

Form 5

Submission on Plan Change 54: Papakāinga

Schedule 1 of the Resource Management Act (RMA) 1991

To: Matamata-Piako District Council

Submitter's details:

Name: _____
(Organisation / Individual)

Contact person: _____
(If different from above)

Address for correspondence: _____

Phone: _____

E-mail: _____

This is a submission on Plan Change 54: Papkāinga

The specific provisions of the plan change that my submission relates to are: _____

My submission is (include whether you support or oppose the specific provisions or wish to have them amended, and the reasons for your views; attach additional pages if necessary): _____

I seek the following decision from Council (please give precise details):

☐ Accept the plan change

☐ Decline the plan change

☐ Accept the plan change with the following amendments

☐ If the plan change is not declined, make the following amendments

I wish to present at the council planning hearing:

☐ Yes ☐ No

PLEASE NOTE: IF YOU DO NOT TICK EITHER "YES" OR "NO" ABOVE, THEN IT WILL BE ASSUMED THAT YOU DO NOT WISH TO BE HEARD.

I would be prepared to present a joint case at the hearing with others making a similar submission:

☐ Yes ☐ No

I could gain an advantage in trade competition through this submission.

☐ Yes ☐ No

If you could gain an advantage in trade competition through this submission please complete the following:

I am directly affected by an effect of the subject matter of this submission that—

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

☐ Yes ☐ No

Signed: Mckinlay Date: _____

Notes:

- The submission and decision you wish Council to make should only relate to the contents of the proposed plan change
- Submissions close at **4.30pm, Monday, 13 February 2023.**
- Please send the completed form before the closing date to: Matamata-Piako District Council, PO Box 266, Te Aroha or email to submissions@mpdc.govt.nz or complete online at mpdc.nz/papakainga; or you can drop it off at any Council office.
- I accept that by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public. After the closing date, all submissions received will be available for public viewing.
- Privacy Policy for MPDC can be viewed on the MPDC website <https://www.mpdc.govt.nz/contact-us/privacy-policy>

Office use only:

CM # _____ NAR # _____ Container: 22/16276



9 February 2023

Matamata-Piako District Council
PO Box 266, Te Aroha 3342
Aotearoa New Zealand

Tēnā koe

Plan Change 54: Papakāinga

Please find attached, the Māori Trustee's submission in response to Plan Change 54: Papakāinga.

Should you have any questions or queries, please feel free to contact our Resource and Environmental Specialist, Hannah McKinlay. Hannah can be contacted on (04) 474 4629 or by email at Hannah.McKinlay@tetumupaeroa.co.nz.

Ngā manaakitanga,



Dr Charlotte Severne
Māori Trustee



Plan Change 54: Papakāinga

**Submission by the Māori Trustee on the draft Plan Change 54:
Papakāinga**

9/02/2023



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Summary of Position

1. The Māori Trustee administers, as trustee or agent, nearly 90,000 hectares of Māori freehold land on behalf of approximately 100,000 individual Māori landowners. Te Tumu Paeroa is the organisation that supports the Māori Trustee to carry out her functions, roles and responsibilities. Detailed information regarding the Māori Trustee and Te Tumu Paeroa is set out in Appendix A. Additional information can be found on Te Tumu Paeroa's website, www.tetumupaeroa.co.nz.
2. The views expressed in this submission on the 'Proposed Plan Change 54: Papakāinga' (PC-54) are those of the Māori Trustee as the single largest administrator of Māori land in Aotearoa. The Māori Trustee administers 10 blocks (147.29 hectares) across the Matamata-Piako District, representing approximately 700 beneficial ownership interests. Necessarily, this means the views of the Māori Trustee may not be shared by some owners of land impacted by PC-54. Further, and to labour the point, the Māori Trustee does not speak for or otherwise represent iwi, hapū or other holders of Māori land, some of whom are likely to submit on PC-54.
3. Our specific responses to the draft provisions of PC-54 are set out in paragraphs 8 – 12 below.
4. In summary, the Māori Trustee is generally comfortable with the objectives, policies and rules in PC-54. However, the Māori Trustee considers minor amendments need to be made to the Papakāinga definition to expressly provide for Māori landowners.
5. The Māori Trustee's submission naturally focuses on those parts of PC-54 (in its current form) that impact on land she administers.
6. While that remains the Māori Trustee's focus, if any other parts of PC-54 were changed in consequence of this submission round and the Māori Trustee considered that these changes negatively impacted on land she administers, she would like the opportunity to address her concerns with council officials.
7. The Māori Trustee would welcome the opportunity to discuss her submission with council representatives.



Specific Submissions

3.10.2 Papakāinga

8. The Māori Trustee is generally comfortable with the 'Papakāinga' objectives (O1 – O3) and policies (P1 – P8) in this chapter.

6.1 Papakāinga on land that was Māori Freehold Land at or before (date of plan notification)

9. The Māori Trustee supports one kāinga per hectare, up to a maximum of five kāinga per site being a permitted activity for Māori Freehold Land located in the Rural Zone (6.1.1).

Māori Purpose Zone

10. The Māori Trustee is generally comfortable with the Māori Purpose Zone's objectives (O1 – O3), policies (P1 – P8) and rules (PREC1(1) – (5); PREC2(1) – (4)).

15 Definitions (Papakāinga)

11. The Māori Trustee considers that the definition of 'papakāinga' needs to be amended in PC-54 to expressly provide for Māori landowners. Papakāinga is currently defined in PC-54 as a development by and for tangata whenua however a definition for tangata whenua is not currently provided or proposed to be provided as part of PC-54. The definition of tangata whenua would therefore be taken from the Resource Management Act 1991¹ which would only allow iwi and hapū to utilise the proposed papakāinga provisions. The Māori Trustee therefore proposes that the papakāinga definition be amended to include Māori landowners in addition to tangata whenua. This will ensure that all Māori landowners will benefit from papakāinga provisions and are enabled to return to, develop and occupy their whenua.
12. The Māori Trustee proposes the following amendments be made to the Papakāinga definition:
 - a. A development by tangata whenua *and Māori landowners* on ancestral lands in their traditional rohe and established to be occupied by tangata whenua *or Māori landowners* for residential activities and ancillary social, cultural, economic, conservation and/or recreation activities to support the cultural, environmental and economic wellbeing of tangata whenua *and Māori landowners*.

¹ "tangata whenua, in relation to a particular area, means the iwi or hapū, that holds mana whenua over that area", [Resource Management Act 1991 No 69 \(as at 28 September 2022\), Public Act 2 Interpretation – New Zealand Legislation](#)



Conclusion

13. The Māori Trustee looks forward to discussing this submission with Council representatives.
14. Please contact Hannah McKinlay to arrange a time for the Māori Trustee to speak to this submission. Hannah can be contacted on (04) 474 4629 or by email at Hannah.McKinlay@tetumupaeroa.co.nz.

A handwritten signature in black ink, appearing to read 'Charlotte Severne'.

Dr Charlotte Severne
Māori Trustee



Appendices

Appendix A – The Māori Trustee and Te Tumu Paeroa

Who We Are

15. The Māori Trustee is appointed by the Minister for Māori Development under the Māori Trustee Act 1953. The role of the Māori Trustee, is to provide accurate and timely administration and management of whenua and other client assets in compliance with the principles and obligations of trusteeship and agency, and in accordance with the Māori Trustee Act 1953, Trusts Act 2019, Te Ture Whenua Māori Act 1993 and other legislation. The current Māori Trustee, Dr Charlotte Severne, was appointed for a three-year term in September 2018 and was re-appointed for a five-year term in October 2021.
16. Te Tumu Paeroa is the organisation that supports the Māori Trustee to undertake her functions, duties and responsibilities.
17. The Māori Trustee administers around 88,000 hectares of Māori freehold land, as well as general land and other interests and investments, on behalf of approximately 100,000 Māori Land owners.
18. A primary objective of The Māori Trustee, is to protect, utilise and grow the assets of our Māori land owners. The organisation provides land administration and professional trustee and agency services to one third of all Māori land trusts (over 1,700 trusts), as well as targeted development and sector-specific expertise. The organisation is involved in the management of a number of Māori enterprises and development projects.
19. The Māori Trustee currently employs 124 staff across five offices throughout New Zealand, with the Māori Trustee located in Te Whanganui-a-Tara. Our organisation is made up of, but not limited to, trust and property management, law, client services, and other specialist teams. Our employees are focussed on protecting and enhancing the whenua Māori that we have the privilege to administer on behalf of its landowners and their tipuna.
20. Te Tumu Paeroa is unique, in that it is the only nation-wide organisation that manages significant tranches of Māori land and assets on behalf of Māori landowners.

Our Vision and Priorities

21. Our vision is: Ko Te Tumu Paeroa tēnei, te tauawhi nei, te taunaki nei, te tiaki nei ngā whenua Māori mō naianei, mō āpōpō hoki. Ensuring Māori land is protected and enhanced, now and for generations to come.
Our vision requires a careful balance between protection of the whenua and taiao and enhancement of the whenua through a range of pathways, including commercial development.
22. Our purpose is to be a dedicated professional trustee service for Māori.
23. Our strategic priorities assist us to deliver on our vision and purpose:



- a. Ensuring consistent delivery of professional trustee services.
- b. Building trust and confidence across all of our engagements.
- c. Demonstrating leadership in meeting new challenges to governance and administration of whenua Māori.

24. Our responsibility as trustee in the context of PC-54, is to ensure that the voices of the whenua that we are responsible for, and those landowners who whakapapa to that whenua, are heard and understood.

Our Portfolio

25. Our portfolio currently² consists of the following:

- a. Number of trusts and other entities under administration – 1,746.
- b. Number of hectares under management – 88,000.
- c. Number of owner accounts maintained – 102,502.
- d. Number of ownership interests – 258,469.
- e. Number of leases administered – 1,732.
- f. Client funds under management (market value) – \$ 130.1 million.
- g. Māori Trustee equity – \$ 170.7 million.

Our Mahi

The Māori Trustee has the responsibility to ensure that the best interests and outcomes for Māori land owners are advanced by Te Tumu Paeroa's mahi.

26. Our core services are:

- a. Administering trusts as responsible trustee, custodian trustee, and agent
- b. Convening, running and recording proceedings of meetings of beneficial owners
- c. Responding to requests for information
- d. Consulting with advisory trustees and owners
- e. Leasing property on behalf of owners and administering leases
- f. Collecting rent and managing arrears and bad debts
- g. Managing contracts for service entered into by trusts
- h. Managing and investing cash assets in the Common Fund
- i. Reporting to beneficial owners
- j. Acquiring and paying for goods and services
- k. Preparing financial statements and annual tax returns
- l. Keeping records for trusts we administer
- m. Making trust distributions to owners
- n. Administering grants and scholarships

² The Māori Trustee Annual Report 2022



- o. Making applications to the Māori Land Court
- p. Reviewing land use and considering, where appropriate, alternative land use options
- q. Developing and enhancing property and land management including Asset Management and Farm Environment Plans
- r. Managing and providing support services for the General Purposes Fund

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