

Submission by Te Kotahitanga o Ngati Tuwharetoa (TKNT) on Taupo District Council Plan Change 38 to the hearing Commission

Date: 17/08/2023

1. Ko tenei te mihi ki nga mema o Te Hearing Commission. No reira, tena koutou, tena koutou katoa.
2. My full name is **George Te Waaka Eruera Asher**. I am an advisory member of **Te Poari Mahi**, the strategic advisory entity to **Te Kotahitanga o Ngati Tuwharetoa** (TKNT). The role and purpose of TKNT is outlined in my submission.
3. I hold the qualification of Bachelor of Town Planning from Auckland University and Bachelor of Arts (Anthropology, Education) from University of Otago.
4. I have over 50 years of experience and accumulated knowledge in governance and management of Māori land and resource development. Earlier in my career I have held resource planning roles with local and regional authorities and at national level. Throughout most of my career I have been involved in forestry management and development at international and national levels including being the CE for Lake Taupo and Rotoāira Forest Trusts for 26 years. I have fulfilled the role as Treaty claims negotiator for all three Ngati Tuwharetoa claims settlements.
5. I have perused the relevant background material (Section 32, Section 42A) made available to the Hearing's Panel that has been prepared as reference for participants in submissions hearings.
6. The purpose of my submission this morning is to clarify the key messages from my original submission.
7. I fully acknowledge the exceptional effort that has been made by the Council's planning staff in transforming the existing sections of the District Plan into a document that better articulates the context and values of tangata whenua. These are bold and positive steps for any council to take, however, I encourage you to consider the further suggestions of tangata whenua for improvements to the objectives and policies outlined in **Plan Change 38**.

8. My specific recommendations are as follows:

2.1 STRATEGIC DIRECTION 1 TANGATA WHENUA

9. As noted in my original submission, the Council, has a statutory duty under the Resource Management Act 1991 to recognise and provide for Te Kaupapa Kaitiaki when undertaking its Plan Changes.

10. Te Kaupapa Kaitiaki is referenced under Policy 2.2.3 in connection with two other named water bodies in the district. In this context it may be interpreted that the scope of Te Kaupapa Kaitiaki may be confined to a hydrological context. In fact, Te Kaupapa kaitiaki is the high level strategic plan for the Taupo Catchment, an extensive, geographical domain that encompasses all nature of resource management applications (refer Map - **Appendix 1**)

11. I recommend as a matter of utmost importance to Ngati Tuwharetoa, and in acknowledgement of the 30 years of its undertaking for claims settlement, that the following explicit reference be inserted within Objective 2.1.2:

Recognise and provide for the vision, objectives, values, and desired outcomes in Te Kaupapa Kaitiaki. (Section 181 of the Ngati Tuwharetoa Settlement Act, 2018)

12. I Recommend that where reference is made to “Māori land”, that ‘general land’ be added, or ‘Maori owned land be substituted, to ensure that all land interests of tangata whenua are included in development, utilisation and enjoyment (recreation) provisions of the Plan Change. This should apply to Objective 2.1.2 (4), Policy 2.1.3 (2), (6). Note that (5) can remain without change however the expression “freehold land” should be changed to ‘general land’.

13. This change will reflect the reality that tangata whenua are owners of ‘Māori’ and ‘General’ land. This is particularly relevant since claims settlements that have resulted in ‘redress properties’ to be returned to tangata whenua as general land.

2.2 STRATEGIC DIRECTION 2 FRESHWATER QUALITY / TE MANA O TE WAI

14. **Objective 2.2.2** in particular, and **Policy 2.2.3**, in general, do not provide explicit recognition and weight to the fundamental importance of Te Mana o te Wai, a statutory requirement that was enacted in 2020.

15. To achieve this I recommend that an explicit statement be inserted in **Objective 2.2.2** providing for freshwater and water bodies to be managed in accordance with the hierarchy and principles of Te Mana o te Wai. In addition, I recommend that a statement be included in Policy 2.2.3 to reflect outcomes consistent with the added objective.

2.3 STRATEGIC DIRECTION 3 URBAN FORM AND DEVELOPMENT

16. I recommend that a cautionary approach be adopted when considering the 2018 District wide growth management strategy, TD2050. TKNT consider that its use as the guideline for confirming future town centre, kainga and residential development is flawed due to the incomplete nature of consultations and inadequate Māori involvement in the finalisation of that policy. As a result, potential Māori developments did not receive proper attention. Te Kotahitanga o Ngati Tuwharetoa support the submissions of those Ahu Whenua Trusts that are seeking changes to Council's policies in this strategic direction.

2.4 STRATEGIC DIRECTION 4 CLIMATE CHANGE

17. TKNT note that this is a work in progress and seeks to establish a working relationship between Ngati Tuwharetoa hapū and Council to provide important cultural, tikanga and geographical context relevant to climate change adaptation and resilience.

2.5 STRATEGIC DIRECTION 5 SIGNIFICANT AND LOCAL INFRASTRUCTURE

18. TKNT acknowledge the benefits of nationally and regionally significant infrastructure to the District. TKNT emphasise, however, that the bulk of electricity generation and transmission and significant road network infrastructure, has been achieved at immense economic cost and irreconcilable impairment to the cultural spiritual and social wellbeing of Ngati Tuwharetoa hapū and whanau.
19. TKNT desire to ensure that the Council's its future strategy will avoid such adverse impacts in future and recommends that the following statement be inserted into Objective 2.5.2:

That infrastructure constructed and located within the Taupō District is planned and constructed in a manner that protects the health and well-being of tangata whenua, the community, te taiao and taonga tuku iho and operates in a safe and efficient manner.

2.6 STRATEGIC DIRECTION 6 NATURAL ENVIRONMENT VALUES

20. The strenuous opposition of Ngati Tuwharetoa landowners and hapū to Council's policy on Significant Natural Areas (SNAs) since 1999 has resulted in zero change to the methodology and implementation of SNAs policy.
21. Identification and assignment of SNAs on Māori owned land is being imposed without proper consultation with owners and through a lens that is devoid of historical and cultural context. As such the process of assignment fails to provide Māori landowners with an opportunity to evaluate important information including significant biodiversity protection choices and land use options.

22. TKNT note that this policy is in breach of principles of Te Tiriti (The Treaty) and is inconsistent with the objectives in Strategic Direction 1: Tangata Whenua. TKNT is open to discuss this further with Council to find a suitable solution to this issue.

23. While time does not allow me to mention and acknowledge the many submissions that align with the vision, objectives and desired outcomes of tangata whenua, iwi/hapū, land owners and community interests, TKNT acknowledges and confirms its support for your submissions

24. No reira, Ka nui te mihi ki a koutou.

Appendix 1: Map of Taupo Catchment



Appendix 2: Map of Ngati Tuwharetoa Area of Interest

