

FORM 6

**FURTHER SUBMISSION IN SUPPORT OF, OR IN OPPOSITION TO,
SUBMISSIONS ON NOTIFIED PROPOSED CENTRAL HAWKES BAY
DISTRICT PLAN**

Clause 8 of Schedule 1, Resource Management Act 1991

To: Central Hawkes Bay District Council
PO Box 127
Waipawa 4240

Email: districtplan@chbdc.govt.nz

1. Further submitter details

Name of further submitter: Heretaunga Tamatea Settlement Trust (**HTST**)

Heretaunga Tamatea Settlement Trust made a submission on the Proposed Central Hawke's Bay District Plan ("**PDP**"), being submitter number - no. S120.

2. Only certain people can make a further submission

Heretaunga Tamatea Settlement Trust has an interest in the PDP that is greater than the interest that the general public has on the following grounds:

- a. Heretaunga Settlement Trust has significant assets and operational interests within the Central Hawke's Bay District and in particular:
 - Section 7 Block II Motuotaraia Survey District and Lot 1 DP 7057 – Lake Whatumā;
 - Lot 4 DP 25272 – Pukeora;
 - Part Lot 1 DP 25272 – Pukeora; and
 - Part Lot 29 DP 4416 – Te Aute College.

3. Hearing options

Heretaunga Tamatea Settlement Trust does wish to be heard in support of its further submission.

If others are making a similar submission, Heretaunga Tamatea Settlement Trust would consider presenting a joint case with them at the Hearing.

Signature:

Heretaunga Tamatea Settlement Trust

by its authorised agents Mitchell Daysh Limited



Williams.

Date:

9th November 2021

Electronic address for service:

joella.brown@heretaungatamatea.iwi.nz

or

nicki.williams@mitchelldaysh.co.nz

Telephone:

021 1943133

Postal address:

Mitchell Daysh Limited

PO Box 149

Napier, 4140

Contact person:

Nicki Williams

4. Further submission details

Plan Reference	Submitter	Submission Point	Position on submission point	Reasons for support or opposition	Decision sought from Council
Introduction					
Introduction Mihi	Rongomaraeroa Marae Trustees	S122.001	Support	Amend 'Mihi' at the start of the Plan to correct errors and acknowledge all hapu and marae. Remove bias towards Takapau. HTST support all relevant hapū and marae within the Central Hawkes Bay District and it is important that they are appropriately acknowledged in the PDP.	Allow in full
Foreword	Ngā hapū me ngā marae o Tamatea	S125.002	Support	Ngā hapū me ngā marae o Tamatea state <i>“that te reo is appropriately used to describe our relationships, values and outcomes for the environment. Our language is integral to our history and to our connection with the world around us, and our future, and should be included from the outset. There will need to be a re-write of this section to accurately and better reflect the various historical connections to the area.”</i> HTST support the inclusion of te reo in the Foreword.	Allow in full

Plan Reference	Submitter	Submission Point	Position on submission point	Reasons for support or opposition	Decision sought from Council
Interpretation					
Glossary	Ngā hapū me ngā marae o Tamatea	S125.003 and S125.005	Support	<p>Add a new definition for 'Māori Land' in the 'Glossary'. The definition should be that used in Te Ture Whenua Māori Act 1993 or such other definition that accurately describes Māori land.</p> <p>Amend the definition of 'Mahinga Kai' in the 'Glossary' so that it meets mana whenua's understanding of mahinga kai. This should include the following wording, or such other wording that gives effect to this submission: 'The customary gathering of food and natural materials, the food and resources themselves and the places where those resources are gathered.'</p> <p>It is appropriate that the PDP use correct terms and adequately encompass the meaning of words such as Mahinga Kai.</p>	Allow in full.
Tangata Whenua					
General	Heritage New Zealand Pouhere Taonga	S55.012	Support	HTST support the submission of Heritage New Zealand Pouhere Taonga requesting that a new section or	Allow in full

Plan Reference	Submitter	Submission Point	Position on submission point	Reasons for support or opposition	Decision sought from Council
				subsection in the Proposed Plan refer to Te Tiriti o Waitangi.	
General	Rongomaraeroa Marae Trustees	S122.005	Support	Te Tiriti o Waitangi should be moved to its own section.	Allow in full
General	Ngāti Kere Hapū Authority	S134.002	Support	Amend the Tangata Whenua section to reflect the active development of a cogovernance capability at CHBDC and cogovernance capacity for mana whenua.	Allow in full
Te Whakataki: Introduction	Ngā hapū me ngā marae o Tamatea	S125.006 S125.007	Support	<i>Reword the 'Te Whakataki: Introduction' so that it meets mana whenua aspirations including the use of te reo. This section should be redrafted to more fully and accurately reflect the history, relationships and whakapapa of Māori in the rohe. The amended wording should be drafted collaboratively with the mana whenua of the District. This section should be written in both English and te reo.</i> We support this submission seeking that Te Whakataki is rewritten so that it	Allow in full

Plan Reference	Submitter	Submission Point	Position on submission point	Reasons for support or opposition	Decision sought from Council
				meets mana whenua aspirations including the use of te reo. We further support the inclusion of the principles of partnership, participation and protection of Te Tiriti o Waitangi.	
Ngā Reo o te Takiwa: Representative Voices	Ngāti Kere Hapū Authority	S134.001	Support	The PDP should include all relevant tangata whenua representatives.	Allow in full
Strategic Direction					
General	Heritage New Zealand Pouhere Taonga	S55.013	Support	It is important for the Strategic Direction to include the significant historic and cultural values of the district.	Allow in full.
RLR - Rural Land Resource	Ngā hapū me ngā marae o Tamatea	S125.008	Support	Amend the 'RLR - Rural Land Resource' chapter to include the following text (or alternative wording to similar effect): Tangata whenua/mana whenua are able to develop papakāinga housing, kaumātua flats and marae-based development on rural Whenua Māori or Māori Land.'	Allow in full

Plan Reference	Submitter	Submission Point	Position on submission point	Reasons for support or opposition	Decision sought from Council
				The rural zoned land of the district is important to tangata whenua/mana whenua to provide opportunities for our people to live and work in the district.	
TW - Ngā Tangata Whenua o Tamatea	Ngā hapū me ngā marae o Tamatea	S125.016		<i>Redraft the 'Mihi' at the beginning of the 'TW - Nga Tangata Whenua o Tamatea' chapter in the Proposed Plan to more fully and accurately reflect the history, relationships and whakapapa of Māori in the rohe including an appropriate mihi whakatau. The amended wording should be drafted collaboratively with the mana whenua of the District.</i> It is appropriate to reword this section so it does not repeat the mihi used in the Introduction.	Allow in full.
TW - Ngā Tangata Whenua o Tamatea	Ngāti Kere Hapū Authority	S134.005	Support	We support the ability for mana whenua to be able to live and work on that land and return to their whenua tipu.	Allow in full.
Historical and Cultural Values					

Plan Reference	Submitter	Submission Point	Position on submission point	Reasons for support or opposition	Decision sought from Council
SASM - Sites and Areas of Significance to Māori	Ngāti Kere Hapū Authority	S134.003	Support	We support the recommendation of Ngāti Kere Hapū Authority. <i>We recommend that the Council works with tangata whenua to develop a more effective method for identifying wāhi tapu and updates the list of wāhi tapu sites in the Plan using that method. We recommend that the planning regulations should require that resource consents automatically include a formal cultural impact assessment. We recommend that the CHBDC should actively develop training for tangata whenua around capability in assessment of resource consents and to develop capacity for the same.</i>	Allow in full.
SASM - Introduction	Kairakau Lands Trust	S84.003	Support	We support the proposal to amend 'SASM - Introduction' to include reference to both the Heritage New Zealand Pouhere Taonga (HNZPT) Act and the New Zealand Archaeological Association (NZAA) database.	Allow in full

Plan Reference	Submitter	Submission Point	Position on submission point	Reasons for support or opposition	Decision sought from Council
SASM - Introduction	Federated Farmers of New Zealand	S121.158	Oppose	<i>Amend the final paragraph in 'SASM - Introduction' as follows: '... The Council has recognised that the effective protection of wāhi tapu, wāhi taonga and sites of significance is dependent on the mutual goodwill of landowners and tangata whenua. Accordingly, the District Plan seeks to facilitate the opportunity for this to occur by adopting a partnership approach which recognises the importance of all parties. as part of the subdivision, development and land-use process.'</i> HTST supports full participation but considers the following words need to be retained 'as part of the subdivision, development and land-use process.'	Disallow
SASM-O1,O2 &O3	Ngā hapū me ngā marae o Tamatea	S125.039 - 041	Support	HTST support retaining SASM-O1,O2 and O3 as notified.	Allow in full
SASM-PXX (new policy)	Ngā hapū me ngā marae o Tamatea	S125.047	Support	<i>Add [a new policy?] to the 'SASM - Sites and Areas of Significance to Māori' chapter in the Proposed Plan as follows (or alternative wording to similar effect):</i>	

Plan Reference	Submitter	Submission Point	Position on submission point	Reasons for support or opposition	Decision sought from Council
				<p><i>'To encourage and support the visual acknowledgement of wāhi tapu and other places of significance through signage, information boards, poupou (traditional carved motifs) and other mahi toi.'</i></p> <p>HTST consider that a new policy relating to visual acknowledgment is appropriate.</p>	
SASM-P1	Federated Farmers of New Zealand	S121.160	Oppose	<p><i>Amend SASM-P1 as follows: 'To continue to identify, in partnership with tangata whenua and landowners, land within the District which contains wāhi tapu, wāhi taonga, and sites of significance.'</i></p> <p>While HTST is supportive of working with landowners and Federated Farmers in developing ongoing partnerships between tangata whenua and landowners we consider only tangata whenua can identify sites of wāhi tapu, wāhi taonga, and sites of significance.</p>	Disallow

Plan Reference	Submitter	Submission Point	Position on submission point	Reasons for support or opposition	Decision sought from Council
SASM-R4 and SASM – R5	Federated Farmers of New Zealand	S121.165 and S121.166	Oppose	Amend SASM-R4 as follows: 'Maintenance of existing farm fence lines and farm tracks Primary production activities within a site identified in SASM-SCHED3 1. Activity Status: PER Where the following conditions are met: a. No activity is to destroy, damage or modify a wāhi tapu, wāhi taonga or site of significance, including any excavation, modification or disturbance of the ground containing the wāhi tapu, wāhi taonga or site of significance....' HTST consider that the amended wording is vague as the term “primary production activities” is very broad and the amendments change the focus of the rule.	Disallow
SASM-SCHED3	Mataweka Marae Waipawa	S30.001	Support	It is appropriate that the following sites are recorded: <i>Add the following significant Mana Whenua Wahi Tapu sites to the SASM Schedule:</i> 1. Mataweka Urupa - We are unsure if our current urupa is listed, therefore we	Allow in full

Plan Reference	Submitter	Submission Point	Position on submission point	Reasons for support or opposition	Decision sought from Council
				<p>would like to ensure that it is. Situation at approximately 233 Tapairu Rd, which is situated a few hundred metres from the current Mataweka marae.</p> <p>2. Old Mataweka Pa site - early 1800s. Was situated down by the riverside of the Waipawa river at the end of Tapairu Road. Flooding forced the relocation of the Mataweka marae to its current site. Oil painting attached.</p> <p>3. Old Mataweka urupa - the urupa that serviced the old Mataweka Pa site was also down beside the Waipawa River. Map attached.</p> <p>4. Te Hauapu fortified pa - along the Waipawa river. Map attached.</p> <p>5. Hutana Memorial Trees and wahi tapu site - Trees currently stand on banks of Waipawa River at the end of Tapairu Road Waipawa - photos attached.</p>	
SASM-SCHED3	Heritage New Zealand Pouhere Taonga	S55.050,051,052	Support	HTST support the amendments proposed to the schedules to correctly reference the sites.	Support in full

Plan Reference	Submitter	Submission Point	Position on submission point	Reasons for support or opposition	Decision sought from Council
SASM-SCHED3	Federated Farmers of New Zealand	S121.171	Oppose	<p><i>Adjust the location and extent of 'Sites and Areas of Significance to Maori' in SASM-SCHED3 according to landowner submissions. And ensure landowners are aware of nonregulatory methods and assistance available to them.</i></p> <p>THST are concerned that this will not appropriately include mana whenua in the decision-making process.</p>	Disallow

Natural Environment Values

ECO - Ecosystems and Indigenous Biodiversity	Ngāti Kere Hapū Authority	S134.007	Support	<p><i>[Ensure provision for papakāinga - kaumatua housing in the Proposed Plan is not impeded by 'Significant Natural Area' provisions where these areas overlay residual lands owned by Māori.]</i></p> <p><i>We recommend that CHBDC launch an intensive communication and with mana whenua of Tamatea around land and housing development.</i></p> <p>We support the Plan providing for mana whenua to live on their land and to ensure housing can be provided.</p>	Allow in full
--	---------------------------	----------	---------	---	---------------

Plan Reference	Submitter	Submission Point	Position on submission point	Reasons for support or opposition	Decision sought from Council
ECO-IXX (new issue)	Ngā hapū me ngā marae o Tamatea	S125.051	support	<p>Add a new issue in the 'ECO - Ecosystems and Indigenous Biodiversity' chapter in the Proposed Plan as follows (or alternative wording to similar effect):</p> <p>'The inability of mana whenua to exercise kaitiakitanga in the protection of Significant Indigenous Vegetation and Significant Habitats of Indigenous Fauna.'</p> <p>We support the provision of the above issue and the integrated, holistic approach to environmental management.</p>	Allow in full
NFL-P1-P8	Department of Conservation	S64.070, 071, 072, 073, 074, 075, 076 and 077	Support	<p>Retain NFL - 1-8</p> <p>HTST supports the inclusion of these policies recognising the natural features and landscapes of the district.</p>	Allow in full
Subdivision					
SUB – Subdivision	Kairakau Lands Trust	S84.015	Support	<p>Require a cultural assessment during the subdivision consent process to</p>	Allow in full.

Plan Reference	Submitter	Submission Point	Position on submission point	Reasons for support or opposition	Decision sought from Council
				<p>ensure that sites of significance to Māori are identified before any parcel of land changes ownership. Require the NZAA ArchSite database to be checked. Require subdivisions within 100m of a recorded site to be checked by an archaeologist or suitably experienced person. Require subdivisions within an area of known Māori occupation or where cultural activity is suspected to be checked by an archaeologist or suitably experienced person in every instance. HTST support the proposed changes to better recognise and provide for sites of significance to Māori.</p>	
SUB - Subdivision	Ngā hapū me ngā marae o Tamatea	S125.068	Support	<p>Amend the 'SUB - Subdivision' chapter in the Proposed Plan to incorporate the Whānau Ora Outcomes Framework as part of future spatial and urban design. The amended wording should be drafted collaboratively with mana whenua of the District and would include the following outcomes: a) Whānau are self-managing and</p>	Support in full.

Plan Reference	Submitter	Submission Point	Position on submission point	Reasons for support or opposition	Decision sought from Council
				<p><i>empowered leaders. b) Whānau are leading healthy lifestyles.</i></p> <p><i>c) Whānau are confidently participating in Te Ao Māori (the Māori world). d) Whānau are participating fully in society</i></p> <p><i>e) Whānau are economically secure and successfully involved in wealth creation.</i></p> <p><i>f) Whānau are cohesive, resilient and nurturing. g) Whānau are responsible stewards of their living and natural environment.</i></p> <p>We support the inclusion of Māori values into urban design and providing opportunities for mana whenua to develop their land.</p>	
General District-Wide Matters					
General	Ngā hapū me ngā marae o Tamatea	S125.071	Support	<p><i>Amend the provisions of the Plan, including policies and rules, that prevent the development of Māori-owned land. In particular, the Plan should include provisions that enable access to Māori owned land from state highways and</i></p>	Allow in full

Plan Reference	Submitter	Submission Point	Position on submission point	Reasons for support or opposition	Decision sought from Council
				<p>arterial roads where that is the only practicable access option.</p> <p>HTST consider that it is important for the Plan to appropriately provide for the development of all Māori owned land to enable mana whenua to contribute to the local community.</p>	
PKH - Papakāinga And Kaumātua Housing, and Associated Marae Based Development	Ngāti Kere Hapū Authority	S134.006	Support	<p><i>We recommend that the Proposed Plan states a commitment to promoting housing opportunities for hapū members across all classes of land.</i></p> <p>We agree that it is important to ensure that the Plan enables the development of all Māori owned land.</p>	Allow in full
Zones					
General Rural Zone GRUZ-R11	New Zealand Pork Industry Board	S57.146	Oppose	<p>Having provision for education activities in the General Rural Zone is supportive of existing infrastructure at the school. Our submission point S120.025 provides for community facilities that exceed 100m² gross floor area be provided for as Controlled Activities. The Rural zones provide for a range of activities</p>	Disallow

Plan Reference	Submitter	Submission Point	Position on submission point	Reasons for support or opposition	Decision sought from Council
				<p>that support the rural communities of the district.</p> <p>HTST consider that within the General Rural zone there are existing educational facilities existing that should be provided for and enabled to develop where appropriate.</p>	
GRUZ-R11	Ministry of Education	S73.020	Support in Part	<p>The submission of the Ministry suggests alternative maximum floor areas for the activity status of a development. HTST consider that it is appropriate to provide for existing educational facilities in the Rural zone and the rules should reflect this appropriately.</p> <p><i>Amend GRUZ-R11(1)(a) as follows: '1. Activity Status: PER Where the following conditions are met: a) Limited to 300-500m² gross floor area. b) ...' And amend GRUZ-R11(2) as follows: '2. Activity status where gross floor area is 300- 500m² and/or compliance with condition GRUZR11(1)(b) is not achieved: RDIS ...' And amend GRUZ-R11(3) as follows: '3. Activity status where gross</i></p>	Allow in full

Plan Reference	Submitter	Submission Point	Position on submission point	Reasons for support or opposition	Decision sought from Council
----------------	-----------	------------------	------------------------------	-----------------------------------	------------------------------

floor area is over 500m² and/or where compliance with condition GRUZ-R11(1)(a) and/or GRUZ-R11(1)(c) is not achieved: DIS'
