodies • Schedule 10 – Outstanding Natural Character Areas
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Each part of the Proposed Plan was reviewed. A summary of the review is outlined below at 2.3.1 – 2.3.4, with the full assessment provided in Appendix D of the Part B Report.

Part 1: Introduction and General Provisions

Key sections within Part 1 that were reviewed:

- Section 3 – Interpretation
- Section 5 – Tangata Whenua

Part 1: Section 3 – Interpretations

There are a number of relevant and key terms that enable papakāinga. The full list of those terms and definitions are identified in Appendix C of this report.

The inclusion of *Māori Land* refers to Māori freehold land and Māori customary land as described in Te Ture Whenua Māori Act 1993, but does not include Māori reservation.

There are also interpretations/definitions for *Iwi or Hapū Development Plan, Māori Purpose Activities, and Papakaainga Housing*.

Of particular interest is the term *Customary Activities*. This term is used in the Proposed Plan.

The definition is below:

“means the use of land and/or buildings for traditional Māori activities and includes making and/or creating customary goods, textiles and art, medicinal gathering, waka ama, Kīngitanga events (Poukai), management and activities that recognise and provide for the special relationship between tangata whenua and places of customary importance.”

Part 1: Section 5 – Tangata Whenua

The Proposed Plan makes reference to six (6) iwi, they are:

- Ngāti Tama
- Ngāti Mutunga
- Te Āti Awa
- Ngāti Maniapoto
- Ngāti Maru
- Taranaki Iwi

The section provide the Kaupapa Māori framework that supported the Proposed Plan’s consideration of Tangata Whenua values. The framework is outlined below:

Ngā Kaupapa		Ngā Whāinga
Rangatiratanga	<i>Ko te kai a te Rangatira, he kōrero The food of leaders is communication</i>	<i>The spiritual, cultural and historical associations, interests and aspirations of tangata whenua to land, sites of significance, freshwater and coastlines are recognised, safeguarded and advocated.</i>
Kaitiakitanga	<i>Ki uta ki tai From the mountains to the sea</i>	<i>Impacts on the spiritual and cultural values, associations and interests of tangata whenua to land, sites of significance, freshwater and coastlines are resolved, mitigated and/or managed effectively.</i>
Ūkaipōtanga	<i>Tangata ako ana i te whare Te Tūranga ki te marae, tau ana</i>	<i>Through an intimate connection to place, and ensuring sense of belonging. The contribution of tangata whenua to mutually beneficial outcomes are values and acknowledge.</i>

	<i>A person taught well at home, will stand calmly on the marae</i>	
Kotahitanga	<i>He waka eke noa A waka we are all in with no exceptions</i>	<i>Tangata whenua, the Council and other key stakeholders have listened closely to each other, and worked together to challenge entrenched social beliefs and practices.</i>

Part 2: District-Wide Matters

It was noted that of the seven (7) section in Part 2, only the Section 6 – Subdivision refers to Māori land, but only to exempt it from its processes and defers responsibility to the processes of Te Ture Whenua Māori Act 1993 and the Māori land Court. With this noted, key sections within Part 2 were identified and reviewed:

- Section 1 – Strategic Direction
- Section 5 – Natural Environmental Values
- Section 6 – Subdivision

Part 2: Section 1 – Strategic Direction

The section outlines the four strategic focus for the Proposed Plan, Historic and Cultural; Natural Environment; Tangata Whenua; and Urban Form and Development. Of relevance to this review were:

Strategic Direction – Historic and Cultural

HC-3 *Tangata Whenua’s relationship, interest and association with their culture, tradition, ancestral lands, waterbodies, sites, areas and landscapes, and other taonga of significance are recognised and provided for.*

Strategic Direction – Natural Environment

NE-7 *Tangata whenua are able to exercise their customary responsibilities as mana whenua and kaitiaki in the protection and management of the natural environment*

Strategic Direction – Tangata Whenua

TW-10 *Tangata whenua re able to protect, develop and use Māori land in a way which is consistent with their culture and traditions and their social and economic aspirations.*

***TW-11** Provide for the relationship of tangata whenua with their culture, traditions, ancestral lands, waterbodies, sites, areas and landscapes and other taonga of significance to Māori.*

Strategic Direction – Urban Form and Development

***UFD-13** The district develops in a cohesive, compact and structured way that:*

- *recognises the relationship of tangata whenua with their culture, traditions, ancestral lands, waterbodies, sites, areas and landscapes and other taonga of significance;*

***UFD-15** A variety of housing types, sizes and tenures are available across the district in quality living environments to meet the community's diverse social and economic housing needs in the following locations:*

- *papakāinga housing that provides for the ongoing relationship of tangata whenua with ancestral land and for their cultural, environmental, social and economic well-being.*

A full outline of Section 1 – Strategic Directions is provided in Appendix D of the Part B Report.

Part 2: Section 5 – Natural Environmental Values

There are four chapters contained in this section with Natural Features and Landscapes considered relevant.

There is no reference to Māori Land however with an objective to protect ONFLs, there are policies and rules for customary activities:

***NFL-P3** Allow activities within outstanding natural features and landscapes where:*

- *they are for existing land uses, conservation activities, customary activities, natural hazard mitigation activities, or the alteration, maintenance or removal of existing buildings or structures;*

***NFL-P5** Ensure that activities within outstanding natural features and landscapes, including their the scale, location and design, recognise and maintain the values and characteristics of the outstanding natural feature and landscape, having regard to:*

- *the particular cultural, spiritual and/or heritage values, interests or associations of importance to tangata whenua as kaitiaki and mana whenua*

that are associated with the outstanding natural feature and landscape and the potential impact on those values, interests or associations;

Part 2: Section 6 – Subdivision

As stated earlier, this section is the only section of Part 2 that refers to Māori land, but only to exempt it from its processes and defers responsibility to the processes of Te Ture Whenua Māori Act 1993 and the Māori land Court. Additionally, there is no reference to papakāinga.

Part 3: Area-Specific Matters

There are eight (8) sections and 25 chapters that focus on zones and development areas.

All zones, except General Industrial Zone, provide for *Māori purpose activity* as a Permitted Activity, but is a Discretionary Activity in the Mixed Use Zone, and Non-Complying in the Large Format Retail Zone.

In the review of the three Residential Zone chapters in the Proposed Plan, there is no provisions for papakāinga, nor reference to Māori Land. This is a similar finding with the two Rural Zone chapters. However it is anticipated that papakāinga would be captured by the rule within those respective zones that advise that any activity not otherwise listed is a Discretionary Activity (e.g *Rule LRZ-R22; Rule GRZ-R20; Rule MRZ-R21, and Rule RPROZ-R26; Rule RLZ-R16*).

In the Open Space and Recreation Zone section, there are two zones of relevance, Natural Open Space Zone (hereon “NOSZ”) and the Open Space Zone (hereon “OSZ”). The NOSZ provides for customary activities are a Permitted Activity, and for papakāinga as a Restricted Discretionary Activity. However, the OSZ has similar provisions as the Residential and Rural Zone.

Of interest in the Special Purpose Zone section is the Māori Purpose Zone provisions. A full outline of Section 1 – Strategic Directions is provided in Appendix D of the Part B Report.

In summary, the Māori Purpose Zone provisions seeks to enable Pā/marae, papakāinga housing and associated activities on Māori land.

A particular nuance of note is the requirement of an Iwi or Hapū Development Plan, which are integrated into the Proposed Plan, to enable Tangata Whenua to develop specific sites in a way that reflects the unique identities and values of those sites, while managing the effects of activities.

Council Report

Section 32 Report – Special Purpose – Māori Purpose Zone

“It is important to ensure that Tangata Whenua have the flexibility to develop Māori land, in accordance with mātauranga, kawa and tikanga, to achieve social, cultural, economic and/or environmental outcomes, while ensuring appropriate health, safety and amenity standards are met. This is the key resource management issue that will be managed through the implementation of Māori Purpose zoning in the Proposed District Plan.” (Page 15)

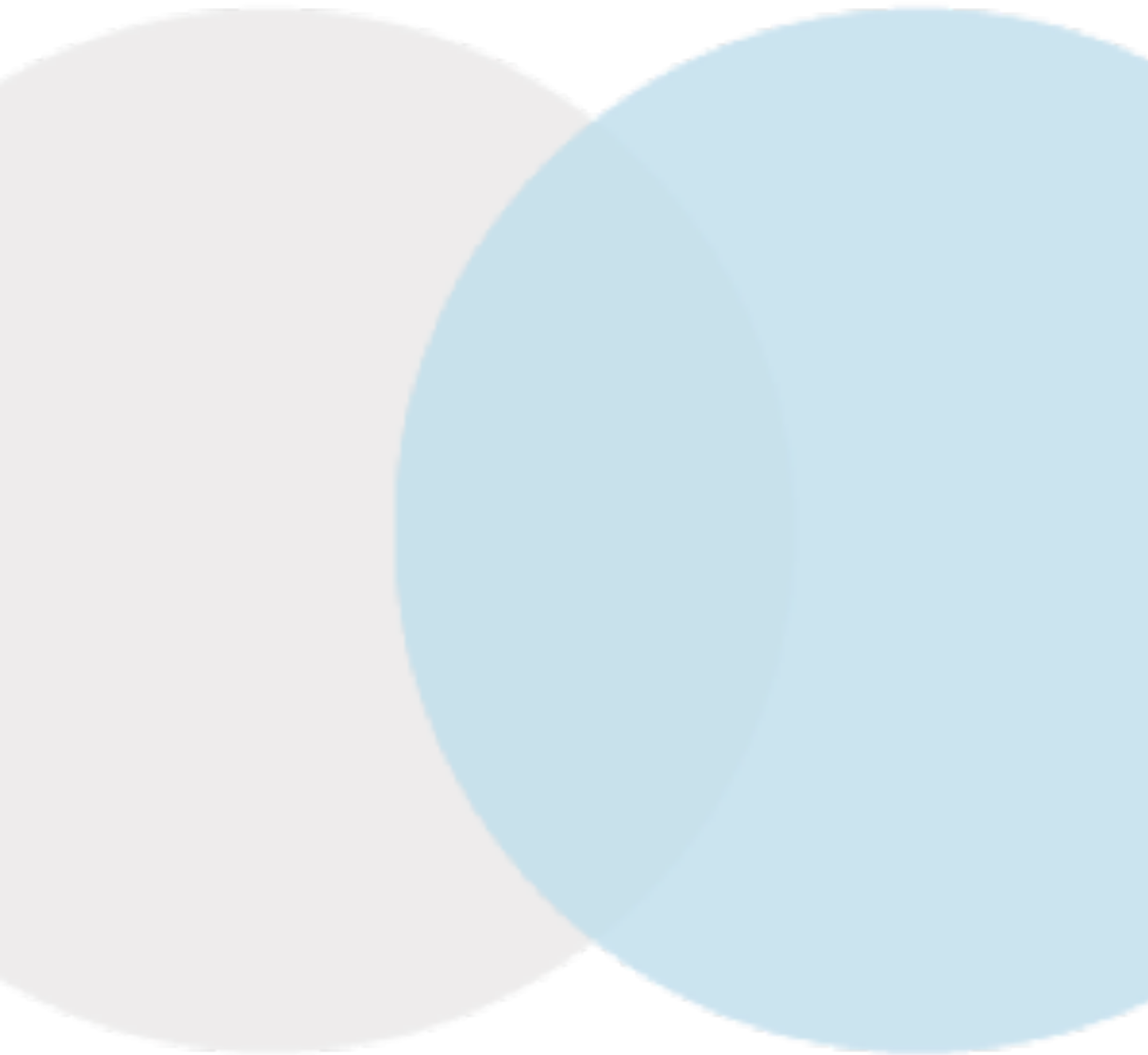
“There are also other important resource management issues related to Māori land in the District that require addressing in the Proposed Plan:

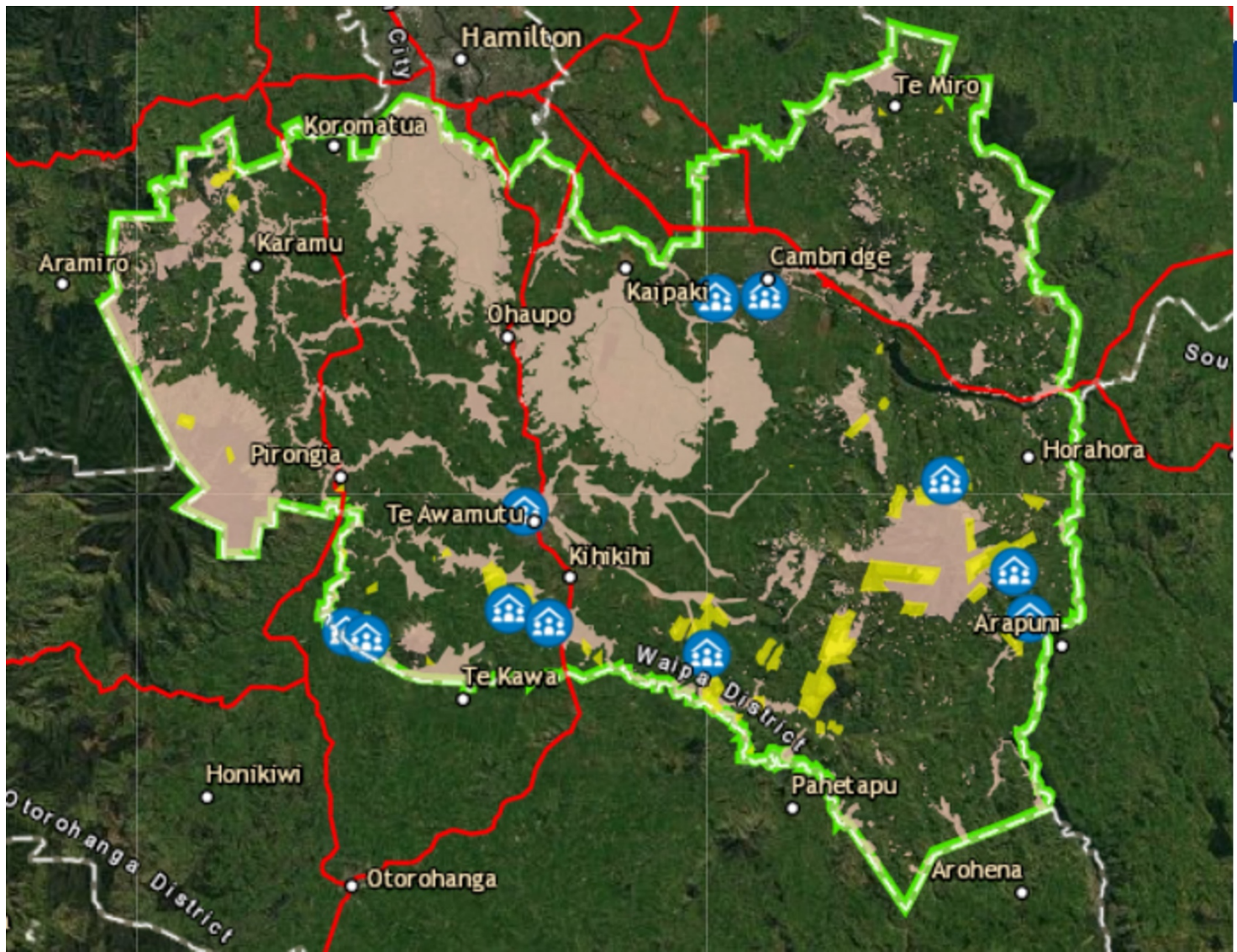
- Lack of a specific planning framework to provide for and manage Māori land or land under co-management. Specific provisions which recognise and provide for the relationship of Māori with their land, are required to meet higher order planning documents, as well as Tangata Whenua expectations.*
- Lack of a planning framework to encourage maximum decision-making on the use and development of marae areas, by marae committees themselves, with minimum planning requirements.*
- No provision for development on Māori land beyond what is provided for on surrounding land through district provisions and permitted activities, irrespective of the location of the Māori land.*
- Protection of sites and areas of significance to Māori.*
- Requirement for reverse sensitivity protection around marae complexes. Marae can be adversely affected by the establishment of industry or other offensive land uses that are not compatible with the character and amenity of marae in the District.*
- Conflict between aspirations of Tangata Whenua and principles of open space or other environment areas adjacent to Marae sites. It is imperative that the management of Māori land in the District is integrated, planned and appropriate to meet the obligations set out in higher order planning documents” (Page 15)*

Part 4: Schedules and Appendices






There are three (3) appendices and 10 schedules in Part 4. There were no provisions/matters within these appendices that were of relevance to the review.

Appendix D – Whenua Māori Inventory

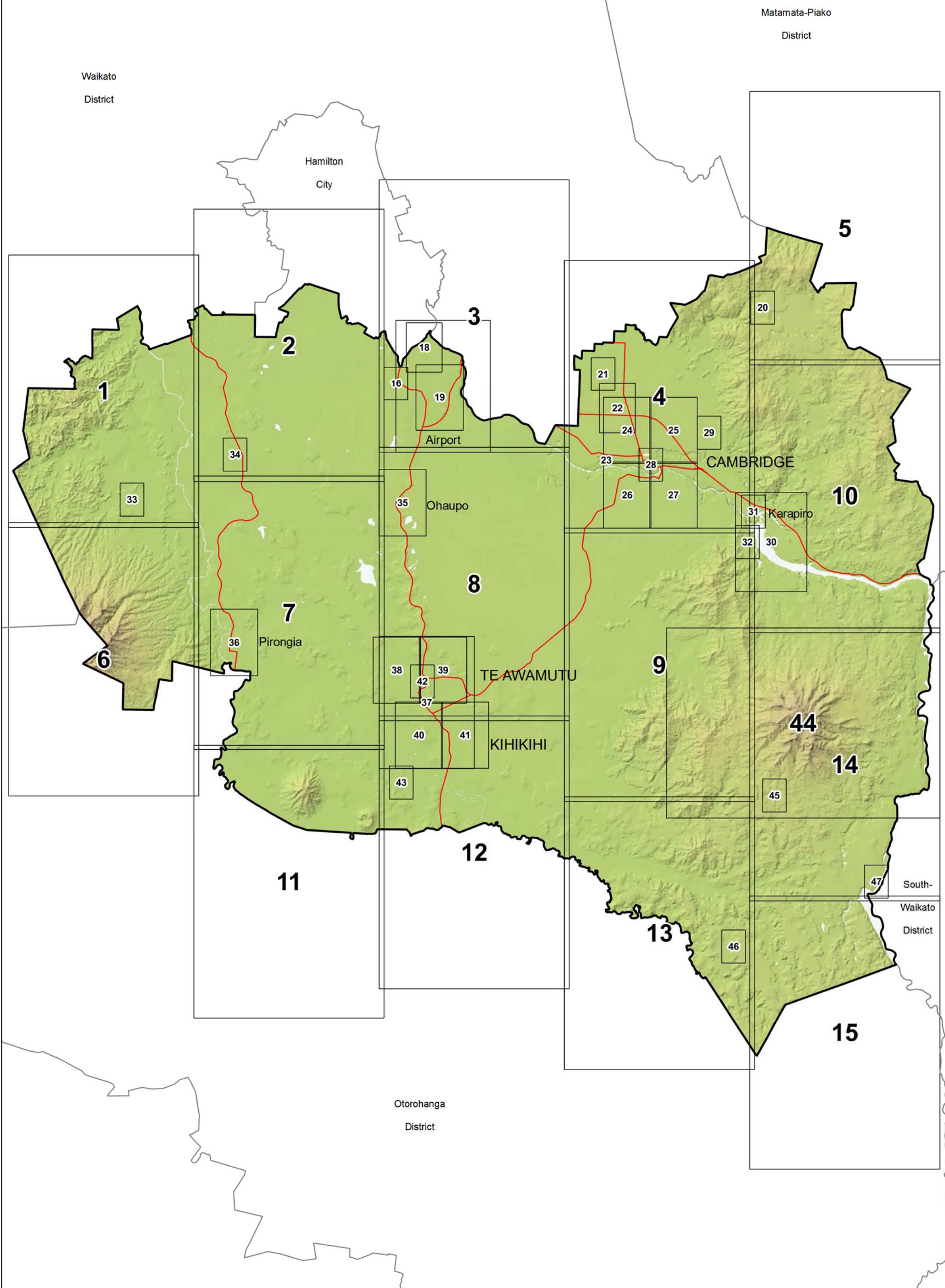




Legend

- Marae within Waipa District
 - 
- Maori-Owned Land Blocks
 - 
- Constraints Wahi Toitu - Wahi Toitu
 - 
- State Highways
 - 
- Waipa DC Boundary 2019 StatsNZ
 - 

Map Index



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MAP AREA 1

Legal Description	Land Status	Block ID	Area (ha)	Land Administrators	Zone and Overlay(s)
Parish of Karamu Lot 197A	Māori Freehold	6311	12.6ha	Multiple owners / No Trust Established	Rural Zone, Flood Hazard Significant Natural Area overlay (Unprotected) - WP147 - Narrow shaped kahikatea forest fragments in the lower reaches of Kāniwhaniwha Stream
Parish of Karamu Lot 197C	Māori Freehold	6312	25.1ha	Multiple owners / No Trust Established	Rural Zone, Cultural Landscape Area, Significant Natural Area overlay (Over half unprotected) - WP010 - Forested hill draining into Waikoha Stream and Paratawa Stream
Karamu Parish 198 or Kaniwhaniwha Block 6	Māori Freehold	6313	2ha	Ngāti Mahanga	Rural Zone, and Archaeological Site - S14 - Pā

MAP AREA 6

Legal Description	Land Status	Block ID	Area (ha)	Land Administrators	Zone and Overlay(s)
Lot 289 Parish of Pirongia (Pirongia Parish of Lot 289)	Māori Freehold	6823	28.3ha	Multiple owners / No Trust Established	Rural Zone, Visual Sensitive Hill Country, Significant Natural Area overlay (Over half unprotected) - WP105 - Corcoran Road large forest fragments
Allotment 344 Parish of Pirongia (Parish of Pirongia Lot 344)	Māori Freehold	6824	10.1ha	Mere Rahera Puku	Rural Zone, Designation - D107 - Water Catchment – Collection of Water Visual Sensitive Hill Country, Significant Natural Area overlay (Over half unprotected) - WP114c - Private land block within Pirongia Forest Park
Section 14 Block VII Pirongia Survey District	Māori Freehold	6564	28.2ha	Kakepuku Trust	Rural Zone, Visual Sensitive Hill Country,

(Mangauika No1 Res Section 14 Block VII Pirongia SD)					Significant Natural Area overlay (Over half indetermined) - WP114m - Mt. Pirongia, Sainsbury Road indigenous forest
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MAP AREA 7

Legal Description	Land Status	Block ID	Area (ha)	Land Administrators	Zone and Overlay(s)
Kekepuku No 4D Sec 2 (Kekepuku 4D2)	Māori Freehold	6288	2.8ha	Multiple owners / No Trust Established	Rural Zone, Flood Hazard, Cultural Landscape Area Alert
Kekepuku No 5B No 2B (Kekepuku 5B2B)	Māori Freehold	6289	10.4ha	Kekepuku 5B2B Trust	Rural Zone, Gas Transmission Pipeline Corridor
Pokuru No. 5	Māori Freehold	6837	116.5ha	Pokuru No. 5 Trust	Rural Zone, Water Catchment Area, Cultural Landscape Area Alert Significant Natural Area overlay (unprotected) - WP323 - Te Māwhai Puniu River willow wetland margins

MAP AREA 9

Legal Description	Land Status	Block ID	Area (ha)	Land Administrators	Zone and Overlay(s)
Pukekura No. 18 B 2 A (Pukekura No. 18B2A)	Māori Freehold	5315	7.9ha	Multiple owners / No Trust Established	Rural Zone, Visual Sensitive Hill Country, Archaeological Site Reliability 1 - Possible Pits
Pukekura No 18 B 2 B	Māori Freehold	5316	23.8ha	Four owners	Rural Zone, Visual Sensitive Hill Country, Significant Natural Area overlay (unprotected) - WP635a - Kairangi Stream tributary north-eastern remnants
Maungatautari 4G 2A	Māori Freehold	5107	56.6ha	Maungatautari 4G2A Trust	Rural Zone + Unformed Road Outstanding Natural Feature and Landscapes Cultural Landscape Area

					HV Electricity Transmission Line Significant Natural Area overlay (unprotected) - WP722 - Te Reti Road, road-end gully remnants - WP728d - Maru Road small gully remnants
Maungatautari 4G 8 (Is a long narrow strip) Maungatautari Ecological Island	Māori Freehold	5111	14.1ha	The Maungatautari 4G7, 4G8 and 4G9 Ahu Whenua Trust	<i>Links with blocks in Map Area 14</i> Rural Zone + Unformed Road Maungatautari Ecological Island Fenced Area Boundary Outstanding Natural Feature and Landscapes Cultural Landscape Area HV Electricity Transmission Line Significant Natural Area overlay (unprotected) - WP680b - Maungatautari Ecological Island – Unprotected
Maungatautari 4G 9 Maungatautari Ecological Island	Māori Freehold	5112	156ha	The Maungatautari 4G7, 4G8 and 4G9 Ahu Whenua Trust	<i>Links with blocks in Map Area 14</i> Rural Zone + Unformed Road Maungatautari Ecological Island Fenced Area Boundary Outstanding Natural Feature and Landscapes Cultural Landscape Area HV Electricity Transmission Line Significant Natural Area overlay (unprotected) - WP680b - Maungatautari Ecological Island – Unprotected
Maungatautari 5B5B2B	Māori Freehold	5124	13.9ha	Maungatautari 5B5B2B Trust	Rural Zone, Cultural Site - Urupā
Maungatautari 6A6	Māori Freehold	5130	26.3ha	Otautahanga Trust	Rural Zone Significant Natural Area overlay (Over half indeterminate) - WP363 - Wetland fragments near Ōtautahanga, Tiki Road
Maungatautari 6B 3B 2	Māori Freehold	5135	5.6ha	Te Manuahura Trust	Rural Zone
Maungatautari No. 6B 3C 3A	Māori Freehold	5136	19.7ha	Te Manuahura Trust	Rural Zone, Gas Transmission Pipeline Corridor
Maungatautari 6B 3C 3B 2	Māori Freehold	5137	8.9ha	Maungatautari 6B 3C 3B 2 Trust	Rural Zone

Maungatautari 6B 3C 4B	Māori Freehold	5138	34.5ha	Mangakopara Trust	Rural Zone
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MAP AREA 11

Legal Description	Land Status	Block ID	Area (ha)	Land Administrators	Zone and Overlay(s)
Parihoru No1A Sec 2	Māori Freehold	6765	1.2ha	Multiple owners / No Trust Established	Rural Zone, Cultural Landscape Area Alert, Archaeological Site - S15 315 – Eel Weir Esplanade - Access Strip Flood Hazard
Parihoru No 1A Sec 3	Māori Freehold	6766	2.9ha	Haeana Huihi Ahu Whenua Trust	Rural Zone Esplanade - Access Strip Flood Hazard
Parihoru No 1A Sec 4	Māori Freehold	6767	8ha	Haeana Huihi Ahu Whenua Trust	Rural Zone, Cultural Site - Urupā Cultural Landscape Area Alert, Esplanade - Access Strip, Flood Hazard, Gas Transmission Pipeline Corridor
Kakepuku 7B 2B	Māori Freehold	6293	6.3ha	Multiple owners / No Trust Established	Rural Zone, Flood Hazard, Gas Transmission Pipeline Corridor
Kakepuku 7B 3B	Māori Freehold	6294	5.2ha	Kakepuku 7B3B Trust	Rural Zone, Flood Hazard, Gas Transmission Pipeline Corridor
Kakepuku 9B 1D 1 (Te Koopua Marae)	Māori Freehold	6298	2.3ha	Kakepuku 9B1D1 Trust (Te Koopua Marae)	Marae Development Zone, Unformed Road Archaeological Site - S15 178 Pā

					Esplanade – Access Strip, Flood Hazard
Takepuku 9B 1D 3B = 8.9ha	Māori Freehold	6299	8.9ha	Takepuku 9B 1D 3B Trust	Rural Zone, Cultural Site - Marae Esplanade – Access Strip, Flood Hazard
Takepuku 9B4D1B2B	Māori Freehold	6304	37.8ha	Ngawaero Marae Trust and Te Manuka Marae Development Trust	Rural Zone, Significant Natural Area overlay (unprotected) - WP262 – Te Kopua Morgan Road regenerating remnant Flood Hazard
Takepuku 9B2C2A	Māori Freehold	296678	7ha	Jack Te Ngaio + Souvenir Waireti Tamaki Whanau Trust	Rural Zone, Cultural Site - Marae Reservation (Marae) Significant Natural Area overlay (unprotected) - WP262 - Te Kopua Morgan Road regenerating remnant
Takepuku No 8A	Māori Freehold	6295	6930m ²	Multiple owners / No Trust Established	Rural Zone
Takepuku No 8B	Māori Freehold	6296	1.3ha	Multiple owners / No Trust Established	Rural Zone
Takepuku 8C	Māori Freehold	6297	2.7ha	Multiple owners / No Trust Established	Rural Zone
Takepuku 9B8 Section 2D	Māori Freehold	6305	2ha	Takepuku 9B8 Section 2D Trust (Māori Reservation)	Rural Zone, Cultural Site - Marae Reservation
Paihoru No 2A No 2 (Paihoru 2A2)	Māori Freehold	6768	12ha	Multiple owners / No Trust Established	<i>Traverses between district boundaries</i> Rural Zone, Cultural Landscape Area Alert, Esplanade - Access Strip Flood Hazard Gas Transmission Pipeline Corridor

MAP AREA 12

Legal Description	Land Status	Block ID	Area (ha)	Land Administrators	Zone and Overlay(s)
Maungatautari 6A 2A	Māori Freehold	5128	40.4ha	Otautahanga Trust	Rural Zone, Fronts onto Major/Minor Arterial Road Significant Natural Area overlay (Over half indeterminate) - WP363 - Wetland fragments near Ōtautahanga, Tiki Road
Maungatautari 6A 3D 2	Māori Freehold	5129	17.2ha	Maungatautari 6A3D2 Trust	Rural Zone Fronts onto Major/Minor Arterial Road
Section 29 Block XI Puniu SD and Section 1 Survey Office Plan 61655	Māori Freehold	6924	21.2ha	Puniu Trust	Rural Zone, Cultural Landscape Area Alert Flood Hazard <i>Adjoins the Tokanui Dairy Research Centre</i>
Tokanui 1D2A1B1 and Section 2, 5, 11 Survey Office Plan 61655	Māori Freehold	4194	5.3ha	Puniu Trust	Rural Zone, Cultural Landscape Area Flood Hazard
Tokanui 1D2A2A and Section 9-10 Survey Office Plan 61655	Māori Freehold	4195	7.6ha	Tokanui 1D2A2A and Section 9-10 Survey Office Plan 61655 Trust	Rural Zone
Wipea Manu	Māori Freehold	3870	134.5ha	Wipea Manu Trust	<i>Links with Map Area 43</i> Rural Zone, Cultural Landscape Area Alert Flood Hazard
Tokanui No. 1B No. 2B No. 2B	Māori Freehold	4189	2.4ha	Mangatoatoa Pā Māori Reservation Trust	Marae Development Zone Cultural Landscape Area Alert Cultural Site - Urupā Archaeological Site - S15 182 Pā / Urupā
Tokanui 1B2B2C1 (Mangatoatoa Pā)	Māori Freehold	4190	1.3ha	Mangatoatoa Pā Māori Reservation Trust	Marae Development Zone Cultural Landscape Area Alert

Tokenui 1B2B2C2	Māori Freehold	4191	8.4ha	Multiple owners / No Trust Established	Rural Zone, Cultural Site - Mangatoatoa Pā (Marae) Significant Natural Area overlay (unprotected) - WP330 - Te Māwhai oad willow wetland Flood Hazard
Tokenui 1B 2B 2C 3B	Māori Freehold	4192	8.4ha	Tokenui 1B2B2C3B Trust	Rural Zone, Cultural Landscape Area Alert Significant Natural Area overlay (unprotected) - WP330 - Te Māwhai oad willow wetland Flood Hazard
Pokuru 3G2 Block and Lot 1 DPS 84278	Māori Freehold	6832	32.2ha	Pokuru No. 3G Sec 2 Trust	Rural Zone Cultural Landscape Area Flood Hazard
Pokuru 3J 2	Māori Freehold	6834	1ha	Multiple owners / No Trust Established	Rural Zone, Designation - D1 - North Island Main Trunk Railway
Pokuru No. 3K	Māori Freehold	6835	6.8ha	Multiple owners / No Trust Established	Rural Zone, Designation - D1 - North Island Main Trunk Railway
Te Iakau B7	Māori Freehold	6274	8ha	Te Iakau B7 Trust	Rural Zone
Maungatautari No. 4B No. 3 & 6 Sec 3	Māori Freehold	5102	9.4ha	Wharemate Trust	Rural Zone Archaeological Site - S15 262 Terraces

MAP AREA 13

Legal Description	Land Status	Block ID	Area (ha)	Land Administrators	Zone and Overlay(s)
Lot 1 DPS 26738 (Mamakumarū Station)	General Land	290576	94.2ha	Ngaati Hauaa Tribal Trust (Whenua Topu Trust)	Rural Zone, Cultural Landscape Area Alert

	owned by Māori				
Section 26-27 and Section 29 Block IX Maungatautari Survey District (Mamakumarū Station)	General Land owned by Māori	290577	441.3ha	Ngaati Hauaa Tribal Trust (Whenua Topu Trust)	<p><i>Traverse across Arapuni Road</i></p> <p>Rural Zone, Visual Sensitive Hill Country, Cultural Landscape Area Alert, Archaeological Site</p> <ul style="list-style-type: none"> - S15 278 Pā - S15 228 Pits <p>Significant Natural Area overlay (unprotected)</p> <ul style="list-style-type: none"> - WP719 – Mamakumara forest remnants - WP819 – Mamakumara Bluff shrubland <p>Esplanade – Access Strip</p>
Wharepuhunga 7C1B1A	Māori Freehold	4000	16.3ha	Wharepuhunga 7C1B1A Trust	<p>Rural Zone + Unformed Road</p> <p>Fronts onto Major/Minor Arterial Road</p> <p>Cultural Landscape Area Alert</p> <p>Esplanade – Access Strip</p>
Wharepuhunga 7C 3A2A	Māori Freehold	4001	13.1ha	Wharepuhunga 7C 3A2A Trust	<p>Rural Zone</p> <p>Fronts onto Major/Minor Arterial Road</p> <p>Cultural Landscape Area Alert</p> <p>Esplanade – Access Strip</p>
Wharepuhunga 7C 3A2B	Māori Freehold	4002	13.1ha	Multiple owners / No Trust Established	<p>Rural Zone</p> <p>Fronts onto Major/Minor Arterial Road</p> <p>Cultural Landscape Area Alert</p> <p>Esplanade – Access Strip</p>
Wharepuhunga 7C 3C 1B	Māori Freehold	4003	9.9ha	Multiple owners / No Trust Established	<p>Rural Zone</p> <p>Fronts onto Major/Minor Arterial Road</p> <p>Cultural Landscape Area Alert</p> <p>Esplanade – Access Strip</p>
Wharepuhunga 7C3C2B2	Māori Freehold	4004	12.5ha	Multiple owners / No Trust Established	<p>Rural Zone</p> <p>Fronts onto Major/Minor Arterial Road</p>

Wharepuhunga No. 14C	Māori Freehold	3844	2.1ha	Multiple owners / No Trust Established	Rural Zone Fronts onto Major/Minor Arterial Road
Maungatautari 4B7 Section 1B1B	Māori Freehold	5103	2.3ha	Tohutohu Ngahoe Trust	Rural Zone Fronts onto Major/Minor Arterial Road Cultural Landscape Area Alert Esplanade – Access Strip
Maungatautari 4B7 Section 1B2B4	Māori Freehold	5105	29.3ha	Maungatautari 4B7 Section 1B2B4 Trust	Rural Zone, Fronts onto Major/Minor Arterial Road Cultural Landscape Area Alert Esplanade – Access Strip
Maungatautari 4B7 Sec 3B 2B 2	Māori Freehold	5106	38.5ha	Maungatautari 4B7 Sec 3B2B2 Trust	Rural Zone, Fronts onto Major/Minor Arterial Road Archaeological Site - S15 160 Pā (Parāwera) - S15 207 Pits (Parāwera) Significant Natural Area overlay (Unprotected) - WP810 - Secondary growth forest patch 680m south-east of Andrew Road and Ōwairaka Valley Road corner
Maungatautari 6B1B2B	Māori Freehold	5132	4.3ha	Mangere Trust	Rural Zone
Maungatautari No. 6B Sec 1C	Māori Freehold	5133	8.6ha	Otautahanga Trust	Rural Zone, Fronts onto Major/Minor Arterial Road Designation - D124 Parawera Exchange (Telecommuincation)
Maungatautari 6B1B1	Māori Freehold	28200	4.4ha	Multiple owners / No Trust Established	Rural Zone, Fronts onto Major/Minor Arterial Road
Maungatautari No. 6B Sec 1A (Parawera Marae)	Māori Freehold	5131	1.2ha	Maungatautari 6B1A Māori Reservation Trust	Marae Development Zone Fronts onto Major/Minor Arterial Road Cultural Site - Parawera Marae
Maungatautari 6B3C6A	Māori Freehold	5139	1.4ha	Maungatautari 6B3C6A Māori Reservation Trust	Marae Development Zone, Fronts onto Major/Minor Arterial Road

Maungatautari 4B 3 & 6 No 1B 1B	Māori Freehold	5101	1.7ha	Maungatautari 4B 3 & No 1B 1B Māori Reservation Trust	Rural Zone, Fronts onto Major/Minor Arterial Road Cultural Site - Marae Reservation (Te Kaha a Raukawa)
Maungatautari No. 5A1C3B	Māori Freehold	5113	36.8ha	Maungatautari 5A1C3B Ahu Whenua Trust	Rural Zone, Fronts onto Major/Minor Arterial Road Gas Transmission Pipeline Corridor
Maungatautari 5A1 F2A 2B1	Māori Freehold	5116	7.7ha	Maungatautari 5A1 F2A 2B1 Trust	Rural Zone, Fronts onto Major/Minor Arterial Road Gas Transmission Pipeline Corridor Significant Natural Area overlay (Over half unprotected) - WP804 - Unprotected wetland on Arapuni Road, 275m north-west of Kahuwera
Maungatautari 5A 1F 2B 2B	Māori Freehold	294495	8.5ha	Maungatautari 5A 1F 2B 2B Trust	Rural Zone, Fronts onto Major/Minor Arterial Road Gas Transmission Pipeline Corridor Significant Natural Area overlay (Over half unprotected) - WP804 - Unprotected wetland on Arapuni Road, 275m north-west of Kahuwera
Maungatautari 5A 1F 2B 1	Māori Freehold	5117	1.8ha	Te Wao Whanau Ahu Whenua Trust	Rural Zone, Fronts onto Major/Minor Arterial Road Gas Transmission Pipeline Corridor Significant Natural Area overlay (Over half indeterminate) - WP804a - Arapuni Road northern protected wetland area
Maungatautari 5A 1F 2C 2B 2B	Māori Freehold	5120	3.9ha	Te Wao Whanau Ahu Whenua Trust	Rural Zone, Fronts onto Major/Minor Arterial Road Gas Transmission Pipeline Corridor Significant Natural Area overlay (Over half indeterminate) - WP804a - Arapuni Road northern protected wetland area

MAP AREA 14

Legal Description	Land Status	Block ID	Area (ha)	Land Administrators	Zone and Overlay(s)
Maungatautari 2 Lot 1B1	Māori Freehold	294334	1.5ha	Multiple owners / No Trust Established	Rural Zone Visually Sensitive Hill Country Cultural Landscape Area Alert
Maungatautari No 2 Lot 1B2	Māori Freehold	5067	5.8ha	Multiple owners / No Trust Established	Rural Zone Visually Sensitive Hill Country Cultural Landscape Area Alert
Maungatautari No 2 Lot 2B	Māori Freehold	40966	7.1ha	Multiple owners / No Trust Established	Rural Zone Visually Sensitive Hill Country Cultural Landscape Area Alert
Maungatautari 2 B 2	Māori Freehold	5066	7.4ha	Tane and Te Wheru Ahu Whenua Trust	Rural Zone Visually Sensitive Hill Country Cultural Landscape Area Alert
Maungatautari 3A5A4F1 (Maungatautari Marae)	Māori Freehold	5075	7132m ²	Maungatautari 3A5A4F1 (Maungatautari Marae) Trust	Marae Development Zone Cultural Site - Māori Reservation (Marae) Outstanding Natural Feature and Landscapes Cultural Landscape Area
Maungatautari 3A5A4F2	Māori Freehold	7171	5.7ha	Wikitoria Trust	<i>Surrounds Maungatautari Marae</i> Rural Zone Outstanding Natural Feature and Landscapes (mostly) Visually Sensitive Hill Country (part) Cultural Landscape Area
Maungatautari 3A 5A 4B 1	Māori Freehold	5069	2.3ha	Raukura Trust	Rural Zone Outstanding Natural Feature and Landscapes Cultural Landscape Area
Maungatautari 3A 5A 4B 2	Māori Freehold	5070	7.4	Parewa Trust	Rural Zone Outstanding Natural Feature and Landscapes Cultural Landscape Area

Maungatautari 3A Section 5A No 4C2	Māori Freehold	5071	5.8ha	Ngā Uri o Maungatautari 3A5A4C2 Ahu Whenua Trust	Rural Zone Outstanding Natural Feature and Landscapes Cultural Landscape Area
Maungatautari No. 3A Section 5A No. 4D	Māori Freehold	5072	7.7ha	Maungatautari 3A5A4D Trust	Rural Zone Cultural Site - Urupā (Ngarangi Urupā) Outstanding Natural Feature and Landscapes Cultural Landscape Area
Maungatautari No. 3A Sec 5A No.4 E2	Māori Freehold	5074	12ha	Ani Waata Whanau Trust	<i>Adjoins Maungatautari 3A5A4F1</i> Rural Zone Outstanding Natural Feature and Landscapes (mostly) Visually Sensitive Hill Country (part) Cultural Landscape Area
Maungatautari No. 3A Sec 5A No. 4G	Māori Freehold	5076	12ha	Ani Waata Whanau Trust	Rural Zone Outstanding Natural Feature and Landscapes Cultural Landscape Area
Maungatautari 3A 5A 4H 2A	Māori Freehold	5077	20.2ha	Ngā Uri o Whakarua Raua Ko Te Puia Trust	Rural Zone Outstanding Natural Feature and Landscapes Cultural Landscape Area
Maungatautari 3A 5A 4H 2B	Māori Freehold	5078	2.4ha	Multiple owners / No Trust Established	Rural Zone Outstanding Natural Feature and Landscapes Cultural Landscape Area
Maungatautari 3A 5A 4H 2C	Māori Freehold	5079	21.3ha	Maungatautari 3A 5A 4H 2C Trust	Rural Zone Outstanding Natural Feature and Landscapes Cultural Landscape Area
Maungatautari No. 3A Sec 5A No. 4J	Māori Freehold	5080	12ha	Tokorahi Trust	Rural Zone Outstanding Natural Feature and Landscapes Cultural Landscape Area Significant Natural Area overlay (unprotected) - WP671 - Ruapeka Stream upstream gully remnants - WP677 - Northern Maungatautari hillside forest remnant

Maungatautari No. 3A Sec 5A No. 4K Sec 1	Māori Freehold	5081	24.1ha	Maungatautari 3A5A4K1 Ahu Whenua Trust	Rural Zone Outstanding Natural Feature and Landscapes Cultural Landscape Area Significant Natural Area overlay (unprotected) <ul style="list-style-type: none"> - WP673 - Northern Maungatautari gully forest remnant - WP677 - Northern Maungatautari hillside forest remnant
Maungatautari No. 3A Sec 5A No. 4K Sec 2	Māori Freehold	5082	15.4ha	Multiple owners / No Trust Established	Rural Zone, Maungatautari Ecological Island Fenced Boundary (mostly) Outstanding Natural Feature and Landscapes Cultural Landscape Area Significant Natural Area overlay <ul style="list-style-type: none"> - WP673 - Northern Maungatautari gully forest remnant - WP680b - Maungatautari Ecological Island - Unprotected
Maungatautari No. 3A Section 5A No. 8A	Māori Freehold	5084	13.7ha	Multiple owners / No Trust Established	Rural Zone, Maungatautari Ecological Island Fenced Boundary (mostly covered) Outstanding Natural Feature and Landscapes Cultural Landscape Area Significant Natural Area overlay <ul style="list-style-type: none"> - WP680b - Maungatautari Ecological Island - Unprotected
Maungatautari No. 3A Section 5A No. 8B	Māori Freehold	5085	44.4ha	Maungatautari 3A5A8B Trust	Rural Zone, Maungatautari Ecological Island Fenced Boundary (partly covered) Outstanding Natural Feature and Landscapes (mostly) Visually Sensitive Hill Country (part) Cultural Landscape Area Significant Natural Area overlay <ul style="list-style-type: none"> - WP675 - Westernmost Hauoira Stream tributary headwater remnants - WP680b - Maungatautari Ecological Island - Unprotected
Maungatautari No. 1A West No. 1	Māori Freehold	5065	30.7ha	Raukura Trust	Rural Zone, Outstanding Natural Feature and Landscapes (part) Visually Sensitive Hill Country (mostly) Cultural Landscape Area Alert

					Significant Natural Area overlay - WP672 - Hauoira Stream tributary headwater remnants
Maungatautari No. 3A Sec 5E No. 1	Māori Freehold	5086	11.7ha	Multiple owners / No Trust Established	Rural Zone, Maungatautari Ecological Island Fenced Boundary Outstanding Natural Feature and Landscapes Cultural Landscape Area Significant Natural Area overlay (Over half indeterminate) - WP680b - Maungatautari Ecological Island - Unprotected
Maungatautari No. 3A Sec 5E No. 2	Māori Freehold	5087	21.7ha	Waniwani Trust	Rural Zone, Maungatautari Ecological Island Fenced Boundary Outstanding Natural Feature and Landscapes Cultural Landscape Area Significant Natural Area overlay (Over half indeterminate) - WP680b - Maungatautari Ecological Island - Unprotected
Maungatautari 3A 5E 3A (Wani Wani 2)	Māori Freehold	5088	15.1ha	Wani Wani 2 Trust	Rural Zone, Outstanding Natural Feature and Landscapes Cultural Landscape Area Significant Natural Area overlay (Over half unprotected) - WP750 - Eastern Maungatautari gully remnants
Maungatautari 3A 5E 3B (Wani Wani 3)	Māori Freehold	5089	13ha	Multiple Owners (13) / No Trust Established	Rural Zone, Outstanding Natural Feature and Landscapes (mostly) Visually Sensitive Hill Country (partly) Cultural Landscape Area
Maungatautari 3A 5E 3C1 (Wani Wani 1)	Māori Freehold	5090	54.3ha	Wani Wani 1 Trust	Rural Zone, Maungatautari Ecological Island Fenced Boundary (half covered) Outstanding Natural Feature and Landscapes Cultural Landscape Area Significant Natural Area overlay - WP680b - Maungatautari Ecological Island – Unprotected (half covered) - WP750 - Eastern Maungatautari gully remnants

Maungatautari 3A 5E 3C 2	Māori Freehold	5091	100ha	Waniwani Trust	Rural Zone, Maungatautari Ecological Island Fenced Boundary Outstanding Natural Feature and Landscapes Cultural Landscape Area Significant Natural Area overlay (Over half indeterminate) - WP680b - Maungatautari Ecological Island - Unprotected
Maungatautari No. 3A Sec 5G No. 3B	Māori Freehold	5092	34.3ha	Multiple owners / No Trust Established	Rural Zone, Maungatautari Ecological Island Fenced Boundary Outstanding Natural Feature and Landscapes Cultural Landscape Area Significant Natural Area overlay (Over half indeterminate) - WP680b - Maungatautari Ecological Island - Unprotected
Maungatautari No. 3A Section 7B No. 1	Māori Freehold	5098	28.7ha	Multiple owners / No Trust Established	Rural Zone, Maungatautari Ecological Island Fenced Boundary Outstanding Natural Feature and Landscapes Cultural Landscape Area Significant Natural Area overlay (Over half indeterminate) - WP680b - Maungatautari Ecological Island - Unprotected
Lot 1 DP 9774	Māori Freehold	291874	25.5ha	Te Heketanga Matekohi Whanau Trust	Rural Zone Designation - D60 400kV Transmission Line (Transpower) Outstanding Natural Feature and Landscapes (part) Visually Sensitive hill Country (part) Cultural Landscape Area (part) HV Electricity Transmission Lines
Maungatautari 3A 5J Section 1 (Pōhara Marae)	Māori Freehold	4235	9.1ha	Maungatautari 3A5J Section 1 Māori Reservation	Marae Development Zone, Cultural Site - Pōhara Pā (Marae)
Maungatautari 3A 5J Section 3 (Pōhara Station)	Māori Freehold	5097	277ha	Pohara Station Trust	<i>Surrounds Pōhara Marae</i> Rural Zone, Visual Sensitive Hill Country (part), Cultural Landscape Area Alert

					<p>Archaeological Site</p> <ul style="list-style-type: none"> - T15 135 Pā (Horahora) - T15 146 Pā (Horahora) - T15 148 Pā (Horahora) - T15 157 Pā (Horahora) <p>Significant Natural Feature and Landscape Significant Natural Area overlay (Protected)</p> <ul style="list-style-type: none"> - WP798 – Vegetation on Waitete Stream, 450m south of Pōhara Marae
Maungatautari No. 4G Sec IV	Māori Freehold	5108	23.5ha	Maungatautari No. 4G Section IV Trust	<p>Rural Zone</p> <p>Maungatautari Ecological Island Fenced Area Boundary</p> <p>Outstanding Natural Feature and Landscapes</p> <p>Cultural Landscape Area</p> <p>Significant Natural Area overlay</p> <ul style="list-style-type: none"> - WP680b - Maungatautari Ecological Island – Unprotected
Maungatautari No. 4G Sec 5 A	Māori Freehold	5109	23.8ha	Multiple owners / No Trust Established	<p>Rural Zone</p> <p>Maungatautari Ecological Island Fenced Area Boundary</p> <p>Outstanding Natural Feature and Landscapes</p> <p>Cultural Landscape Area</p> <p>Significant Natural Area overlay</p> <ul style="list-style-type: none"> - WP680b - Maungatautari Ecological Island – Unprotected
Maungatautari 4G 7	Māori Freehold	5110	99.9ha	The Maungatautari 4G7, 4G8 and 4G9 Ahu Whenua Trust	<p><i>Links with blocks in Map Area 9</i></p> <p>Rural Zone</p> <p>Maungatautari Ecological Island Fenced Area Boundary</p> <p>Outstanding Natural Feature and Landscapes</p> <p>Cultural Landscape Area</p> <p>Significant Natural Area overlay</p> <ul style="list-style-type: none"> - WP680b - Maungatautari Ecological Island – Unprotected

MAP AREA 30 - Karapiro					
Legal Description	Land Status	Block ID	Area (ha)	Land Administrators	Zone and Overlay(s)
Pukekura No 5 Sec2B1	Māori Freehold	5313	4.9ha	Multiple owners / No Trust Established	Rural Zone, Visually Sensitive Hill Country
Pukekura No 5 Sec2B2	Māori Freehold	5314	4.9ha	Multiple owners / No Trust Established	Rural Zone, Visually Sensitive Hill Country

MAP AREA 36 – Pirongia Township					
Legal Description	Land Status	Block ID	Area (ha)	Land Administrators	Zone and Overlay(s)
Allotment 195 Town of Pirongia East	Māori Freehold	6826	2023m ²	Multiple owners / No Trust Established	Large Lot Residential Zone
Allotment 196 Town of Pirongia East and Allotment 196A Town of Pirongia East and Allotment 386 Town of Pirongia East	Māori Freehold	6827	6085m ²	Multiple owners / No Trust Established	Large Lot Residential Zone
Section 186 Town of Pirongia East	General Land owned by Māori	289674	4051m ²	Town of Pirongia East Section 186 Trust	Large Lot Residential Zone Cultural Site - Te Haona Kaha (Marae Reservation)

MAP AREA 41 – Kihikihi Township					
Legal Description	Land Status	Block ID	Area (ha)	Land Administrators	Zone and Overlay(s)
Lot 112 Town of Kihikihi	Māori Freehold	5014	4755m ²	One owner – Rewi Maniapoto Memorial Committee	Commercial Zone Fronts Major/Minor Arterial Road Heritage Item - H62 Rewi Maniapoto Memorial Monument

Appendix E – Review of the Waipā District Plan

The Waipā District Council have Joint Management Agreements (JMAs) with Te Whakakitenga o Waikato (Waikato-Tainui), Raukawa and Ngāti Maniapoto, as well as a Council committee Ngā Iwi Toopu o Waipā.

On 14 August 2017, the Waipā District Plan became fully operative.

Waipā District Plan 2016	
Volume 1	<ul style="list-style-type: none"> • Part A - How to use the Plan • Part B - Definitions • Part C - Strategic Policy Framework • Part D - Zone Provisions • Part E - District Wide Provisions • Part F - District Wide Natural and Cultural Heritage • Part G - Anticipated Environmental Results
Volume 2 Appendices	<ul style="list-style-type: none"> • Designations • Design Guidelines • Natural and Cultural Heritage • Other • Growth Management Structure Plans and Concept Plans • Transportation • Historical and Cultural Values • Natural Environmental Values • Subdivision • General District-wide Matters

Part B – Definitions

In comparison to the other District Plans that were reviewed, there are only two terms in the Waipā District Plan regarding papakāinga:

‘Marae’ or ‘Pā’

means an area of land set apart for the common use of TĀNGATA WHENUA of Waipā DISTRICT, and includes a complex of BUILDINGS such as wharenuī (meeting house), wharekai (dining hall), whārepaku (ablution block), papakāinga (housing); and/or other facilities generally associated with a MARAE or PĀ.

‘Papakāinga development’

means a comprehensive RESIDENTIAL DEVELOPMENT for TĀNGATA WHENUA residing in the Waipā DISTRICT to provide residential accommodation for members of the iwi or hapū group, and also includes communal BUILDINGS and facilities (e.g. whare hauora [health centre], whakangahau [recreation]).

There are no terms in the Waipā District Plan such as Māori Land, or Māori freehold land, or Māori customary land.

Part C – Strategic Policy Framework

The establishment of marae and papakāinga that include a wide range of activities, is identified as a strategic outcome, alongside other listed outcomes, sought under the Waipā District Plan. The relevant objective and policies in Part C are shared below:

Objective - Tāngata Whenua

To uphold, and assist tāngata whenua to uphold, the partnership principles inherent within Te Tiriti o Waitangi, by assisting tāngata whenua to maintain and enhance their culture, traditions, economy and society, in order that their well-being (mauri) and health (hauora) is maintained.

Policy - Role of marae and papakāinga

To recognise that marae and papakāinga are the focus of, and an essential part of the development of Māori culture, traditions, society and economy.

Policy - Functions of papakāinga

To enable a diverse range of social and educational activities that meet the needs of people living within the papakāinga development, and to recognise the wider community function that marae and papakāinga serve.

Policy - Planning for marae and sustainable papakāinga

To encourage and assist in the integrated and holistic planning for marae and papakāinga developments and to ensure that marae and papakāinga developments are sustainable, and that any development is co-ordinated with infrastructure provision.

Important to note that the District Plan acknowledges that “there is also demand from tāngata whenua for marae and papakāinga developments, and these needs must be

recognised and provided for, whilst also outlining that “a planned and strategic approach to future subdivision and development in the District will also assist in giving effect to the Waikato River Vision and Strategy.”

Part D – Zone Provisions

There are 14 zones provided in the Waipa District Plan. Of those 14 zones, there are four (4) zones that recognise and provide for papakāinga development. These zones are Residential and Large Lot Residential, Rural and Marae Development.

Residential Zone

Objective - Providing housing options

To enable a wide range of housing options in Cambridge, Te Awamutu, Kihikihi, and Karāpiro in a way that is consistent with the key elements of the character of each place

Policy - Marae and Papakāinga

To enable sustainable marae and papakāinga developments acknowledging that the design and layout of a marae or papakāinga development may be different than that generally found in the Residential Zone.

Any proposal lodged with the Waipā District Council for a papakāinga development would be assessed as a Discretionary Activity

Large Lot Residential Zone

Objective - Providing housing options

To enable a range of housing options that are consistent with the key elements of the character of the Large Lot Residential Zone within which they are located.

Policy - Marae and Papakāinga

To enable sustainable marae and papakāinga developments acknowledging that the design and layout of the development may be different than that generally found in the Large Lot Residential Zone.

Any proposal lodged with the Waipā District Council for a papakāinga development would be assessed as a Discretionary Activity

Rural Zone

Objective - Rural character

Rural character and amenity is maintained.

Policy - Marae and papakāinga development

To enable sustainable marae and papakāinga development as a recognised part of rural character, subject to providing for adequate servicing and managing potential adverse effects.

Any proposal lodged with the Waipā District Council for a papakāinga development would be assessed as a Discretionary Activity

Marae Development Zone

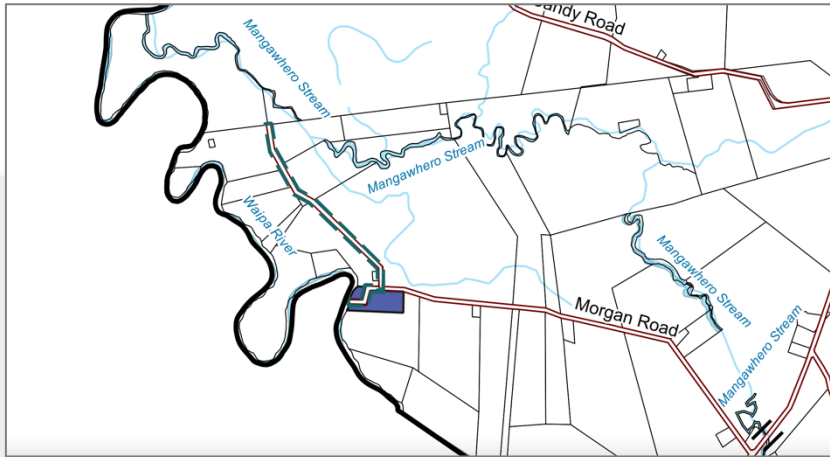
The Waipa District Plan outlines that the intention of the Marae Development Zone is to “enable the development of marae and papakāinga to allow tāngata whenua to reconnect with sites/areas of significance”. The Waipā District Plan states that it recognises the six existing marae and/or pā currently in use⁶ in the Waipā district.

There are three objectives and nine policies to support the intention of the Marae Development Zone. All of the objectives are considered relevant to enabling (and constraining) papakāinga development, with any proposal for a papakāinga development would be deemed a Permitted Activity (So long as it complies with permitted conditions).

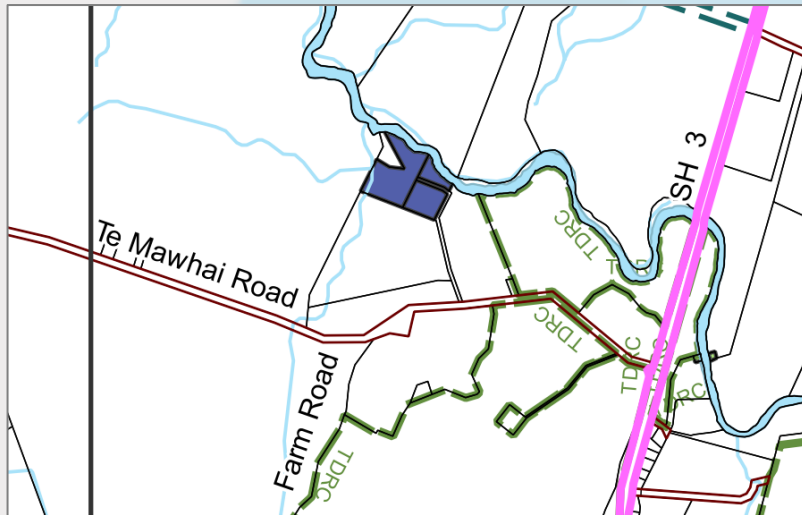
On review of Planning Maps, there are only five sites identified in the Waipā district with Marae Development Zone, these are shown below:

Key -  Marae Development Zone

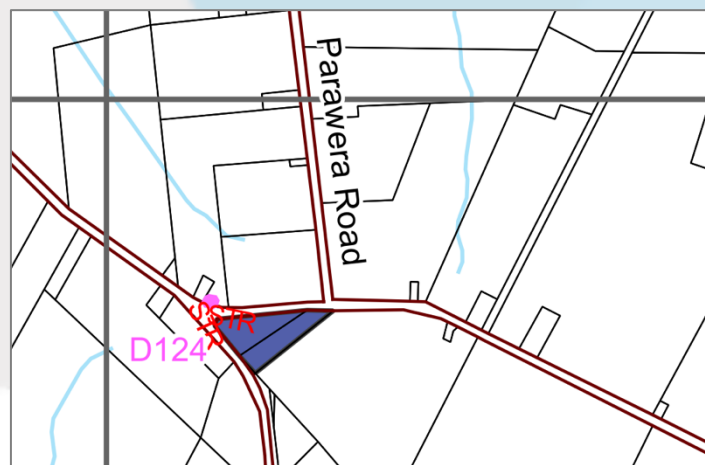
⁶ 1. Pōhara (Ngāti Koroki Kahukura/Waikato Tainui - Oreipunga Road); 2. Maungatautari (Ngāti Koroki Kahukura/Waikato Tainui - Hicks Road); 3. Mangatoatoa (Maniapoto - Te Mawhai Road, Tokanui); 4. Te Kōpua (Maniapoto - Morgan Road); 5. Pārāwera (Raukawa, corner of Owairaka Valley and Arapuni Roads); 6. Kemureti (Cambridge Greenbelt).



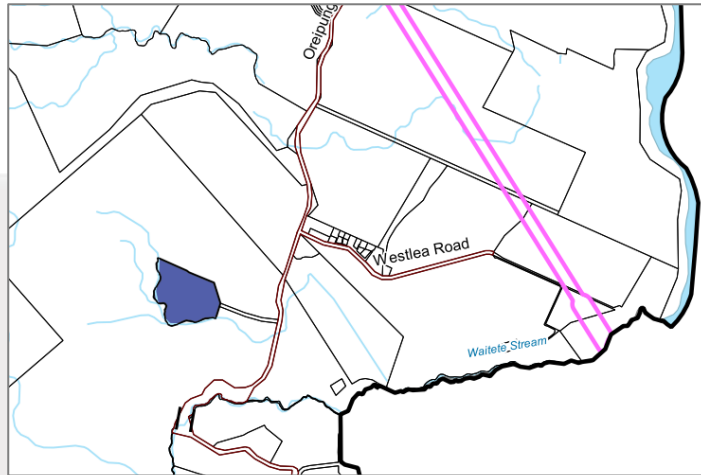
Planning Map 11 – Kakepuku



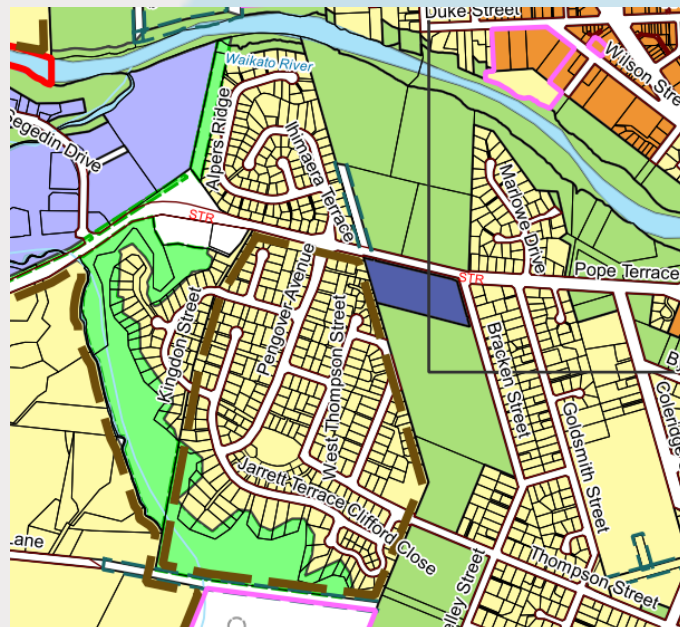
Planning Map 12 – Kihikihi/Te Mawhai



Planning Map 13 – Wharepapa



Planning Map 13 – Maungatautari

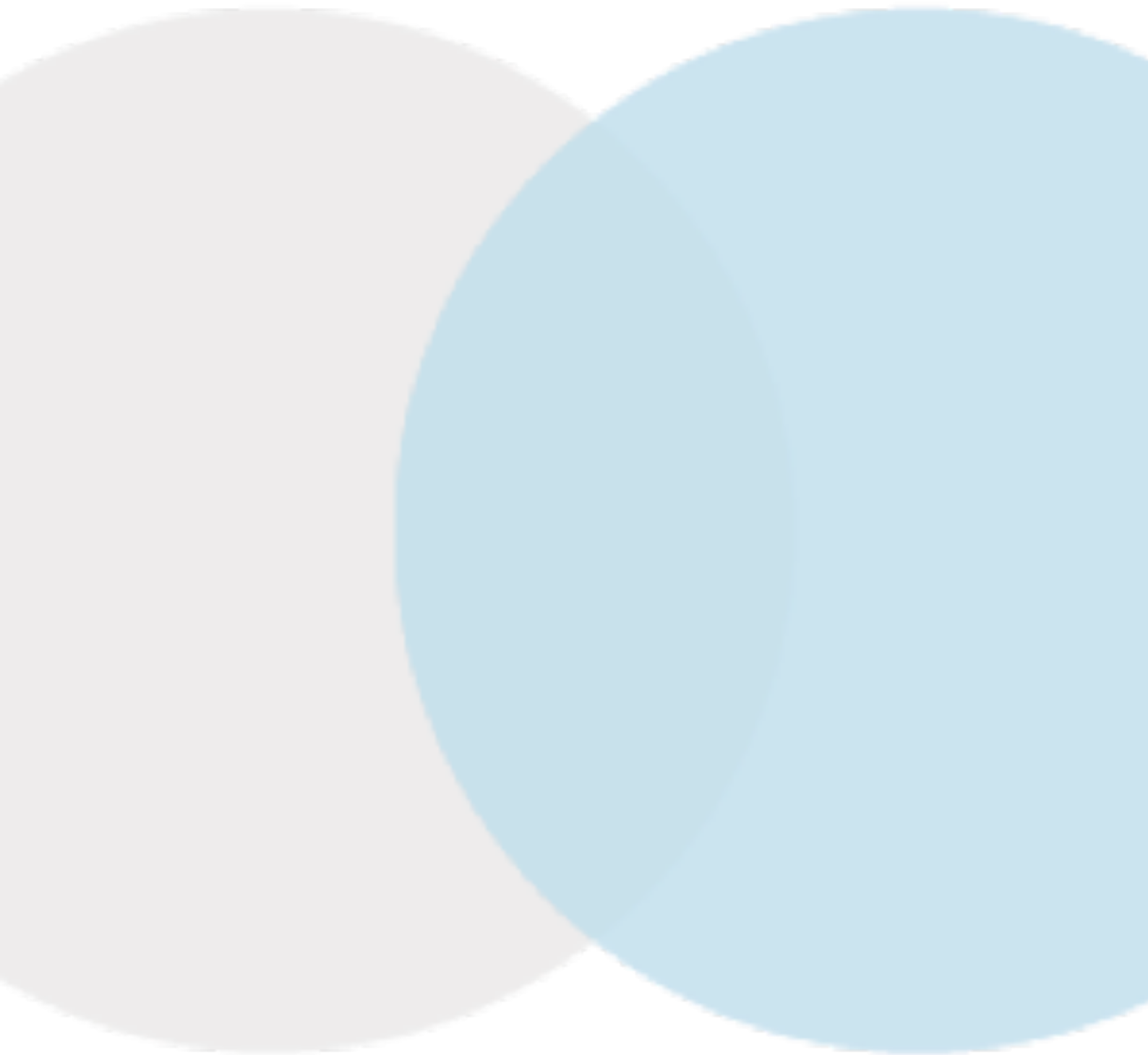


Planning Map 23 – Cambridge

Part E – District Wide Provisions

There are seven (7) sections in Part E of the Waipā District Plan. After the review of those sections, only Section 21 – Assessment Criteria and Information Requirements was considered relevant as it prescribed the assessment criteria for papakāinga developments in the Residential Zone, Large Lot Residential Zone and the Rural Zone.

Appendix F – Māori Engagement Plan (with Indicative Timeframes)



MĀORI ENGAGEMENT PLAN

DRAFT PLAN CHANGE 23 -
PAPAKĀINGA



TANGATA WHENUA

The Waipā District Council state on their website that they recognise the following tangata whenua:

- Waikato-Tainui
- Ngaati Raukawa
- Ngaati Maniapoto
- Ngaati Hauaa
- Ngaati Korokii Kahukura
- Ngaati Apakura
- Ngaati Hikairo
- Ngaati Maahanga

IWI AUTHORITY

An iwi authority is recognised in the Resource Management Act 1991 as the entity that represents an iwi recognised as having authority in area of interest.

Te Whakakitenga o Waikato Inc

Represents marae and hapuu of Waikato-Tainui, and their interests and redress measures achieved in their settlement legislation.

Ngaati Apakura, Ngaatii Hikairo and Ngaati Maahanga are are hapuu of Te Whakakitenga o Waikato Inc, however represent themselves in RMA processes (unless advised otherwise).

Ngāti Korokī Kahukura Trust

The Trust represents their interests in in all areas of environmental management and its processes.

Raukawa Settlement Trust

Represents marae and hapuu of Raukawa, with their interest primarily in the Maungatautari and Waikeria area of the Waipaa district, as well as interest in the management of waikato and Waipaa rivers.

Maniapoto Māori Trust Board

The Trust Board are the current entity representing the interests of marae and hapuu of Ngaati Maniapoto. This may change in the near future when Ngaati Maniapoto complete their settlement and become a Post Settlement Governance Entity.



LEGISLATION

There are a number of legislations that drive the engagement and consideration of tangata whenua as hapū/iwi, kaitiaki, and Te Tiriti o Waitangi partners. For proposals that seek to use, develop and subdivide natural resources, the primary legislation is the Resource Management Act 1991 (RMA), and its supporting mechanisms e.g. National Policy Statements, Regional Policy Statements and Regional Plans, and District Plans etc.

In addition to the RMA, there are settlement legislations that are considered relevant to the proposed development at Ohaupo Rd:

1. Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010

The Act recognises the mana whakahaere of Waikato-Tainui in the Waipaa district, and also enables action towards the betterment of the Waikato River and its catchment by establishing the Waikato River Authority and the Vision and Strategy for the Waikato River / Te Ture Whaimana o Te Awa o Waikato (V&S). The V&S is incorporated into the Waikato Regional Policy Statement, and is the primary direction setting document for the Waikato River. Its relevance is with respect to efforts to avoid adverse effects to the Waikato River and its catchment (includes the lower waters of the Waipaa River).

2. Ngāti Tūwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010

The Act provides for the recognition of Raukawa as having mana whakahaere in the Waipaa district, as well as aligning with the action towards the betterment of the Waikato River and its catchment (including the lower waters of the Waipaa River).

3. Nga Wai o Maniapoto (Waipaa River) Act 2012

The Act recognises the mana whakahaere of Ngāti Maniapoto in the Waipaa district and has a specific focus on the upper waters of the Waipaa River to be included within the co-governance Waikato River Authority and the V&S.

Its relevance to the proposed development is with respect to efforts to avoid adverse effects to the Waipaa River and its catchment.

4. Other Settlement Acts

- Waikato Raupatu Claims Settlement Act 1995

- Ngāti Koroki Kahukura Claims Settlement Act 2014

- Raukawa Claims Settlement Act 2014

ENGAGEMENT COMMITMENT

Joint Management Agreements

Upholding the processes in the JMAs with Waikato-Tainui, Raukawa, and Ngāti Maniapoto, is an imperative first action in engagement with Māori.

Involve Ngā Iwi Tōpū o Waipā

Ngā Iwi Tōpū o Waipā have expressed an interest to receive progress reports and to assist the engagement with iwi, hapū and whānau via pānui, venue, tikanga, and contact details

Schedule 1 of the Resource Management Act 1991

Individual, and collective, hui/wānanga will be arranged with iwi, hapū and whenua Māori trusts to support the discussion on papakāinga and consultation obligations under the Resource Management Act 1991.

Work with Ahu Ake - Waipā Community Spatial Plan

Plan Change 23 co-exists as a Council project with the Ahu Ake - Waipā Community Spatial Plan, where in-depth discussions and workshopping is being carried out, and will continue to do, with Mana Whenua.

To avoid hui fatigue, and any duplication of processes, Plan Change 23 and will work with the Ahu Ake project on matters related to papakāinga, mātauranga Māori, and cultural values.

Kaupapa Māori Approach to Engagement

Engagement with Māori for Plan Change 23 will be guided by the following seven values:

1. Aroha ki te tangata (respect for people)
2. Kanohi ki te kanohi (being a face that is seen and known)
3. Tītiro, whakarongo... kōrero (look, listen, then later, speak)
4. Manaaki ki te tangata (look after people)
5. Kia tūpato (be careful)
6. Kua e takahia te mana o te tangata (do not trample the dignity of the people)
7. Kia māhaki (be humble)



Indicative Timetable

	2022		
	October	November	December
Joint Management Agreements	Formal JMA hui with Waikato-Tainui; Raukawa and Ngāti Maniapoto Introduce Plan Change 23 - Papakāinga, and seek to establish a Joint Working Party	Work with Joint Working Party to develop joint recommendation to commence Plan Change 23 - Papakāinga	Present joint recommendation to Council to commence Plan Change 23 - Papakāinga
Ngā Iwi Tōpū o Waipā		Report to Ngā Iwi Tōpū o Waipā	
Iwi/Hapu			Letters to Iwi/Hapū
Whenua Māori Trusts			Letters to Whenua Māori Trusts
External Agencies			
General Public			
Elected Members			Members Briefing
Plan Change 23 Team		Report to Ngā Iwi Tōpū o Waipā; and working with Joint Working Party	

Indicative Timetable

2023

	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Joint Management Agreements			Joint Working Party hui	Joint Working Party hui	Joint Working Party hui	Joint Working Party hui	Joint Working Party hui	Joint recommendation to notify Plan Change 23 - Papakāinga				
Ngā Iwi Tōpū o Waipā	Report to Ngā Iwi Tōpū o Waipā		Report to Ngā Iwi Tōpū o Waipā		Report to Ngā Iwi Tōpū o Waipā		Report to Ngā Iwi Tōpū o Waipā				Report to Ngā Iwi Tōpū o Waipā	
Iwi/Hapu		Individual hui		Letters to Iwi/Hapū	Individual hui				Individual hui			
Whenua Māori Trusts		Marae-based Hui	Marae-based hui	Letters to Whenua Māori Trusts	Marae-based Hui	Marae-based hui			Marae-based Hui			
External Agencies				Letters to Agencies		Individual hui						
General Public								Open Days	Open Days			
Elected Members			Members Briefing			Members Briefing	Members Briefing				Members Briefing	
Plan Change 23 Team	Engagement Preparation	Commission Reports	Drafting of Provisions	Drafting of Provisions		Prepare s32 Report	Complete s32 Report	Notification		Summarise Submissions	Notify Summary of Submissions	Start Preparing section 42A report

Indicative Timetable

2024				
	January	February	March	April
Joint Management Agreements				
Ngā Iwi Tōpū o Waipā	Report to Ngā Iwi Tōpū o Waipā		Report to Ngā Iwi Tōpū o Waipā	
Iwi/Hapu				
Whenua Māori Trusts				
External Agencies				
General Public				
Elected Members				
Plan Change 23 Team	Complete section 42A report	Hearings		Decision