

**TE
TUMU
PAEROA**

Office of the Māori Trustee



The Māori Trustee's submission on Kia urutai, kia ora: Proposed Te Tai o Poutini Plan

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Table of Contents

Summary of Position.....	4
General Submissions.....	5
Amendments to existing definitions.....	5
A preference for the use of a singular term for words with similar connotations	5
Additional definitions required	5
Context of this submission	6
Specific Submissions	7
Submission table	7
Conclusion	29
Appendices	30
Appendix A – The Māori Trustee and Te Tumu Paeroa	30
Who We Are.....	30
Our Vision and Priorities	30
Our Portfolio	31
Our Mahi.....	31



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 Te Tai o Poutini combined District Plan' (Proposed Plan) are those of the Māori Trustee as the single largest administrator of Māori land in Aotearoa. The Māori Trustee administers 12 blocks (1,865 hectares) across the Buller and Westland districts, representing approximately 4,400 beneficial ownership interests. Necessarily, this means the views of the Māori Trustee may not be shared by some owners of the land impacted by Proposed Plan. 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 this Proposed Plan.
3. Our submission table is set out in pages 7–28 below. It contains the Māori Trustee's specific responses to draft provisions in the Proposed Plan.
4. In summary, the Māori Trustee is generally comfortable with the objectives, policies, rules and methods to manage land use activities and subdivision across the Buller, Grey and Westland districts in the Proposed Plan. However, the Māori Trustee considers amendments are required to recognise all Māori landowners, reduce ambiguity and to provide clear direction to those implementing plan provisions.
5. The Māori Trustee would welcome the opportunity to discuss her submission with council representatives.
6. Before turning to specific submissions on the document set out below, the Māori Trustee wishes to highlight four matters: amendments to existing definitions; a preference for the use of a singular term for words that have similar connotations; additional definitions required; and the context of this submission.



General Submissions

Amendments to existing definitions

7. The Māori Trustee considers that the definition of ‘papakāinga’ needs to be amended in the Proposed Plan to provide for Māori landowners. The Māori Trustee administers whenua Māori on behalf of Māori landowners in Te Tai o Poutini and notes that not all Māori landowners are registered members of Poutini Ngāi Tahu. The current papakāinga definition only provides for Poutini Ngāi Tahu members. The Māori Trustee, therefore, considers that the definition needs to be amended to include Māori landowners who whakapapa but may not be registered members of Poutini Ngāi Tahu. This will ensure that all Māori landowners will benefit from papakāinga provisions and could encourage and assist Māori landowners to become registered members of Poutini Ngāi Tahu through the process.
8. The Māori Trustee proposes the following amendments be made to the Papakāinga definition:
 - a. Papakāinga means a development for Poutini Ngāi Tahu residing on the West Coast and/or other Māori landowners providing residential accommodation for members, underlying owners and their whānau and includes communal buildings and facilities.

A preference for the use of a singular term for words with similar connotations

9. The Māori Trustee notes that the following terms appear to be used interchangeably within the Proposed Plan. The Māori Trustee’s preference is that a singular term is chosen and used throughout the Proposed Plan or a definition be given to highlight their nuance. This will reduce ambiguity and ensure consistency when implementing the plan.
 - a. Poutini Ngāi Tahu; Poutini Ngāi Tahu whānui; Poutini Ngāi Tahu community; Poutini Ngāi Tahu members;
 - b. Poutini Ngāi Tahu land; Ancestral land;
 - c. Cultural uses; Cultural purposes; Cultural activities

Additional definitions required

10. The Māori Trustee considers that definitions for the following terms¹ used within the Proposed Plan need to be provided to reduce ambiguity and allow for consistent application.
 - a. Ancestral land;
 - b. Cultural activities;
 - c. Cultural materials;

¹ The Māori Trustee has included terms mentioned in paragraph 10 of this submission, however it is preferable, that a singular term be utilised throughout the plan unless they have definitional differences.



- d. Cultural purposes;
- e. Cultural uses;
- f. Poutini Ngāi Tahu community;
- g. Poutini Ngāi Tahu members;
- h. Poutini Ngāi Tahu land;
- i. Poutini Ngāi Tahu whānui;
- j. Suitably qualified and experienced person; and
- k. Te Rūnanga o Ngāi Tahu land.

Context of this submission

11. The Māori Trustee's submission naturally focusses on those parts of the Proposed Plan (in its current form) that impact on land she administers.
12. While that remains the Māori Trustee's focus, if any other parts of the Proposed Plan 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.



Specific Submissions

Submission table

Proposed District Plan provisions	Support or oppose	Māori Trustee submission	Relief sought
Strategic Direction Agriculture – Te Ahuwhenua		Māori Trustee submission	Relief sought
AG 01 - 02	Support	The Māori Trustee is generally comfortable with the 'Agricultural' objectives in this chapter.	N/A
Connections and Resilience – Ngā Hononga me te Manawa Titi		Māori Trustee submission	Relief sought
CR 01 – 04	Partially support	<p>The Māori Trustee is generally comfortable with the 'Connections and Resilience' objectives in this chapter.</p> <p>However, the Māori Trustee considers that an expressed objective is needed to address the impacts that climate change will have on whenua Māori and state how this Proposed Plan intends to build resilience for Māori landowners. This is pertinent given that there is a significant amount of whenua Māori in the coastal environment that is likely to be detrimentally impacted by climate change. This new objective will need to expressly address managed retreat.</p>	The Māori Trustee considers that there should be an express objective to address the impacts that climate change will have on whenua Māori and state how this Proposed Plan intends to build resilience for Māori landowners. This new objective will also need to expressly address managed retreat.
Mineral Extraction – Te Tango Kohuke		Māori Trustee submission	Relief sought

Māori Trustee Submission

Proposed Te Tai o Poutini Plan



MIN O1 – O6	Support	The Māori Trustee is generally comfortable with the mineral extractions objectives in this chapter.	N/A
Natural Environment – Te Taiao		Māori Trustee submission	Relief sought
NENV O1 – O4	Partially support	<p>The Māori Trustee is generally comfortable with objectives NENV O1 – O3 in this chapter.</p> <p>However, the Māori Trustee considers NENV O4 needs to expressly reference significant natural areas.</p>	<p>The Māori Trustee considers that the following amendment needs to be made to objective NENV O4.</p> <p>Amendments To clearly identify: O4(a). Unique and important natural environment areas and features on the West Coast/Te Tai o Poutini which must be protected <i>including significant natural areas</i>; and</p>
Poutini Ngāi Tahu		Māori Trustee submission	Relief sought
Objectives			
POU – O1	Partially support	<p>The Māori Trustee is generally comfortable with the objectives in the ‘Poutini Ngāi Tahu’ chapter.</p> <p>However, the Māori Trustee reiterates her point made in paragraph 11 that Poutini Ngāi Tahu land needs to be defined within the Proposed Plan.</p>	The Māori Trustee considers that ‘Poutini Ngāi Tahu land’ should be defined in the definitions chapter of the Proposed Plan.
POU – O2	Partially support	<p>The Māori Trustee supports and acknowledges Poutini Ngāi Tahu as mana whenua of their lands and treaty partner of Te Tai o Poutini.</p> <p>The Māori Trustee administers whenua Māori on behalf of Māori landowners in Te Tai o Poutini and notes that it is likely that not all Māori landowners are registered members of Poutini Ngāi Tahu. The Māori Trustee highlights that the papakāinga definition in the Proposed Plan only provides for Poutini Ngāi Tahu</p>	<p>The Māori Trustee considers that the Papakāinga definition in the definitions chapter needs to include reference to Māori landowners.</p> <p>The Māori Trustee considers that the following amendment needs to be made to POU O2.</p> <p>Amendments</p>

Māori Trustee Submission

Proposed Te Tai o Poutini Plan



		<p>members. Therefore, the definition of papakāinga should be amended to include Māori landowners who whakapapa but may not be registered members of Poutini Ngāi Tahu. This will ensure that all Māori landowners will benefit from papakāinga provisions.</p> <p>The Māori Trustee supports Poutini Ngāi Tahu exercising their cultural rights and interests on Poutini Ngāi Tahu land. However, the exercising of these rights and interests on whenua that is not part of their landholding should have a ‘where appropriate’ qualifier.</p>	<p>O2. To include Te Tai Poutini wide provisions to support Poutini Ngāi Tahu exercise of cultural rights and interests, <i>where appropriate</i>, including:</p> <ol style="list-style-type: none"> Establishment of papakāinga; Access to mahinga kai and cultural materials; Management of Pounamu and Aotea stone; and Management of taonga and wāhi tapu.
Policies			
POU – P5	Partially support	<p>The Māori Trustee is generally comfortable with the policies in the ‘Poutini Ngāi Tahu’ chapter.</p> <p>However, the Māori Trustee reiterates her point made in paragraph 11 that cultural materials needs to be defined within the Proposed Plan.</p>	<p>The Māori Trustee considers that ‘cultural materials’ should be defined in the definitions chapter of the Proposed Plan.</p>
POU – P9	Partially support	<p>The Māori Trustee supports and acknowledges Poutini Ngāi Tahu position as mana whenua of their lands and treaty partner of Te Tai o Poutini.</p> <p>The Māori Trustee administers whenua Māori on behalf of Māori landowners in Te Tai o Poutini and notes that it is likely that not all Māori landowners are registered members of Poutini Ngāi Tahu. The tikanga of Māori landowners should be weighed equally with the tikanga of Poutini Ngāi Tahu members in this</p>	<p>The Māori Trustee considers that the following amendment needs to be made to policy POU P9.</p> <p>Amendments</p> <p>P9. Recognise Poutini Ngāi Tahu <i>and Māori landowners</i> as specialists in tikanga and as being best placed to convey their relationship with their ancestral lands, water, sites, wāhi tapu and other taonga.</p>

Māori Trustee Submission

Proposed Te Tai o Poutini Plan



		policy. This will ensure that all Māori landowners are recognised as specialists in their own tikanga.	
Tourism – Te Tāpoi		Māori Trustee submission	Relief sought
TRM - O1	Support	The Māori Trustee is generally comfortable with the 'Tourism' objective in this chapter.	N/A
Hazards and Risks		Māori Trustee submission	Relief sought
Natural Hazards (NH) – Ngā Mōreareatanga			
Objectives			
NH O1 – O6	Partially support	The Māori Trustee is generally comfortable with the 'Natural Hazards' objectives in this chapter. However, the Māori Trustee considers that managed retreat should be expressly addressed in the objectives of this chapter. This will align with policies NH P4 and P5.	The Māori Trustee considers the following objective should be inserted in this chapter. Amendments NH – O7 <i>To work with Poutini Ngāi Tahu and landowners to identify areas suitable for managed retreat.</i>
Policies			
NH P1 – P14	Support	The Māori Trustee is generally comfortable with the 'Natural Hazards' policies in this chapter.	N/A
Rules			
NH – R1	Partially support	The Māori Trustee is generally comfortable with the 'Natural Hazards' rules in this chapter. However, the Māori Trustee considers that NH R1(3) does not sufficiently account for circumstances outside landowners control that may delay the reconstruction or replacement of a building within the	The Māori Trustee considers a footnote should accompany NH R1(3) to provide exceptions for circumstances outside landowners control that may delay the reconstruction or replacement of a building within the 2 year timeframe. However, if reconstruction or replacement works are not completed within a 5 year timeframe the status of this activity should no longer be permitted. This aligns with NH R1(4).



		<p>2 year timeframe. These could include (but are not limited to):</p> <ul style="list-style-type: none"> • Backlog of insurance claims; • Supply shortages; • Unresolved litigation; • Labour shortages; • Delays to the repairing of key infrastructure (i.e. roads). <p>However, if reconstruction or replacement works are not completed within a 5 year timeframe the status of this activity should no longer be permitted. This aligns with NH R1(4).</p>	
<p>NH – R38</p>	<p>Partially support</p>	<p>The Māori Trustee considers NH R38(2)(b), with regards to the coastal severe overlay, does not sufficiently account for circumstances outside landowners control that may delay the reconstruction or replacement of a building within the 2 year timeframe. These could include (but are not limited to):</p> <ul style="list-style-type: none"> • Backlog of insurance claims; • Supply shortages; • Unresolved litigation; • Labour shortages; • Delays to the repairing of key infrastructure (i.e. roads). <p>However, if reconstruction or replacement works are not completed within a 5 year timeframe the status of this activity should no longer be permitted. This aligns with the coastal alert overlay.</p>	<p>The Māori Trustee considers a footnote should accompany NH R38(2)(b) to provide exceptions for circumstances outside landowners control that may delay the reconstruction or replacement of a building within the 2 year timeframe.</p> <p>However, if reconstruction or replacement works are not completed within a 5 year timeframe the status of this activity should no longer be permitted. This aligns with the coastal alert overlay.</p>



Historical and cultural values		Māori Trustee submission	Relief sought
Notable Trees – Ngā Rākau Whakamaumahara			
TREE - O2 and TREE - P3	Partially support	<p>The Māori Trustee is generally comfortable with the objectives and policies in the 'Notable Trees' chapter.</p> <p>However, the Māori Trustee notes that objective O2 and policy P3 reference "notable trees of value to Poutini Ngāi Tahu". The Māori Trustee considers that these trees need to be clearly identified as been of value to Poutini Ngāi Tahu in Schedule Two of this Proposed Plan.</p>	<p>The Māori Trustee considers that notable trees of value to Poutini Ngāi Tahu need to clearly be identified in Schedule Two of the Proposed Plan.</p>
Sites and areas of significance to Māori – Ngā Wāhi Tāpua ki te Māori			
Objectives			
SASM – O2	Partially support	<p>The Māori Trustee is generally comfortable with the objectives in the 'Sites and Areas of significance to Māori' chapter.</p> <p>The Māori Trustee supports Poutini Ngāi Tahu ability to access, maintain and use areas and resources of cultural value. However, as sites of significance to Māori are currently mapped on the E-Plan over entire property records of titles, including private land, an 'in agreement with affected landowners' qualifier is needed.</p> <p>The Māori Trustee also considers that the Te Tai o Poutini E-Plan needs to clearly identify the extent of sites of significance to Māori as they currently appear to be across entire property records of title.</p>	<p>The Māori Trustee considers that the Te Tai o Poutini E-Plan needs to clearly identify the extent of sites of significance to Māori as they currently appear to be across entire property records of title.</p> <p>The Māori Trustee considers that the following amendment needs to be made to objective SASM O2.</p> <p>Amendments O2. Poutini Ngāi Tahu are able to, <i>in agreement with affected landowners</i>, access, maintain and use areas and resources of cultural value within identified sites, areas and cultural landscapes.</p>



Policies			
SASM – P5	Partially support	<p>The Māori Trustee is generally comfortable with the policies in the ‘Sites and Areas of significance to Māori’ chapter.</p> <p>The Māori Trustee supports Poutini Ngāi Tahu exercising their tino rangatiratanga and kaitiakitanga in relation to identified sites and areas of significance in Schedule Three. However, the Māori Trustee notes that not all Māori landowners are registered members of Poutini Ngāi Tahu.</p> <p>As SASM P5 currently reads, Māori landowners will be precluded in Te Tai o Poutini from having tino rangatiratanga and kaitiakitanga of their whenua and the sites and areas of significance located on them. The Māori Trustee respects Poutini Ngāi Tahu as mana whenua and kaitiaki of their land, however, Māori landowners are entitled to and cannot be allowed to be precluded from making decisions in relation to the identified sites in Schedule Three that are located on their land.</p>	<p>The Māori Trustee considers that the following amendment needs to be made policy SASM P5.</p> <p>Amendments P5. Recognise and provide for the exercise of tino rangatiratanga and kaitiakitanga by Poutini Ngāi Tahu <i>and Māori landowners</i> in decisions made in relation to identified sites and areas of significance in Schedule Three.</p>
SASM – P14	Partially support	<p>The Māori Trustee supports measures being made within the Proposed Plan to maintain and enhance the ability of Poutini Ngāi Tahu to access and use the site or area of significance for mahinga kai, karakia, monitoring, cultural activities and ahi kā roa. However, as sites of significance to Māori are currently mapped on the E-Plan over entire property records of titles, including private land, an ‘in</p>	<p>The Māori Trustee considers that the Te Tai o Poutini E-Plan needs to clearly identify the extent of sites of significance to Māori as they currently appear to be across entire property records of titles.</p> <p>The Māori Trustee considers that the following amendment needs to be made policy SASM P14.</p>



		agreement with affected landowners' qualifier is needed.	<p>Amendments P14(d). Measures are taken, <i>in agreement with affected landowners</i>, to maintain or enhance the ability of Poutini Ngāi Tahu to access and use the site or area of significance for mahinga kai, karakia, monitoring, cultural activities and ahi kā roa.</p>
SASM – P15	Partially support	The Māori Trustee supports the use of practical mechanisms to maintain and enhance the ability of Poutini Ngāi Tahu to access and use the site or area of significance for karakia, monitoring, cultural activities and ahi kā roa. However, as sites of significance to Māori are currently mapped on the E-Plan over entire property records of titles, including private land, the qualifier 'are done in agreement with affected landowners' is needed.	<p>The Māori Trustee considers that the Te Tai o Poutini E-Plan needs to clearly identify the extent of sites of significance to Māori as they currently appear to be across entire property records of titles.</p> <p>The Māori Trustee considers that the following amendment needs to be made policy SASM P15.</p> <p>Amendments P15(f). Any practical mechanisms to maintain or enhance the ability of Poutini Ngāi Tahu to access and use the site or area of significance for karakia, monitoring, cultural activities and ahi kā roa <i>are made in agreement with affected landowners</i>.</p>
Rules			
SASM – R5	Partially support	<p>The Māori Trustee is generally comfortable with the rules in the 'Sites and Areas of significance to Māori' chapter.</p> <p>However, the Māori Trustee considers that the Te Tai o Poutini E-Plan needs to clearly identify the extent of sites of significance to Māori as they currently appear to be across entire property titles. This makes identifying what activities are permitted and what</p>	<p>The Māori Trustee suggests that the application of rules under this chapter be reviewed and an appropriate remedy be implemented until the extent of sites of significance to Māori are mapped in the E-Plan.</p> <p>The Māori Trustee considers that the following amendment needs to be made policy SASM R5(1).</p> <p>Amendments</p>



		<p>activities require consent ambiguous. It is suggested that the application of rules under this chapter be reviewed and an appropriate remedy be implemented until the extent of such sites are mapped.</p> <p>The Māori Trustee administers whenua Māori on behalf of Māori landowners in Te Tai o Poutini and notes that it is likely that not all Māori landowners are registered members of Poutini Ngāi Tahu. The Māori Trustee therefore considers that the tikanga of Māori landowners needs to be acknowledged alongside the tikanga of Poutini Ngāi Tahu members in this rule R5(1). This will ensure that all Māori landowners are able to hold temporary events on sites and areas in Schedule Three that are on their whenua.</p>	R5(1) These are Poutini Ngāi Tahu <i>or Māori landowner</i> cultural events in accordance with tikanga; or
Natural Environment Values		Māori Trustee submission	Relief sought
Ecosystems and Indigenous Biodiversity – Ngā Pūnaha Rauropi me te Kanorau Koiora			
Objectives			
ECO – O1	Partially support	<p>The Māori Trustee is generally comfortable with the objectives in the ‘Ecosystems and Indigenous Biodiversity’ chapter.</p> <p>However, the Māori Trustee considers that the identification and protection of significant indigenous vegetation and significant habitats of indigenous fauna should be made in conjunction with landowners.</p>	<p>The Māori Trustee considers that the following amendment needs to be made to objective ECO O1.</p> <p>Amendments O1. To identify and protect, <i>in conjunction with landowners</i>, areas of significant indigenous vegetation and significant habitats of indigenous fauna on the West Coast/Te Tai o Poutini.</p>



<p>ECO – O3</p>	<p>Partially support</p>	<p>The Māori Trustee supports Poutini Ngāi Tahu exercising tino rangatiratanga in relation to the management of areas of significant indigenous vegetation and significant habitats of indigenous fauna where these are located on Poutini Ngāi Tahu and Te Rūnanga o Ngāi Tahu land.</p> <p>However, the Māori Trustee reiterates her point made in paragraph 11 that Poutini Ngāi Tahu land and Te Rūnanga o Ngāi Tahu land need to be defined to reduce ambiguity within the plan.</p>	<p>The Māori Trustee considers that ‘Poutini Ngāi Tahu land’ and ‘Te Rūnanga o Ngāi Tahu land’ should be defined in the definitions chapter of the Proposed Plan.</p>
<p>Policies</p>			
<p>ECO – P2</p>	<p>Partially support</p>	<p>The Māori Trustee is generally comfortable with the policies in the ‘Ecosystem and Indigenous Biodiversity’ chapter.</p> <p>However, the Māori Trustee considers that ECO P2(b) needs to be amended to provide for Māori landowners. The Māori Trustee administers whenua Māori on behalf of Māori landowners in Te Tai o Poutini and notes that it is likely that not all Māori landowners are registered members of Poutini Ngāi Tahu. The Māori Trustee therefore considers that the cultural activities of Māori landowners needs to be acknowledged alongside the cultural activities of Poutini Ngāi Tahu members in these policies. This will ensure that all Māori landowners are able to undertake activities within areas of significant indigenous vegetation or habitats of indigenous fauna for cultural purposes.</p>	<p>The Māori Trustee considers that the following amendments need to be made to policy ECO P2.</p> <p>Amendments P2(b). It is for a Poutini Ngāi Tahu <i>or Māori landowner</i> cultural purpose; or</p>



<p>ECO – P3</p>	<p>Partially support</p>	<p>The Māori Trustee considers that ECO P3(d) needs to be amended to provide for Māori landowners. The Māori Trustee administers whenua Māori on behalf of Māori landowners in Te Tai o Poutini and notes that it is likely that not all Māori landowners are registered members of Poutini Ngāi Tahu. The Māori Trustee therefore believes that Māori landowners should be provided for, alongside Poutini Ngāi Tahu, within this policy. This will ensure that all Māori landowners are able to exercise their cultural rights and responsibilities with regards to protecting, enhancing and restoring significant indigenous biodiversity.</p>	<p>The Māori Trustee considers that the following amendment needs to be made to policy ECO P3.</p> <p>Amendments P3(d). Supporting opportunities for Poutini Ngāi Tahu <i>and Māori landowners, where appropriate</i>, to exercise their cultural rights and responsibilities as mana whenua and kaitiaki in restoring, protecting and enhancing areas of significant indigenous biodiversity; and</p>
<p>ECO – P8</p>	<p>Partially support</p>	<p>The Māori Trustee considers that ECO P8(b) should be amended to ‘improving access where appropriate’ to areas of indigenous biodiversity which are significant to Poutini Ngāi Tahu to acknowledge that some areas of indigenous biodiversity may be located on private land.</p>	<p>The Māori Trustee considers that the following amendments need to be made to policy ECO P8.</p> <p>Amendments P8(b). Minimising adverse effects on, and providing-improving access, <i>where appropriate</i>, to, areas of indigenous biodiversity which are significant to Poutini Ngāi Tahu and Māori landowners;</p>
<p>Rules</p>			
<p>ECO – R1</p>	<p>Partially support</p>	<p>The Māori Trustee is generally comfortable with the rules in the ‘Ecosystem and Indigenous Biodiversity’ chapter.</p> <p>The Māori Trustee notes that, in terms of ECO R1(3)(xi), it is difficult to form a position when the contents of the iwi management plans are not currently known or available.</p>	<p>The Māori Trustee considers a footnote should accompany ECO R1(5)(i) to provide exceptions for Māori landowners to clear mānuka, kānuka and bracken outside the coastal environment that are older than 15 years.</p> <p>ECO-R1 should also provide for the clearance and disturbance of indigenous vegetation for biosecurity reasons.</p>

Māori Trustee Submission

Proposed Te Tai o Poutini Plan



		<p>The Māori Trustee considers that the age requirement of vegetation (to be under 15 years old) in rule ECO R1(5)(i), to permissively clear mānuka, kānuka and bracken outside the coastal environment, will likely disadvantage Māori land. Whenua Māori is historically underdeveloped and is more likely to have vegetation that is older than 15 years old on it than not. To avoid exacerbating historical inequities and unintentionally disadvantaging Māori land it is recommended that an exclusion for Māori land should be footnoted or acknowledged in ECO R1(5)(i).</p> <p>ECO-R1 also does not currently provide for indigenous vegetation clearance and disturbance outside of the coastal environment for biosecurity reasons, such as the clearance of mānuka or kānuka that are infected with myrtle rust.</p>	
Natural Features and Landscapes – Ngā Āhua me ngā Horanuku Aotūroa		Māori Trustee submission	Relief sought
Objectives			
NFL O1	Support	The Māori Trustee is generally comfortable with the objective in the ‘Natural features and landscapes’ chapter.	N/A
Policies			
NFL – P1	Partially support	The Māori Trustee is generally comfortable with the policies in the ‘Natural features and landscapes’ chapter.	The Māori Trustee considers that the following amendment needs to be made to policy NFL P1. Amendments P1(h). Poutini Ngāi Tahu <i>and Māori landowner</i> uses;

Māori Trustee Submission

Proposed Te Tai o Poutini Plan



		<p>The Māori Trustee supports and acknowledges Poutini Ngāi Tahu position as mana whenua of their lands and treaty partner of Te Tai o Poutini.</p> <p>However, the Māori Trustee considers that activities within outstanding natural landscapes and outstanding natural features should also provide for the uses of Māori landowners in conjunction with Poutini Ngāi Tahu.</p>	
NFL – P5	Partially support	<p>The Māori Trustee supports and acknowledges Poutini Ngāi Tahu position as mana whenua and that they hold a number of historical, spiritual and cultural associations in Te Tai o Poutini.</p> <p>However, the Māori Trustee considers that NFL P5 needs to expressly address that Māori landowners will likely have their own historical, spiritual and cultural associations with outstanding natural landscapes and outstanding natural features on their whenua. Therefore, when consenting authorities are assessing proposals for land use or subdivision, Māori landowner’s historical, spiritual and cultural associations are considered in the assessment.</p>	<p>The Māori Trustee considers that the following amendment needs to be made to policy NFL P5.</p> <p>Amendments P5(f). Any historical, spiritual or cultural association held by Poutini Ngāi Tahu <i>and Māori landowners</i>;</p>
NFL – P7	Partially support	<p>The Māori Trustee is generally comfortable with NFL P7, with regards to the incorporation of mātauranga Māori principles into the design, development and operations of activities in outstanding natural features and landscapes. The Māori Trustee recognises that Poutini Ngāi Tahu are mana whenua and kaitiaki of their lands in Te Tai o Poutini.</p>	<p>The Māori Trustee considers that the following amendment needs to be made to policy NFL P7.</p> <p>Amendments P7. Consider the incorporation of mātauranga Māori principles into the design, development and/or operation of activities in outstanding natural features and landscapes with cultural,</p>

Māori Trustee Submission

Proposed Te Tai o Poutini Plan



		However, the Māori Trustee considers that NFL P7 should provide for the ability for Māori landowners to exercise their customary responsibilities, in respect to features and landscapes on their whenua, as they are mana whenua and kaitiaki of their land.	spiritual and/or historic values, interests or associations of importance to Poutini Ngāi Tahu <i>and Māori landowners</i> and opportunities for Poutini Ngāi Tahu <i>and Māori landowners</i> to exercise their customary responsibilities as mana whenua and kaitiaki in respect of the feature or landscape.
Rules			
NFL R1 - 15	Support	The Māori Trustee is generally comfortable with the rules in the 'Natural features and landscapes' chapter.	N/A
Natural Character (NC) and margins of waterbodies – Ngā Āhua me ngā Mhi ka noho Hāngai ki ngā Hopua wai		Māori Trustee submission	Relief sought
Objectives			
NC O1 – O3	Support	The Māori Trustee is generally comfortable with the objectives in the 'Natural Character and margins of waterbodies' chapter.	N/A
Policies			
NC P1 – P5	Support	The Māori Trustee is generally comfortable with the policies in the 'Natural Character and margins of waterbodies' chapter.	N/A
Rules			
NC R1 – R5	Support	The Māori Trustee is generally comfortable with the rules in the 'Natural Character and margins of waterbodies' chapter.	N/A
General District Wide Matters		Māori Trustee submission	Relief sought
Activities on the surface of water – Ngā mahi kit e kārewa o te wai			
Objectives			

Māori Trustee Submission

Proposed Te Tai o Poutini Plan



ASW – O1	Support	The Māori Trustee is generally comfortable with the objectives in the 'Activities on the surface of water' chapter.	N/A
Policies			
ASW P1 – P3	Support	The Māori Trustee is generally comfortable with the policies in the 'Activities on the surface of water' chapter.	N/A
Rules			
ASW – R2	Partially support	<p>The Māori Trustee is generally comfortable with the rules in the 'Activities on the surface of water' chapter.</p> <p>However, the Māori Trustee considers that a provision should be included to allow access to landlocked parcels where primary and physical access can only be achieved through crossing a waterway.</p>	<p>The Māori Trustee considers that the following activity should be inserted in rule ASW R2(1)(b)(vii).</p> <p>Amendments <i>R2(1)(b)(vii.) Access to landlocked parcels where primary and physical access is only achieved through crossing the waterway.</i></p>
Coastal Environment – Te Taiao o te Takutai			
Objectives			
CE – O2	Partially support	<p>The Māori Trustee is generally comfortable with the objectives in the 'Coastal Environment' chapter.</p> <p>However, the Māori Trustee reiterates her point made in paragraph 11 that ancestral lands needs to be defined to preclude ambiguity within the Proposed Plan.</p>	The Māori Trustee considers that 'ancestral lands' should be defined in the definitions chapter of the Proposed Plan.
Policies			
CE – P6	Partially support	The Māori Trustee is generally comfortable with the policies in the 'Coastal Environment' chapter.	The Māori Trustee considers that 'cultural uses' should be defined in the definitions chapter of the Proposed Plan.

Māori Trustee Submission

Proposed Te Tai o Poutini Plan



		However, the Māori Trustee reiterates her point made in paragraph 11 that cultural uses needs to be defined to preclude ambiguity within the Proposed Plan.	
Rules			
CE – R3	Partially support	<p>The Māori Trustee is generally comfortable with the rules in the ‘Coastal Environment’ chapter.</p> <p>However, the Māori Trustee considers that CE R3 needs to expressly recognise and provide for Māori landowners in addition to Poutini Ngāi Tahu. The Māori Purpose Zone is specifically for Māori land, therefore, the Māori Trustee considers that Māori purpose activities need to provide for the all Māori landowners within Te Tai o Poutini regardless if they are registered members of Poutini Ngāi Tahu.</p>	The Māori Trustee considers there is an express need to recognise and provide for all Māori landowners within the Māori Purpose zone and its activities.
Earthworks – Te Huke Whenua		Māori Trustee submission	Relief sought
Objectives			
EW O1	Support	The Māori Trustee is generally comfortable with the objective in the ‘Earthworks’ chapter.	N/A
Policies			
EW P1 – P4	Support	The Māori Trustee is generally comfortable with the policies in the ‘Earthworks’ chapter.	N/A
Rules			
EW R1 – R6	Support	The Māori Trustee is generally comfortable with the rules in the ‘Earthworks’ chapter.	N/A
Zones and development		Māori Trustee submission	Relief sought

Māori Trustee Submission

Proposed Te Tai o Poutini Plan



Rural Zones objectives and policies			
Objectives			
RURZ – O1	Support	The Māori Trustee is generally comfortable with the objective in the 'Rural zones objectives and policies' chapter.	N/A
Policies			
RURZ – P1	Partially support	<p>The Māori Trustee is generally comfortable with the policies in the 'Rural Zones objectives and policies' chapter.</p> <p>However, the Māori Trustee considers the term 'bulk' should be replaced with 'profile' as this is a more commonly known industry term. This will also require all other chapters within the Proposed Plan that refer to 'bulk' to be amended.</p>	<p>The Māori Trustee considers that the following amendment needs to be made to policy RURZ P1.</p> <p>Amendments P1(a.) buildings and structures to have a <i>profile</i> and location that is characteristic of rural environment. The Māori Trustee notes that this amendment will require all other chapters within the Proposed Plan that refer to 'bulk' to be amended.</p>
RURZ – P17	Partially support	<p>The Māori Trustee supports and acknowledges Poutini Ngāi Tahu position as mana whenua of their lands and treaty partner of Te Tai o Poutini.</p> <p>The Māori Trustee administers whenua Māori on behalf of Māori landowners in Te Tai o Poutini and notes that it is likely that not all Māori landowners are registered members of Poutini Ngāi Tahu. As the policy currently reads, Māori landowners will only be able to utilise this papakāinga provision if they are registered members of Poutini Ngāi Tahu. The Māori Trustee therefore considers that the definition of papakāinga needs to be amended as suggested in paragraph 9.</p>	<p>The Māori Trustee considers that the following amendment needs to be made to policy RURZ P17.</p> <p>Amendments P17. Enable the housing needs of Poutini Ngāi Tahu <i>whānui and Māori landowners</i> to be met in rural areas and locations safe from significant natural hazards.</p>

Māori Trustee Submission

Proposed Te Tai o Poutini Plan



		<p>The Māori Trustee also notes that the use of 'Poutini Ngāi Tahu <i>whānui</i>' is not currently referenced in the papakāinga definition. To maintain consistency with the Proposed Plan it is suggested that 'whānui' be removed from this policy.</p>	
General Rural Zone		Māori Trustee submission	Relief sought
Rules			
GRUZ – R4	Partially support	<p>The Māori Trustee is generally comfortable with the rules in the 'General Rural Zone' chapter.</p> <p>The Māori Trustee supports and acknowledges Poutini Ngāi Tahu position as mana whenua of their lands and treaty partner of Te Tai o Poutini.</p> <p>The Māori Trustee administers whenua Māori on behalf of Māori landowners in Te Tai o Poutini and notes that it is likely that not all Māori landowners are registered members of Poutini Ngāi Tahu. The Māori Trustee notes that papakāinga developments in GRUZ R4 only provides for Poutini Ngāi Tahu. The Māori Trustee reiterates her previous point in paragraph 9 that the definition of papakāinga needs to be amended to include Māori landowners. This will ensure that all Māori landowners will benefit from papakāinga provisions.</p>	<p>The Māori Trustee considers that the Papakāinga definition in the definitions chapter needs to include reference to Māori landowners.</p>
Māori Purpose Zone – Te Takiwā Kaupapa Māori			
Objectives			

Māori Trustee Submission

Proposed Te Tai o Poutini Plan



<p>MPZ – O1</p>	<p>Partially support</p>	<p>The Māori Trustee is generally comfortable with the objectives in the 'Māori Purpose Zone' chapter.</p> <p>The Māori Trustee supports and acknowledges Poutini Ngāi Tahu position as mana whenua of their lands and their ability to exercise tino rangatiratanga over their whenua. However, the Māori Trustee administers whenua Māori on behalf of Māori landowners in Te Tai o Poutini and notes that it is likely that not all Māori landowners are registered members of Poutini Ngāi Tahu. The Māori Trustee considers that all Māori landowners with land zoned Māori Purpose should be able to exercise tino rangatiratanga over their whenua.</p> <p>Furthermore, the Māori Trustee reiterates her point made in paragraph 11 that ancestral lands, Poutini Ngāi Tahu land and Te Rūnanga o Ngāi Tahu needs to be defined to preclude ambiguity within the Proposed Plan.</p>	<p>The Māori Trustee considers that 'ancestral lands', 'Poutini Ngāi Tahu land' and 'Te Rūnanga o Ngāi Tahu land' should be defined in the definitions chapter of the Proposed Plan.</p> <p>The Māori Trustee considers that the following amendment needs to be made to objective MPZ O1.</p> <p>Amendments</p> <p>O1. The use and possession of ancestral land by Poutini Ngāi Tahu, Te Rūnanga o Ngāi Tahu and Māori landowners is recognised and provided for within the MPZ - Māori Purpose Zone, within which Ngāi Tahu <i>and Māori landowners</i> are able to exercise tino rangatiratanga.</p>
<p>MPZ – O2</p>	<p>Partially support</p>	<p>The Māori Trustee supports and acknowledges Poutini Ngāi Tahu position as mana whenua and treaty partner in Te Tai o Poutini. The Māori Trustee administers whenua Māori on behalf of Māori landowners in Te Tai o Poutini and notes that it is likely that not all Māori landowners are registered members of Poutini Ngāi Tahu. As some of the lands we administer are within the Māori Purpose Zone, it is integral that the zone recognises and provides for all Māori landowner needs and activities not just those that are registered members of Poutini Ngāi Tahu.</p>	<p>The Māori Trustee considers that the following amendment needs to be made to objective MPZ O2.</p> <p>Amendments</p> <p>O2. The MPZ - Māori Purpose Zone specifically provides for Poutini Ngāi Tahu <i>and Māori landowners'</i> needs and activities, including residential, social, cultural, environmental and economic use and development to:</p>

Māori Trustee Submission

Proposed Te Tai o Poutini Plan



Policies			
<p>MPZ – P2</p>	<p>Partially support</p>	<p>The Māori Trustee is generally comfortable with the policies in the 'Māori Purpose Zone' chapter.</p> <p>The Māori Trustee supports and acknowledges Poutini Ngāi Tahu position as mana whenua of their lands and the exercise of tino rangatiratanga over these lands. However, the Māori Trustee administers whenua Māori on behalf of Māori landowners in Te Tai o Poutini and notes that it is likely that not all Māori landowners are registered members of Poutini Ngāi Tahu. The Māori Trustee reiterates her position to MPZ O2 that the Māori Purpose Zone should benefit all Māori landowners, whether they are registered members of Poutini Ngāi Tahu or not.</p> <p>The Māori Trustee also considers that there needs to be consistency in the Proposed Plan with reference to Poutini Ngāi Tahu as stated in paragraph 10.</p>	<p>The Māori Trustee considers the following amendments need to be made to policy MPZ P2.</p> <p>Amendments P2. Enable the use and development of the land in the MPZ - Māori Purpose Zone for a wide range of activities to support the Poutini Ngāi Tahu community <i>and Māori landowners</i>, including:</p>
<p>MPZ – P6</p>	<p>Partially support</p>	<p>The Māori Trustee supports and acknowledges Poutini Ngāi Tahu position as mana whenua and treaty partner in Te Tai o Poutini. The Māori Trustee administers whenua Māori on behalf of Māori landowners in Te Tai o Poutini and notes that it is likely that not all Māori landowners are registered members of Poutini Ngāi Tahu. The Māori Trustee reiterates her previous point in MPZ O2 that the Māori Purpose Zone should benefit and meet the needs of all Māori landowners within the zone. This</p>	<p>The Māori Trustee considers the following amendment needs to be made to policy MPZ P6.</p> <p>Amendments P6. Support the future application of the MPZ - Māori Purpose Zone to locations where it will enable the use and development of land in accordance with tikanga Māori and to meet Poutini Ngāi Tahu <i>and Māori landowners'</i> needs.</p>



		will provide consistency in the objectives, policies and rules of the Māori Purpose Zone.	
Rules			
MPZ R1 – R24	Support	The Māori Trustee is generally comfortable with the rules in the 'Māori Purpose Zone' chapter.	N/A
Schedule two: Notable trees – Te Rārangī Tuarua: Ngā Rākau Whamaumahara			
TREE 58 and TREE 59	Partially support	<p>The Māori Trustee supports the listing of TREE 58 and 59 in Schedule two of the Proposed Plan that are located on lands administered by the Māori Trustee.</p> <p>However, the Māori Trustee reiterates her point made under the 'Notable Trees' chapter that this schedule should clearly identify which trees are considered of value to Poutini Ngāi Tahu.</p>	The Māori Trustee considers that notable trees of value to Poutini Ngāi Tahu need to clearly be identified in Schedule Two of the Proposed Plan.
Schedule three: Sites and Areas of Significance to Māori – Te Rārangī Tuatoru: Ngā Wāhi Tāpua ki te Māori			
SASM 18 SASM 133 SASM 149 SASM 151 SASM 153 SASM 157 SASM 158 SASM 178 SASM 179 SASM 180 SASM 181 SASM 183	Partially support	<p>The Māori Trustee partially supports the 12 listed SASM in Schedule three of the Proposed Plan that are located on lands administered by the Māori Trustee.</p> <p>However, as previously stated in the SASM O2 section of this submission, the proposed E-Plan indicates that sites of significance to Māori cover the extent of entire property records of title. Therefore, the Māori Trustee considers that the extent of these sites of significance need to be clearly identified in Schedule Three.</p>	The Māori Trustee considers that the Te Tai o Poutini E-Plan needs to clearly identify the extent of sites of significance to Māori as they currently appear to be across entire property records of titles.



Schedule Seven: Schedule of High Coastal Natural Character - Te Rārangī Tuawhitu: Ngā Whuatanga Aotūroa o te Takutai e Toitū Ana

<p>NCA 18 NCA 21</p>	<p>Partially support</p>	<p>The Māori Trustee supports the listing of NCA 18 and 21 in Schedule seven of the Proposed Plan that are located on the lands she administers.</p>	<p>N/A</p>
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Schedule Eight: Schedule of Outstanding Coastal Natural Character - Te Rārangī Tuawharu: Ngā Wāhi Toitū Puru Rourou ki Tai

<p>NCA 17 NCA 20 NCA 22 NCA 25</p>	<p>Partially support</p>	<p>The Māori Trustee supports the listing of NCA 17, 20, 22 and 25 in Schedule seven of the Proposed Plan that are located on the lands she administers.</p>	<p>N/A</p>
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Conclusion

13. The Māori Trustee looks forward to discussing this submission with council representatives.

14. Should you have any questions or queries, please feel free to contact [REDACTED]

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 the Proposed Te Tai o Poutini Plan, 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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