



14 March 2024

Te Tai o Poutini Plan Hearing Panel  
C/- Michelle Conland  
West Coast Regional Council

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**For the Attention of the Hearings Panel – Proposed Te Tai o Poutini Plan Hearing Statement prepared by Susan Mary Aitken on behalf of Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio and Te Rūnanga o Ngāi Tahu (Submitter 620 and Further Submission FS41) – Subdivisions, Financial Contributions and Public Access**

Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio and Te Rūnanga o Ngāi Tahu (Ngāi Tahu) are providing the following Hearing Statement in response to the Proposed Te Tai o Poutini Plan (“TTPP”), for the hearing topic – Subdivision, Financial Contributions and Public Access, commencing on 16 April 2024.

Ngāi Tahu have previously lodged hearing evidence on the TTPP for Hearings 1 & 2 (Introduction/Strategic Direction), Hearing 3 (General District Wide Matters – earthworks), Hearing 4 (Energy, Infrastructure and Transport), Hearing 5 (Historic Heritage), and Hearing 10 (Natural character of waterbodies and activities on the surface of water). Unlike previous topics, Ngāi Tahu does not intend to appear before the panel and file planning evidence for these topics. Rather it respectfully requests that this Hearing Statement be tabled for the Panel’s consideration, to confirm its position in relation to its submission points and the Section 42A Report (s42A) recommendations.

For this hearing topic, Ngāi Tahu lodged 18 submission points and 4 further submission points. Appendix A provides a high-level summary of the position of Ngāi Tahu in relation to the s42A report recommendations. Ngāi Tahu accepts the s42A author’s recommendations where it supports their submission and further submission points and

outlines their position in Appendix A on submission points which were rejected and on recommended rule text changes. Appendix B contains the letter sent to Grey District Council which advises that they do not need to contact the rūnanga regarding certain SASM sites listed in rules SUB-R5 and SUB-R10. This letter is referenced in Appendix A.

Should the Panel require clarification on any matter, we are available to answer any questions from the Hearing Panel either in writing or via videoconference if required. Please contact Philippa Lynch at Poutini Environmental in the first instance at the following email: [Philippa.Lynch@ngaiitahu.iwi.nz](mailto:Philippa.Lynch@ngaiitahu.iwi.nz).

Ngā mihi



**Susan Aitken**

**Consultant Planner for Ngāi Tahu**

**APPENDIX A: Summary of Ngāi Tahu submission and further submission points and position in response to the S42A report for Subdivisions, Financial Contributions and Public Access.**

**SUBDIVISION (SUB)**

Submission Point No.	Provision	s42A position/recommended text changes	Position at hearing and response to s42A recommendation
S620.187	Restricted Discretionary Activities (RDA)	<p><b>Reject.</b></p> <p>Para 190. <i>Ngāi Tahu (S620.187) seeks the inclusion of Poutini Ngāi Tahu values as a matter of discretion for all rules where it is not already listed in the matters of discretion. Whilst the sentiment proposed is acknowledged, the submitter is invited to provide further information and evidence to provide clarity on how the inclusion of ‘the consideration of Poutini Ngāi Tahu values’ would practically be implemented for all activities identified as controlled or restricted discretionary under the pTTPP.</i></p>	<p>Our further analysis of the RDA activities has determined that Poutini Ngāi Tahu values are already covered in the matters of discretion for relevant RDAs in this Chapter.</p> <p>In terms of SUB-R11, the s42A report for Outstanding Natural Landscapes (ONL) notes that tangata whenua and sites and areas of significance to Māori are part of the legal criteria for ONL. ONL values include associational and perceptual values such as tangata whenua associations therefore Poutini Ngāi Tahu values do not need to be a specific matter of discretion.</p>
Further Submission on S608.071 (Grey District Council (GDC))	SUB	s42A officer hasn't responded to this Further submission point.	<p>Ngāi Tahu further submitted against GDC submissions which sought the removal of all references to “Site or Area of Significance to Māori” in the Subdivision Chapter.</p> <p>Their submission is part of a wider suite of submissions from GDC seeking to remove all provisions and references in relation to Sites and Areas of Significance to Māori from the Plan. The substantive matter will be addressed in detail within the Sites and Areas of Significance to Māori planning evidence.</p> <p>Section 6 of the RMA specifically identifies that the protection of historic heritage, which under the RMA definition includes sites and</p>

			areas of significance to Māori, is a matter of national importance. Section 6 of the RMA therefore requires that action is taken to identify and protect SASM. GDC has not provided any s32AA analysis of how s6 matters will be achieved by removing SASM and their submission should be rejected.
S620.178	SUB – O3	<p><b>Accept</b></p> <p><i>89. David Ellerm (S581.042) requests that ‘cultural values’ are included with Poutini Ngāi Tahu features. In a similar submission point Te Runanga o Ngāi Tahu, Te Runanga o Ngati Waewae, Te Runanga o Makaawhio (S620.178) requests that Poutini Ngāi Tahu ‘features and resources’ be replaced with ‘values’. As pointed out in the Te Runanga o Ngāi Tahu, Te Runanga o Ngati Waewae, Te Runanga o Makaawhio submission, most of the pTTPP uses the term ‘values’. For clarity and consistency of language throughout the pTTPP, it is recommended that ‘values’ is used in this objective. It is therefore recommended that S620.178 be accepted, and S581.042 be accepted in part.</i></p> <p><b>Recommended Change:</b></p> <p><i>91. That SUB-O3 is amended as follows: Subdivision design and development protects significant coastal, natural, ecological, <u>landscape</u>, historical and Poutini Ngāi Tahu values, <del>features and resources</del> and responds to the physical characteristics and constraints of the site and surrounding environment.</i></p>	<p><b>Support</b></p> <p>Recommended amendments to replace the wording ‘features and resources’ with Poutini Ngāi Tahu ‘values’ is consistent with the terms used for the rest of the TTPP.</p>
S620.179	SUB – O5	<p><b>Accept</b></p> <p><i>94. Te Mana Ora (Community and Public Health) of the NPHS/Te Whatu Ora (S190.405), Toka Tū Ake EQC (S612.087), and Ngāi Tahu support Objective 5 and seek</i></p>	<p><b>Support</b></p> <p>The objective seeks to protect Poutini Ngāi Tahu values.</p>

		<p><i>that it is retained as notified. The support for SUB-05 is noted.</i></p> <p><b>Recommendation:</b>  <i>97. That SUB-05 is retained as notified and no amendments be made as a result of these submissions.</i></p>	
S620.180	SUB – P2	<p><b>Accept in Part</b>  NOTE: While listed in the table no mention of Ngāi Tahu submission in analysis.</p> <p><b>Recommendation:</b>  <i>134. It is recommended that SUB-P2 is amended as follows:</i>  <i>Ensure subdivision is appropriately serviced and integrated with existing or planned infrastructure that is provided in an efficient, integrated and coordinated manner by ensuring:</i>  ...  <i>i. Treatment and safe disposal of wastewater with a preference for land- based treatment where no reticulated network is in place;</i>  <i>l. Connections are made to wastewater, water supply and stormwater systems where they are available and there is capacity; and</i>  <i>m. Where new community infrastructure is developed, that there is adequate provision for ongoing maintenance either by the vesting of the infrastructure in the relevant Council, or in the case of papakāinga developments, that an ongoing hapū entity may be responsible for maintenance;</i>  .....</p>	<p><b>Support</b></p> <p>Retention of notified Clause (i), (l) and (m) within SUB-P2 to support papakāinga and land-based wastewater treatment.</p>

S620.418	SUB – P3	<p><b>Accept</b>  <i>135. Several submitters (S140.040, S190.409, S360.015, S446.043, S450.115, S558.189, S566.189, S567.262, S574.189, S620.418) support Policy 3 and seek that it is retained as notified. The support for SUB-P3 is noted.</i></p> <p><b>Recommendation:</b>  <i>139. It is recommended that SUB-P3 is retained as notified.</i></p>	<b>Support</b>
S620.181	SUB – P6	<p><b>Accept</b>  <i>165. I note that SD chapter POU-P46 is to provide for papakāinga (and other Māori purpose activities) to be established on Poutini Ngāi Tahu land. The requirement to be on Poutini Ngāi Tahu land was included in the SD chapter as an amendment in response to a submission by Ngāi Tahu (S620.075) however I understand there has been ongoing communication between parties on whether papakāinga needs to be on Poutini Ngāi Tahu land and that the current position is that it does not need to be. It is recommended that the submission point is accepted, with the amended wording sought by the submitter included.</i></p> <p><b>Recommended Change:</b>  <i>166. It is recommended that SUB-P6 is amended as follows:  Avoid subdivision:  a. In the RURZ – Rural Zones that could result in the creation of an unplanned new settlement, <u>unless the subdivision is to establish papakāinga by Poutini Ngāi Tahu;</u></i></p>	<b>Support</b>

		<i>b. In the RURZ – Rural Zones unless the requirements of clause 3.8 of the National Policy Statement for Highly Productive Land are met; .....</i>	
S620.182	SUB – P9	<p><b>Accept in Part</b></p> <p><b>Recommended Change:</b>  <i>181. It is recommended that SUB-P9 is amended as follows:</i>  <i>To require esplanade reserves or esplanade strips for allotments of less than 4 ha to enable public access, reduce natural hazard risk, and contribute to the protection of natural character and biodiversity values, except that the width of the esplanade reserve or strip may be varied from 20 metres or waived if:</i>  <i>a. <del>The natural values</del> <u>The protection of conservation values, or the enabling of public access, or the enabling of public recreational use that is compatible with conservation values, or reduction of natural hazard risk</u> warrant a wider or narrower esplanade strip or esplanade reserve; or</i>  <i>b. Topography, or the siting of any building or other feature, renders the 20-metre width inadequate or excessive; or</i>  <i>c. The protection of Sites and Areas of Significance to Māori or other taonga requires an esplanade reserve or esplanade strip of greater or lesser width than 20 metres; or</i>  <i>.....</i></p>	<p><b>Support</b> (no change to clause (c) of SUB-P9).</p> <p>Esplanade reserves are important, and it is also important to be able to vary the width (including a width larger than 20 metres) of these reserves if it protects other s6 RMA values.</p>
S620.183	SUB - R3 All Zones and All Overlays - Boundary Adjustments	<p><b>Reject</b></p> <p><i>235. Ngāi Tahu (S620.183) requests to include Poutini Ngāi Tahu Values as a matter for control. As previously noted, I consider that controlled activities require</i></p>	<p>After completing our own analysis of effects as a result of a boundary adjustment, I consider it not necessary to include Poutini Ngāi Tahu values specifically in this rule as they are already a consideration through matters of national significance as matters of control under clause (f) and the objective and policies of the underlying zone.</p>

	<p><i>certainty, with respect to the rule and matters of control, and the submitter is invited to provide further information and evidence on this matter.</i></p> <p><b>Recommended Change:</b>  <i>236. It is recommended that SUB-R3 is amended as follows:</i>  <i>Activity Status Controlled</i>  <i>Where:</i>  <i>1. These are not Permitted Activities under Rule SUB - R1;</i>  <i>2. All Subdivision Standards are complied with; and</i>  <i>3. The existing or proposed buildings must:</i>  <i>a. Comply with all permitted activity standards relevant to the zone <del>and any overlays and a building consent has been issued for any proposed buildings;</del> or</i>  <i>b. Be subject to an approved resource consent for any non-compliances; or</i>    <i>.....</i>  <i>f. <u>Management of adverse effects on</u> <del>Protection, maintenance or enhancement of outstanding</del> <u>natural features and landforms, areas of significant indigenous biodiversity, historic heritage, sites and areas of significance to Māori, archaeological sites, <u>coastal features, natural character, landscapes, or any other identified features;</u></u> and</i>    <i>.....</i></p>	<p>Ngāi Tahu notes that the s42A report at paragraph 236 has recommended a wording change to clause (f) in response to a Westpower Limited submission point (S547.359) that sought to replace the wording 'Protection, maintenance or enhancement' with 'management of adverse effects' (paragraph 223 of the s42A report). Ngāi Tahu in its general submission sought to retain the notified version of this rule except where specific submissions indicated otherwise.</p> <p>Ngāi Tahu considers the use of the recommended text 'management of adverse effects' diminishes the need to protect historic heritage (including SASM) and other matters of national importance and does not give effect to s6 of the RMA, nor relevant West Coast Regional Policy Statement (WCRPS) objectives and policies (Chapter 3: Objective 2, Policies 2 and 3; Chapter 4: Objective 5 and Policy 5). The proposed rewording would also be inconsistent with the direction outlined in SUB-O3 and SUB-P3.</p>
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S620.419	SUB - R4 All Zones and All Overlays - Subdivision for a Network Utilities, Critical Infrastructur e, Access or Reserves	<p><b>Reject</b></p> <p><i>242. Ngāi Tahu (S620.419) requests to include Poutini Ngāi Tahu Values as a matter for control. As previously noted, the submitter is invited to provide further information and evidence on this matter.</i></p> <p><i>240. Westpower Limited (S547.362) requests to amend matter of control (c) ... I agree with this amendment for the same reasons as I support the amendments to the similar matter of control for Rule 3 as set out in paragraph 234 above. ....</i></p> <p><b>Recommended Change:</b></p> <p><i>243. It is recommended that SUB-R4 is amended as follows:</i></p> <p><i>Activity Status Controlled</i></p> <p><i>Where:</i></p> <p><i>1. The Subdivision is not a Permitted Activity u–der Rule SUB - R2 Matters of control are:</i></p> <p><i>a. The size, design and layout of allotments for the purpose of public network utilities, <u>regionally significant infrastructure</u>, reserves or access;</i></p> <p><i>b. Legal and physical access to and from allotments;</i></p> <p><i>c. <del>Protection, maintenance or enhancement of</del> <u>Management of adverse effects on outstanding natural features and landforms, natural character, the coastal environment, waterbodies, significant indigenous biodiversity, historic heritage, sites and areas of significance to Māori, archaeological sites, <u>coastal features</u>, natural character, landscapes, or identified features;</u></i></p> <p><i>d. Where relevant, compliance with Subdivision Standards; and e. Any requirements which arise from the</i></p>	<p>Upon further analysis, Ngāi Tahu has not found feasible activities and resulting effects which are not already dealt with in other areas of the plan.</p> <p>Ngāi Tahu notes that the s42A report at paragraph 243 has recommended a wording change to clause (c) in response to a Westpower Limited submission (S547.362) that sought to replace the wording ‘Protection, maintenance or enhancement’ with ‘management of adverse effects’ (paragraph 240 of the s42A report). Ngāi Tahu in its general submission sought to retain the notified version of this rule except where specific submissions indicated otherwise.</p> <p>Ngāi Tahu considers the use of the recommended text ‘management of adverse effects’ diminishes the need to protect historic heritage (including SASM) and other matters of national importance and does not give effect to s6 of the RMA, nor relevant West Coast Regional Policy Statement (WCRPS) objectives and policies (Chapter 3: Objective 2, Policies 2 and 3; Chapter 4: Objective 5 and Policy 5). The proposed rewording would also be inconsistent with the direction outlined in SUB-O3 and SUB-P3.</p>
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		location in relation to natural hazards, esplanade reserves or esplanade strips...	
S620.184	SUB - R5 Subdivision to create allotment(s) in all RESZ - Residential Zones, CMUZ - Commercial an- Mixed Use Zones, INZ - Industrial Zones, SVZ - Scenic- Visitor Zone or PORTZ - Port Zone subdivision	<p><b>Accept in Part</b></p> <p><i>246. Te Tai o Poutini Plan Committee (S171.016) requests amendments to the rule to make it clear that subdivision is a Controlled Activity within the specific Sites and Areas of Significance to Māori identified in the rule, and that outside any other Sites and Areas of Significance to Māori, the other standards in the rule apply. Clause (4) of Rule 5 lists certain Sites and Areas of Significance to Māori identified, and starts with the words ‘this only occurs in the following sites and areas...’. This could be interpreted as subdivision being a controlled activity only if it is within those areas, and that it must be in a listed Site or Area of Significance to Māori. To address this, I recommend amending the lead in words to read ‘This is not within a Site or Area of Significance to Māori except those listed below...’. This has the same effect as other clauses in the rule which specify that the subdivision cannot be in an area of outstanding natural landscape, the earthquake hazard overlay, etc. During the preparation of this report I understand from conversations with Grey District Council that they would like to see additional Sites or Areas of Significance to Māori added to this list so that the controlled activity subdivision rule has wider application. Additional advice from Poutini Ngāi Tahu on what additional sites and areas may be added is required before amending the list.</i></p> <p><i>263. Te Runanga o Ngāi Tahu, Te Runanga o Ngati Waewae, Te Runanga o Makaawhio (S620.184) retain clause (4) and matter for control (k) as notified. Minor</i></p>	<p><b>Support</b></p> <p>Ngāi Tahu supports retention of matter for control (k) as notified and minor wording amendments to clause (4).</p> <p>In response to the request for advice in the s42A report, Poutini Ngāi Tahu do not need to be consulted in relation to resource consent applications for subdivisions proposed within the following Sites and Areas of Significance to Māori identified within Schedule Three of the Proposed Te Tai o Poutini Plan (TTPP):</p> <ul style="list-style-type: none"> <li>• SASM 57 Māwhera Gardens;</li> <li>• SASM 58 Greymouth Railway Land;</li> <li>• SASM 59 Māwhera Pā 2;</li> <li>• SASM 60 Māwhera Kāinga;</li> <li>• SASM 61 Victoria Park;</li> <li>• SASM 62 No.31 Māwhera Native Reserve;</li> <li>• SASM 63 No. 32 Nga Moana e Rua Native Reserve</li> </ul> <p>Attached in <b>Appendix B</b> is a letter sent to Grey District Council (GDC) in November 2022. The letter informed GDC that they may proceed to process subdivision consents in the areas identified above without the need to further consider cultural values in relation to these sites. Poutini Ngāi Tahu considers that these sites, while significant, are developed and modified to an extent they do not wish to be notified of subdivision consents in these areas. Further amendment is required to this rule to exclude the above listed sites.</p>

		<p><i>amendments are recommended to clause (4) and matter of control (k) is recommended to be retained as notified.</i></p> <p><b>Recommended Change:</b> 265. It is recommended that SUB-R5 is amended as follows: Activity Status Controlled Where: 1. This is not within a Significant Natural Area as identified in Schedule Four subject to Rule SUB - R7;..... 4. <u>This is not within a Site or Area of Significance to Māori except those listed below and This only occurs in the following sites and areas of significance to Māori identified in {Link, 10042, Schedule Three:</u> i. SASM 10 Kawatiri Pā; SASM 12 Kawatiri Town Reserve; SASM 15 No. 42; Kawatiri (Township) Native Reserve; SASM 31 Punakaiki Area; SASM 56 Māwhera Pā 1; SASM 57 Māwhera Gardens; SASM 58 Greymouth Railway Land; SASM 59 Māwhera Pā 2; SASM 60 Māwhera Kāinga; SASM 61 Victoria Park; SASM 63 No. 32 Nga Moana e Rua Native Reserve; SASM 94 No. 30 Arahura Native Reserve; SASM 96 Taramakau River; SASM 104 Kawhaka Creek Catchment; SASM 112 Arahura River at Tūhua; SASM 117 Waitaiki Catchment; SASM 121 Waitaiki Historic Reserve; SASM 197 Ōkuru;.....</p>	
S620.185	SUB - R6 Subdivision to create allotment(s) in any RUZ -	<p><b>Reject</b></p> <p><i>283. Ngāi Tahu (S620.185) requested amendments to SUB-R6.6 as follows: <u>Where the Subdivision is in the MPZ – Māori Purpose Zone and is in accordance with an</u></i></p>	No comment.

	Rural Zone or MPZ - Māori Purpose Zone	<p><i>Iwi/Papatipu Rūnanga Management Plan for the site, then only clause (3)(iv), (v) and clause (4) apply.</i></p> <p><i>284. I do not support the relief sought as the proposed amendment would preclude consideration under SUB-R6.1, SUB-R6.2, and SUB-R6.5 which requires compliance with the proposed subdivision standards. Particularly relevant standards include the provision of transport and access, easements, and esplanade reserves or strips. In my view, the rule as notified provides scope to consider a range of matters relevant to the subdivision process. These matters are not specifically identified under the proposed definition of Papatipu Rūnanga Management Plan, and therefore may not be appropriately addressed through the subdivision process should SUB-R6.1, SUB-R6.2, and SUB-R6.5 be precluded.</i></p>	
S620.186	SUB - R7/ECO - R4 Subdivision to create allotment(s) of Land Containing an Area of Significant Indigenous Biodiversity	<p>Not mentioned in S42A report and no changes to rule in Appendix 1 of the s42A report.</p> <p>No changes proposed.</p>	No comment.
S620.420	SUB - R8 Subdivision to create allotment(s) of Land that contains or is	<p><b>Reject</b></p> <p><i>289. Te Mana Ora (Community and Public Health) of the NPHS/Te Whatu Ora (S190.420), Grey District Council (S608.638), Toka Tū Ake EQC (S612.132) support Rule 8 and seek that it is retained as notified. Ngāi Tahu</i></p>	<p>Ngāi Tahu submitted in support of clause 3(iv) and matter of control clause g. and sought they were retained. Significant recommended changes are outlined in the s42A report.</p> <p>Upon further analysis, the advice note provided at the end of the rule states that SUB-R8 does not apply to subdivisions to create allotments</p>

	<p>within the Electricity Transmission and Distribution Yard</p>	<p><i>(S620.420) support clause 3(iv) and matter of control clause g. and seek that these are retained. The support for SUB-R8 is noted, however I have recommended amendments in response to submissions as outlined below.</i></p> <p><i>293. Transpower (S299.055) request a number of amendments to SUB-R8, including a restricted discretionary activity status instead of controlled, and that non-compliance with the clauses results in a non-complying activity. The submitter also requests that the SUB-R8 is simplified to be focussed to only those matters which are relevant to the National Grid, on the basis that a number of general subdivision matters can be managed within the relevant rule for the underlying zone.</i></p> <p><i>295. I agree with Transpower that SUB-R8 can be simplified to improve clarity and national consistency and recommend this submission is accepted in part. I support the deletion of SUB-R8.1-SUB-R8.7, and matters a. and m. are amended, and matters b-l are deleted.</i></p> <p><b>Recommended Change:</b>  <i>305. It is recommended that SUB-R8 is amended as follows:  Where:  1. <del>This is not within a Significant Natural Area as identified in Schedule Four a-d subject to Rule SUB-R7;</del>  9. <del>Sites of Historic Heritage as identified in Schedule One;</del>  10. <del>Sites and Areas of Significance to Māori as identified in Schedule Three; .....</del> 14. <del>Subdivision in the MPZ-Māori Purpose Zone is in accordance with an Iwi/Papatipu Rūnanga Management Plan for the site.</del>  .....</i></p>	<p>for network utilities, access or reserves, which are subject to Rule SUB-R4. This matter was our main concern in our submission and we understand that SUB-R8 only applies to land under the transmission network and seeks to focus on matters which are relevant to the protection of the National Grid.</p> <p>Any subdivision of land would also be subject to other subdivision rules (and related activities) for the underlying zone or any other overlay impacting the application site. As mentioned in the s42A report, a number of general subdivision matters could be managed within the relevant rule for the underlying zone.</p>
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		<p>1. Any allotment created can contain a 15x15m area of land which:</p> <p>i. Is located entirely outside of the Electricity Transmission and Distribution Yard;</p> <p>ii. Has reasonable physical and legal access; and</p> <p>iii. Could accommodate a building which can comply <u>with the standards for a all Permitted Activity in the District Plan standards for the Zone it is located in.</u></p> <p>.....</p>	
S620.188	SUB - R10	<p><b>Accept in Part</b></p> <p>306. Heritage New Zealand (S140.041), Te Mana Ora (Community and Public Health) of the NPHS/Te Whatu Ora (S190.425), Steve Croasdale (S516.053), and Ngāi Tahu (S620.188) support Rule 10 and seek that it is retained as notified. The support for SUB-R10 is noted, however I have recommended amendments in response to submissions as outlined below.</p> <p><b>Recommended Change:</b></p> <p>321. It is recommended that SUB-R10 is amended as follows: Activity Status Restricted Discretionary</p> <p>Where:</p> <p>1. Written confirmation is provided by the relevant Pou–ini Ngāi Tahu rūnanga - Te Rūnanga o Ngati Waewae or Te Rūnanga o Makaawhio, that the activity will not impact on any sites or areas of significance to Maori within Schedule Three; and</p> <p>2. All Subdivision Standards are complied with.</p> <p>Discretion is restricted to:</p> <p>a. Ensuring the values for which the area is scheduled or identified in Te Tai o Poutini Plan are maintained and protected;</p>	<p><b>Support.</b></p> <p>Ngāi Tahu sought to retain SUB-R10 given only mana whenua can speak to how a subdivision may impact on a SASM. This rule as recommended in the s42A still enables this.</p> <p>In response to the request for advice in the s42A report, Poutini Ngāi Tahu do not need to be consulted in relation to resource consent applications for subdivisions proposed within the following Sites and Areas of Significance to Māori identified within Schedule Three of the Proposed Te Tai o Poutini Plan (TTPP):</p> <ul style="list-style-type: none"> <li>• SASM 57 Māwhera Gardens;</li> <li>• SASM 58 Greymouth Railway Land;</li> <li>• SASM 59 Māwhera Pā 2;</li> <li>• SASM 60 Māwhera Kāinga;</li> <li>• SASM 61 Victoria Park;</li> <li>• SASM 62 No.31 Māwhera Native Reserve;</li> <li>• SASM 63 No. 32 Nga Moana e Rua Native Reserve</li> </ul> <p>Attached in <b>Appendix B</b> is a letter sent to Grey District Council (GDC) in November 2022. The letter informed GDC that they may proceed to process subdivision consents in the areas identified above without the need to further consider cultural values in relation to these sites. Poutini Ngāi Tahu considers that these sites, while significant, are</p>

		<p>.....</p> <p><i>d. Whether there are any adverse effects on a Notable Tree, that has any associated heritage or Poutini Ngāi Tahu values; and</i></p> <p><i>e. The size, design, shape, location and layout of allotments;</i></p> <p><i>f. Whether the allotments are of a size that will continue to provide the heritage resource with a suitable setting to maintain the associated heritage or Poutini Ngāi Tahu values.....</i></p>	<p>developed and modified to an extent they do not wish to be notified of subdivision consents in these areas. Further amendment is required to this rule to exclude the above listed sites.</p>
<p>FS41.019</p> <p>Further Submission on S608.075 (Grey District Council)</p>	<p>SUB-R10</p>	<p><b>Further Submission rejected</b></p> <p><i>318. Grey District Council (S608.075) requests the removal of the reference to "Site or Area of Significance to Māori". Given the recommended amendment to remove the application of this rule to subdivision in sites and areas of significance to Māori, I recommend this submission point be accepted.</i></p> <p><b>NOTE:</b> Appendix 2 mentions the further submission is disallowed and rejected however no explanation is provided, as the further submission is not mentioned in the s42A report analysis.</p>	<p><b>Oppose</b></p> <p>This GDC submission point is part of a wider suite of submissions from GDC seeking to remove all provisions and references in relation to Sites and Areas of Significance to Māori from the Plan. GDC has not provided a s32AA analysis of how s6 matters will be achieved by removing SASM from the plan.</p> <p>Section 6 of the RMA specifically identifies that the protection of historic heritage, which under the RMA definition includes sites and areas of significance to Māori, and the relationship of Māori to land, is a matter of national importance. Section 6 of the RMA therefore requires that action is taken to identify and protect SASM and the GDC submission should be rejected.</p>
<p>Further Submission on S446.058 (Ms Montgomery)</p>	<p>SUB – R17</p>	<p>Missing from Appendix 2 and S42A report.</p>	<p>No comment</p>

S620.189	SUB - S5	<b>Accept in part</b>  In Appendix 2 of s42A report	<b>Support</b>  Minor change outlined in Appendix 1 of s42A report is acceptable as the discharge of wastewater to water is culturally offensive.
S620.190	SUB – S11	<b>Accept</b>  <i>432. Margaret Montgomery (S446.074), Chris &amp; Jan Coll (S558.271), Chris J Coll Surveying Limited (S566.271), William McLaughlin (S567.337), and Laura Coll McLaughlin (S574.271) seek amendments to SUB-S11 to improve clarity and certainty, including on what a point strip is. Te Runanga o Ngāi Tahu, Te Runanga o Ngati Waewae, Te Runanga o Makaawhio (S620.190) request an amendment to reference His Majesty the King.</i>	<b>Support</b>  Minor correction made to standard that references her Majesty the Queen, needed to say His Majesty the King.

## FINANCIAL CONTRIBUTIONS

Submission Point No.	Provision	s42A position	Position at hearing
S620.177	Financial Contributions	<b>Reject</b>  <i>447. Ngāi Tahu (S620.177) seek to amend the rules and/or provisions in the FC chapter to ensure there is consideration of Poutini Ngāi Tahu values at the site and the impact offsetting/compensation may have on them before it is utilised. Consistent with the approach of authors in other pTTPP hearing streams, I retain concerns on how the consideration of Poutini Ngāi Tahu values would work in practice and on this basis, do not support this request. The sentiment proposed is acknowledged however, and the submitter is invited to provide further information and evidence</i>	The main point of this submission was acknowledging the wider cultural landscape and potential downstream/offsite effects of larger developments and where the effects cannot be minimised due to functional or operational need, that the applicant has the option of offsetting effects on an identified Poutini Ngāi Tahu value/SASM in a way that mitigates the effects on the wider landscape.  The key point being made in the submission is about providing more flexibility and options to the applicant/developer as opposed to limiting any mitigation to site boundaries and the ability of the activity to operate efficiently.



		<i>to provide clarity on how the inclusion of 'the consideration of Poutini Ngāi Tahu values' would practically be implemented.</i>	
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### PUBLIC ACCESS (PA)

Submission Point No.	Provision	s42A position	Position at hearing
S620.171	PA - O1	<p><b>Accept</b></p> <p>597. Several submitters (S96.005; S181.017; S190.362; S360.014; S516.049; S538.221; S558.129; S563.038; S564.044; S566.129; S567.208; S574.129; S577.051; S581.029; S614.060; S615.060; S620.171) seek to retain PA-O1 as notified. The support for PAO1 is noted.</p> <p>603. That PA-O1 is retained as notified and no amendments be made as a result of these submissions.</p>	<p><b>Support</b></p> <p>Rule retained as notified and it is important that access for customary activities (e.g. mahinga kai) is maintained.</p>
FS41.016 Further Submission on S608.062 (Grey District Council)	PA	<p><b>Further Submission Accepted</b></p> <p><i>588. Grey District Council (S608.062) seek to remove all references to "Site or Area of Significance to Māori" in the PA chapter. Ngāi Tahu (FS41.016) oppose this request. In the absence of any justification or rationale for this request, I do not support the relief sought.</i></p>	<p><b>Support</b></p> <p>Ngāi Tahu is opposed to any removal to references to "Site or Area of Significance to Māori" in the PA Chapter and wider TTPP.</p>

## **APPENDIX B: LETTER TO GDC**



7 November 2022

Paul Morris  
Chief Executive  
Māwhera/Grey District Council  
PO Box 382  
Greymouth 7840

Emailed to: paul.morris@greydc.govt.nz

Kia ora Paul,

**Re: Subdivision consent applications within Sites of Significance to Māori – Māwhera/Greymouth**

This letter is to confirm that Te Rūnanga o Ngāti Waewae, who hold mana whenua over Māwhera/Greymouth, do not need to be consulted in relation to resource consent applications for subdivisions proposed within the following Sites and Areas of Significance to Māori identified within Schedule Three of the Proposed Te Tai o Poutini Plan (TTPP):

- SASM 57 Māwhera Gardens;
- SASM 58 Greymouth Railway Land;
- SASM 59 Māwhera Pā 2;
- SASM 60 Māwhera Kāinga;
- SASM 61 Victoria Park;
- SASM 62 No.31 Māwhera Native Reserve;
- SASM 63 No. 32 Nga Moana e Rua Native Reserve

The Council may proceed to process subdivision consents in these areas identified above without the need to further consider cultural values in relation to these sites. We do not consider ourselves to be affected parties and do not wish to be notified of subdivision consents in these areas.

Please note that this exclusion does not apply to SASM 55 Māwhera Burial Cave Site, SASM 56 Māwhera Pā and SASM 64 Blaketown Part Reserve Silent File, where Te Rūnanga o Ngāti Waewae still want to be notified if any subdivision applications are received by the Council.

This letter can apply to all subdivision applications received by the Council from the date the TTPP was notified up until 10 January 2024.

If you have any queries regarding this letter, please contact Philippa Lynch at Poutini Environmental via phone on 021 242 2715 or via email at [philippa.lynch@ngaitahu.iwi.nz](mailto:philippa.lynch@ngaitahu.iwi.nz) in the first instance.

Nō reira, mauri tū, mauri oho, mauri ora,

Nāku noa

A handwritten signature in black ink, appearing to read 'Francois Tumahai', written in a cursive style.

Nā Francois Tumahai  
Chairman  
Te Rūnanga o Ngāti Waewae  
021425 229  
[Francois.Tumahai@ngaitahu.iwi.nz](mailto:Francois.Tumahai@ngaitahu.iwi.nz)

cc Michael McEnaney – Māwhera / Grey District Council  
Jo Armstrong & Lois Easton – TTPP