



**Submission on a Publicly
Notified Plan Change To
The Whanganui District Plan**

In accordance with Form 5 – RM (Forms, Fees and Procedure) Regulations 2003

TO: Whanganui District Council, PO Box 637, Whanganui

Name: (print in full) Whanganui District Council

This is a submission on Plan Change No. 50 to the Whanganui District Plan. Closing Date: 31/01/17

1. (a) I ~~could~~/could not* gain an advantage in trade competition through this submission. (*please delete one).

(b) I ~~am~~/am not* directly affected by an effect of the subject matter of the submission that adversely affects the environment; and does not relate to trade competition or the effects of trade competition (*please delete one).

2. The specific provisions of the proposed plan change that my submission relates to:

see attached

Use additional pages if required

3. My submission is that (Please state in summary the nature of your submission. Clearly indicate whether you support or oppose the specific provisions or wish to have amendments made. Please give your reasons):

see attached

Use additional pages if required

4. I seek the following decision from the Council (Give clear details stating what amendments you wish to see made to the Plan Change, and your reasons):

see attached

Use additional pages if required

5. I ~~do~~/do not* wish to be heard in support of this submission (*please delete one).

6. If others make a similar submission I ~~would~~/would not* be prepared to consider presenting a joint case with them at any hearing (*please delete one).

7. Address for service:

PO Box 637

Whanganui 4500

Signature:

(Person making submission or person authorised to sign

on Day time phone No: 06 349 3169 behalf of person making submission)

Email: jonathan.barrett@whongau.govt.nz

Date:

30/01/17

PC 50 Submission: 001

D-246215

PC50 (Tangata Whenua) Submission – Definitions

It was noted during Plan Change 51 (Miscellaneous) that during Plan Change 50 the definitions in Te Reo Māori would be reviewed. This submission only looks at Te Reo definitions as they relate to the readability and implementation of the District Plan, and does not affect any other Council document. I recommend the following for consideration:

Operative Text	Submission	Comments/Text change
Hapū: means a sub-tribe of Iwi, and is made up of a group of families with a common ancestor.	Amend	<p>This is a common term in the Plan and should be retained. However the District Plan and Council are now more inclusive of Te Reo Māori and I recommend a definition that better reflects the true meaning of the term.</p> <p>Hapū means <u>a kinship group, clan, tribe, subtribe - section of a large kinship group and the primary political unit in traditional Iwi society. It consisted of a number of whānau (family in the broadest sense) sharing descent from a common ancestor, usually being named after the ancestor, but sometimes from an important event in the people's history.</u></p>
Iwi: means major tribes who are Tangata Whenua.	Amend	<p>This is a common term in the Plan and should be retained. However the District Plan and Council are now more inclusive of Te Reo Māori and I recommend a definition that better reflects the true meaning of the term.</p> <p>Iwi means <u>an extended kinship group, tribe, nation, people, nationality, race - often refers to a collective of related hapū, descended from a common ancestor and associated with a distinct territory.</u></p>
Kaitiaki: means the Tangata Whenua guardian who has ancestral authority and responsibility for the management of resources.	Delete	<p>There are only two uses of the term, both in Chapter 9 – Cultural Heritage. As this is not a controversial term and is quite common terminology throughout New Zealand, I recommend removal from the District Plan as the value of this specific definition is minimal.</p>

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Kaitiakitanga*: as defined under the RMA means the exercise of guardianship by the tangata whenua of an area in accordance with tikanga Māori in relation to natural and physical resources; and includes the ethic of stewardship.	Retain	There are four uses of the term in Chapter 15. The term is defined in the RMA and is a matter to consider during any Resource Consent application (section 7).
Kaumātua housing: means housing for Maori elders.	Delete	This phrase is not used in the operative District Plan. The definition stems from the 1979 version of the Wanganui County Council Planning Scheme where it was a part of “Papakāinga Development”. When the Planning Schemes were combined in the 1990s, “Papakāinga” and “Kaumātua Housing” were separated into different definitions, although they were treated the same (having no specific provisions). “Papakāinga” provisions were reviewed in 2014 (PC37) and can now be undertaken as a Permitted Activity – and once again can include “Kaumātua Housing”. Therefore a specific definition does not add any benefit to the District Plan.
Kawanatanga: means the act of governing, or government.	Delete	This phrase is not used in the operative District Plan. Therefore a specific definition does not add any benefit to the District Plan.
Marae: The land and buildings (meeting house/ wharepuni, kitchen and dining hall/ wharekai, ablutions block/ whareiti) generally associated with gatherings and meetings and programmes of tangata whenua, hapū or whānau for religious, educational, community purposes.	Amend	This definition was reviewed as part of PC37 in 2014. Typically, the marae is defined as the open space in front of a meeting house, but this definition is appropriate for how the term is used and assessed in the District Plan in regards to activity status and environmental effects. Therefore the following addition is recommended to address how the definition is specific to Plan use: Marae: For the purposes of this Plan, means the land and buildings (meeting house/ wharepuni, kitchen and dining hall/ wharekai, ablutions block/ whareiti) generally associated with gatherings and meetings and programmes

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		of tangata whenua, hapū or whānau for religious, educational, community purposes.
Mana Whenua* as defined under the RMA, means customary authority exercised by an iwi or hapū in an identified area.	Delete	Amended as part of PC51 in 2016. This phrase is not used in the operative District Plan. As the term is defined in the RMA, a specific District Plan definition is not required.
Papakāinga: means development or activity established on ancestral land by an iwi, hapū or whānau of the Whanganui District on behalf of and for use by its members which promotes Tangata Whenua community development, and sustains the relationship of Tangata Whenua with their culture, traditions and ancestral land	Retain	Reviewed as part of PC37 in 2014. As this term refers to a specific activity provided for in the Plan, including a definition is appropriate. The current wording of the definition provides clarity to Plan users and should be retained in its current form.
Rahui: means temporary restrictive controls imposed over the use of resources for conservation purposes.	Delete	This phrase is not used in the operative District Plan. Therefore a specific definition does not add any benefit to the District Plan.
Tangata Whenua*: In relation to a particular area, means iwi or hapū that holds mana whenua over that area.	Amend	<p>This term is vital in meeting the purpose of the RMA. However, I recommend expanding this RMA definition for Tangata Whenua to the Heritage New Zealand Pouhere Taonga Act 2014 definition as it is more inclusive of how the term is applied from a legal standpoint.</p> <p>Tangata Whenua: <u>means in relation to a particular place or area, the iwi or hapū that holds, or at any time has held, mana whenua in relation to that place or area.</u></p>

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Taonga: means all things that are considered to be treasures and of great value, and includes things that are intangible.	Retain	This term is referenced multiple times throughout the District Plan. It is not defined in the RMA, but it is a matter of national importance in relation to section 6(e) of the Act and is therefore a matter to consider as part of a Resource Consent application. I recommend that it is retained.
Tikanga Maori*: means Maori customary values and practices.	Delete	This term is referenced twice in PC50 – Chapter 15 Tangata Whenua. This phrase is not highly used and is defined in the RMA, therefore a specific definition in the District Plan does not add any benefit to understanding the provisions.
Tino Rangatiratanga: means great chieftainship and full authority over land and all taonga.	Delete	This phrase is not used in the operative District Plan. Therefore a specific definition does not add any benefit to the District Plan.
Tribal runanga: means an organisation or authority set up to administer tribal affairs.	Delete	This term is only used in Chapter 1 of the operative District Plan and in a section that this proposed to be deleted as part of this Plan Change. Therefore a specific definition does not add any benefit to the District Plan.
Urupā: means a Māori burial ground.	Retain	This is a common term in the operative District Plan. Therefore retention of the definition will provide clarity to Plan users.
Wāhi Tapu: means a device whose sole purpose is to inform road users of an approaching traffic hazard.	Amend	<p>The current definition is an administrative error that can be traced to the 2004 printing of the District Plan. The 1990s notified version of this definition shows that it was meant to say:</p> <p><i>“means a sacred area, place or site of religious, spiritual or mythological significance to Māori; eg urupā, pā, battle sites”.</i></p> <p>It is not defined in the RMA, but it is a matter of national importance in relation to section 6(e) of the Act and is therefore a matter to consider as part of a Resource Consent application. I recommend that the definition from the Heritage New Zealand Pouhere Taonga Act 2014 is adopted for consistency for users of both pieces of legislation and because the Heritage New Zealand Act definition provides more detail.</p>

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		<u>wāhi tapu means a place sacred to Māori in the traditional, spiritual, religious, ritual, or mythological sense.</u>
Whānau: means a family as interpreted in accordance with Maori culture and values.	Amend	<p>This term is only used a couple of times within the operative District Plan, however it should be retained as the Plan includes the terms “hapū” and “iwi” of which “whānau” is an essential part of. As the District Plan and Council are now more inclusive of Te Reo Māori, I recommend a definition that better reflects the true meaning of the term.</p> <p><u>Whanau: means the extended family, family group, a familiar term of address to a number of people.</u></p>