



SUBMISSION BY PUKETAPU HAPŪ ON NPDC'S PROPOSED DISTRICT PLAN

To: New Plymouth District Council
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Submitter Details

Please note that all information provided in your submission, including your personal information, will be made publicly available.

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Trade Competition

Can you gain an advantage in trade competition in making this submission? Yes No

Are you directly affected by an effect of the subject matter of the submission that:

- (1) Adversely affects the environment; and
(2) Does not relate to trade competition or the effects of trade competition. Yes No

Council Hearing

Do you wish to be heard in support of your submission? Yes No

If others make a similar submission would you consider presenting a joint case with them at a hearing?
Yes No

Submission

The submission points, reasons and decisions sought are set out in the attached document.

Note: Any attachments to your submission should only be supporting information, not the submission.

22 November 2019

Signature of the person making submission
or the person authorised to sign on behalf of the
person making submission

(Note: A signature is not required if you are making your submission by electronic means)

[Opening text: usually a very broad overview of the submission – mainly used to describe the role of body submitting, outlining why they therefore have an interest in the proposed plan (or specific matters) and therefore why they have submitted.].



Puketapu Hapū

The specific submissions and the decisions sought for NPDC's Proposed District Plan are as follows:

Section/Sub-section/Provision	Support/Support in Part/Oppose	Submission <i>(Explain the reasons why you support/support in part/oppose the specific provisions or wish to have them amended.)</i>	Relief sought <i>(Give precise details of the decision you want the Council to make. To mark up changes to a provision strike through text you want to remove and underline text you want to add)</i>
URBAN GROWTH AREAS		<p>Green field urban growth and development has the potential to dramatically alter the cultural landscape more so than many other activities managed by the District Plan.</p> <p>The proposed plan as notified includes a number of Development Areas (with an associated structure plan), and a number of other areas proposed to be re-zoned without an overall structure plan.</p> <p>We note that the process to date to develop a structure plan, or to re-zone these areas has not benefited from the advice of mana whenua for those specific areas; and as such it is difficult to see how the current development plan provisions, or the land re-zoned from rural to an urban zone without a structure plan are implementing the proposed strategic objectives of the plan, including those referenced earlier in our submission.</p> <p>Submissions on specific areas that are proposed to be re-zoned, or development areas are made below.</p>	<p>Retain rural zones for these areas until such time as a structure plan process is completed where mana whenua are engaged and provide expert cultural advice on the provisions of any structure plan.</p>
SPECIAL PURPOSE - FUTURE URBAN ZONE			
Overview, Objectives, Policies and Rules	Support in Part	The longer term residential and industrial growth areas for the District are located wholly	

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		within our rohe (Te Oropuriri – Industrial and Area R – Residential). Puketapu Hapū support the proposed Future Urban Zone as a tool to ensure coordinated and well planned growth is achieved in principle, subject to the following submissions:	
Te Oropuriri Future Urban Zone	Oppose	Substantial advice has been provided to the Council regarding Te Oropuriri and the lack of potential urban development capacity in that area due to the significant areas of historic heritage, the lack of ability to establish infrastructure to service industrial development (or other urban types), and the significant adverse effects that would occur to the relationship Puketapu Hapū and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga in this area.	Amend the proposed zone from Future Urban Zone to Rural Lifestyle or Rural Production.
Area R (corner of Devon Road and Airport Drive) Future Urban Zone	Oppose	<p>The Future Urban Development Overlay was applied to the Operative District Plan under Plan Change 20: Rezoning of Bell Block Area Q Rural Environment Area to Residential A Environment Area and Application of Future Urban Development Overlay to Area R. Puketapu Hapū raised significant concerns in relation to the Area Q residential development.</p> <p>Our concerns for this Future Urban Zone include the lack of engagement of tangata whenua expertise to inform the future urban zone, the proximity to historic heritage, the lack of ability to establish infrastructure to service the residential development (or other urban types), and the significant adverse effects that would</p>	Amend the proposed zone from Future Urban Zone to Rural Lifestyle or Rural Production.

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		occur to the relationship Puketapu Hapū and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga in this area.	
FUZ-O2	Support in Part	The intent of this objective is to ensure urban growth is well planned prior to allowing development to occur. The objective must be updated to recognise the critical input from tangata whenua into the structure planning process to inform development capacity, as well as area specific provisions required to provide for the relationship tangata whenua may hold with the area.	Amend the objective to read as follows: <i>Until rezoning for urban growth purposes occurs and the area to be rezoned is comprehensively planned by a structure plan <u>that is developed through a process that engages the expertise of tangata whenua:</u></i> <ol style="list-style-type: none"> <i>1. urban growth is avoided within the Future Urban Zone areas; and</i> <i>2. the Zone is predominantly used for agricultural, pastoral and horticultural activities and low density rural living activities.</i>
FUZ-P7 (10)	Support in Part	FUZ-P7 is the key provision implementing FUZ-O2. The policy as drafted acknowledging tangata whenua; however, the reference to simply the outcomes of consultation undervalues the requirement to engage cultural expertise to inform the development of any structure plan provision.	Amend policy wording as follows: <i>...The potential impact of development on any cultural, spiritual and/or historic values and interests or associations of importance to tangata whenua, <u>and any expert cultural advice received,</u> including with respect to:</i> <ol style="list-style-type: none"> <i>a) opportunities to incorporate mātauranga Māori principles into the design and/or development of the structure plan area;</i> <i>b) opportunities for tangata whenua's relationship with ancestral lands, water, sites, wāhi tapu and other taonga to be maintained or strengthened; and</i> <i>c) options to avoid, remedy or mitigate adverse effects;...</i>

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FUZ-P7(11)	Support in Part	In some instances the protection of identified features, waterbodies and/or indigenous vegetation will be required through the structure plan process/provisions.	Amend policy wording as follows: <i>The <u>protection</u>, maintenance or enhancement of identified features, natural waterbodies and/or indigenous vegetation; and...</i>

DEVELOPMENT AREAS			
DEV4 – Oropuriri Structure Plan Development Area	Oppose	<p>This development area has been designed without the benefit of advice from Puketapu Hapū as mana whenua. As a consequence, the objectives are silent on tangata whenua. This permeates throughout the policies and rules designed to implement those objectives where there are limited reference to tangata whenua, and no scope to consider the impact of the development of the structure plan area on cultural matters through the consent process. Potential areas of consideration include, but are not limited to:</p> <ul style="list-style-type: none"> • the stressors resulting from development on the mauri of the Mangaone as a significant waterbody. • The degree of earthworks and land modification required to provide for industrial land uses. • The requirement for exotic plantings along the southern boundary of the development area adjoining the Mangaone. 	Amend the structure plan alongside Puketapu Hapū as mana whenua through a cultural impact process, and make consequential changes to the provisions of Dev4 – Oropuriri Structure Plan Development Area.

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SPECIAL PURPOSE – MĀORI PURPOSE ZONE			
Māori Purpose Zone	Support in Part	<p>The Special Māori Purpose zone enables tangata whenua to exercise their customary responsibilities as kaitiaki and mana whenua and to undertake activities that reflect Māori customs and values.</p> <p>Puketapu Hapū support the intent of the zone and its provisions. Puketapu Hapū is concerned that in some instances the Māori Purpose Zone boundaries to not reflect the actual property</p> <p>Puketapu Hapū considers that there are additional properties where it would be more appropriately zoned as Māori Purpose Zone, for example, but not limited to:</p> <ul style="list-style-type: none"> • Urupā; • ANY OTHER PROPERTIES THAT COULD BENEFIT FROM THE MĀORI PURPOSE ZONE. 	<p>Alongside mana whenua, marae and whānau make consequential changes to Māori Purpose Zone boundaries and amend Planning Maps to ensure they correctly reflect the actual property/activity boundaries.</p> <p>Alongside mana whenua, marae and whānau identify properties whereby the property and its current and/ or future development and/ or activities would be more appropriately zoned as Māori Purpose Zone.</p>
VIEWSHAFTS			
Overview, objective, policies and rules	Support in Part	<p>Puketapu Hapū is supportive of the protection of viewshafts and recognition of importance to the District. However, these are limited mostly to only a number of specified landmarks from a number of public locations.</p> <p>Puketapu Hapū require this objective and policy to be widened so that it could be used to protect view shafts that are important to iwi and hāpu; for example viewshafts from Marae to the</p>	To capture those viewshafts of significance to tangata whenua, engage and collaborate with tangata whenua to identify viewshafts of significance to them; amend the wording of VIEWS-O1; reference in policy VIEWS-P1 and include and indicate viewshafts on the Planning Maps; include additional effects standards where necessary.

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		<p>Mounga or tangaroa, waterbodies or pā sites; or between pā sites. This re-affirms the interconnectedness of the cultural landscape. Responsibility to the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.</p> <p>The scope of the objectives and policies should be broadened to protect viewshafts that are of significance to tangata whenua. Whilst policy VIEWS-P3 acknowledges the importance of views to tangata whenua, the list of viewshafts in policy VIEWS-P1 which may protect views of importance to tangata whenua are limited.</p>	

HISTORIC HERITAGE			
HH-P12	Support in Part	The advice of tangata whenua is another critical source to identify archaeological sites and other items of historic heritage.	Amend the policy to include the expert cultural advice of tangata whenua.
HH-P13-HH-P17	Support in Part	Protecting historic heritage, including archaeological sites and their settings are a matter of national importance. Amending the wording from 'adjacent' to 'in proximity' better recognises the setting.	Amend policies to remove 'adjacent' and replace with 'in proximity to'
Rules: HH-R10-HH-R16	Support in Part	<p><u>Appropriateness of the definitions of Earthworks and Land Disturbance for rule parameters:</u></p> <p>The recent National Planning Standards have introduced definitions for 'earthworks' and 'land disturbance' both of which are not considered appropriate to be used as rule triggers in the</p>	<p>Require HH-R1 to HH-R3 to be amended as follows:</p> <p><i>R1 – Any activity on or within 50 metres of the extent of an archaeological site excluding:</i></p> <ol style="list-style-type: none"> 1) <i>Gardening;</i> 2) <i>The grazing of livestock; and</i>

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		<p>context of historic heritage, including archaeological sites. It has been the experience of tangata whenua where there is ambiguity around the interpretation of what activities constitute earthworks or land disturbance historic heritage can be destroyed, interfered with or damaged.</p> <p>Rules HH-R13 looks to provide for the maintenance, repair or upgrading or a network utility structure, with the rule parameters allowing a level of earthworks in ground that has been previously disturbed by the existing network utility, as well as the provision of notice to tangata whenua 10 working days prior to . This allowance was introduced into the operative district plan through PLC13/00040 and has been operative since 2016. To date Puketapu Hapū have not received notice from any network utility operator prior to maintenance, repair or upgrading works in proximity to Historic Heritage. Similarly, it is not clear how the area 'previously disturbed by the existing network utility' can be reasonably determined.</p> <p>Ambiguity when a rule in the plan requires consent or not is neither efficient nor effective for plan users, is difficult to enforce; and in our view is not sufficient to meet the certainty requirements for rule drafting.</p>	<p>3) <i>Maintaining existing fence lines outside of the extent of a SASM.</i></p> <p><i>R2 – Over height buildings between 100m and 50m from the extent of an archaeological site.</i></p> <p><i>R3 – Subdivision of land containing all or part of an archaeological site.</i></p> <p>The activity status where there is non-compliance with these rules to be discretionary.</p>

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		<p>For these reasons, a clearer rule requiring the consideration of all activities on or within 50 metres of an archaeological site is necessary; noting that these rules are critical to protect historic heritage as a matter national importance.</p> <p><u>Location of rule trigger in relation to an archaeological site</u></p> <p>Archaeological methods alongside the expert advice from tangata whenua have been utilised to identify the extent of a an archaeological site as notified in line with best practise site identification practise, and the Council's site recording guide. Site extents cannot be treated as being definitive, as has been shown over time additional features or information becomes available which modifies these extents. There is a higher probability (especially adjacent to urupā) for uncovering archaeological material in the immediate vicinity of the extent of a site. For this reason a rule provision that manages all development within 50 metres of a site included in Schedule 3) is required.</p> <p>It is important to note that despite best endeavours an extent is not available for all sites. Where this is the case, the site location is only considered to be accurate to +/- 200 metres.</p>	
SITES AND AREAS OF			

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SIGNIFICANCE TO MĀORI (SASM)			
SCHED3	Support in Part	<p>Puketapu Hapū have worked with NPDC for over ten years through the Waahi Taonga and Archaeological Sites Review project to identify sites and areas of significance. Our rohe in the New Plymouth District extents are described in the Puketapu Hapu Cultural Values Statement as commissioned by the NPDC in 2019. Puketapu Hapū has an interest in all sites within this area. Our sites are included in the schedule 3. Collectively these sites are generally representative of:</p> <ul style="list-style-type: none"> • important or representative aspects of New Zealand history; • events, persons, or ideas of importance in New Zealand history; • knowledge of New Zealand history; • important places to tangata whenua; • places of technical accomplishment, value and design; • are historic places known to date from an early period of New Zealand settlement; • rare types of historic places; and • sites which form part of a wider historical and cultural area. <p>There are a number of sites that have not been notified in the proposed plan that have been subject to the review.</p>	Adopt Schedule 3 and add those sites omitted that are within the rohe of Puketapu Hapū that have been subject to the Wāhi Tapu and Archaeological Sites review; and make consequential amendments to the remainder of the plan.
SASM Introductory text & SCHED3 – Silent files	Support in Part	'Silent files' are a critical tool to ensure those SASM that are sensitive are able to be afforded	Remove "The location of sites that have a "silent file" status are accurate to the land parcel and the extent of

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		<p>the highest level of protection available, whilst keeping their specific nature in confidence. The proposed plan accommodates this requirement; however the introductory text to the SASM chapter includes the following:</p> <p><i>The location of sites that have a "silent file" status are accurate to the land parcel and the extent of the site will be treated as the area within a 200m radius of the site's centroid marker.</i></p> <p>The location of a silent file is only accurate to the parcel of land the symbol is located within; the +/- 200m is not relevant or accurate for silent files and this note should be removed for clarity.</p>	<p>the site will be treated as the area within a 200m radius of the site's centroid marker" from the text at the start of the chapter.</p>
SASM Objectives and Policies	Support in Part	<p>Objectives SASM-O1 to SASM-O3 and Policies SASM-P1 to SASM-P8 are critical provisions to implement the strategic objectives referenced above.</p> <p>SASM are a component of historic heritage that are required to be protected as a matter of national importance. In our view this is an absolute that must be provided for through resource management processes.</p> <p>Please note that these comments apply equally to the Historic Heritage section of the proposed plan as those archaeological sites relate to SASM.</p>	

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		For this reason the following changes to objectives and policies are required:	
SASM-O1	Support in Part	Amend SASM-O1 to read as follows: Sites and areas of significance to Māori are recognised <u>and protected</u> . The inclusion of 'maintenance' in this objective is not considered appropriate. In many instances the mauri of sites and areas of significance has been severely impacted through the development of the district. The adverse impact of development on the relationship mana whenua are able to have with these sites in many instances are effects that require remediation through resource management processes. Maintenance implies that status quo is an acceptable outcome in relation to SASM; this is unequivocally not the case.	Amend SASM-O1 to read as follows: Sites and areas of significance to Māori are recognised <u>and protected</u> . And make consequential amendments throughout the plan.
SASM-O2	Support	This objective aligns with the Council's obligations under the RMA in relation to historic heritage, and the relationship of tangata whenua with their lands, sites, waters, wahi tapu and other taonga.	Retain provision as notified.
SASM-O3	Support	Support Objective wording.	Retain provision as notified.
SASM-P1	Support in Part	Puketapu Hapū recognise the need to map and schedule SASM as they are known. It is important to recognise that not all SASM in the district are mapped, and that objectives and policies of this chapter should apply to all sites	

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		or areas of Historic Heritage, not just those mapped or listed in Schedule 3.	
SASM-P2	Support	Support policy wording.	Retain this provision as notified
SASM-P3	Support in Part	<p>Use of the wording 'or adjacent' lacks specificity and direction. Replace with wording 'in proximity to'. The definition of historic heritage includes the site and their setting. The use of in proximity to better implements this definition.</p> <p>SASM-P3 includes a number of activities that are out of step with the objectives for SASM. Specifically 'land disturbance' and 'maintenance and repair or upgrading of exiting network utilities'. These must be removed from the list set out in SASM-P3 as notified.</p> <p>'Land disturbance' and 'Earthworks' are defined by the National Planning Standards. These definitions introduce ambiguity as to when consent may be required, and the scale of activity that constitutes that activity. In the experience of tangata whenua this ambiguity has resulted in the on-going disruption of SASM through the life of the operative plan. In our view these are not fit for purpose in the context of SASM, and as the proposed plan is an activities-based plan and amended rule framework is recommended below that removes this risk.</p> <p>While it is acknowledged that network utilities are important to community well-being; the</p>	<p>Amend the policy to read as follows:</p> <p>Allow the following activities to occur on, or <u>in proximity</u> to scheduled sites and areas of significance to Māori, while ensuring their design, scale and intensity will not compromise cultural, spiritual and/or heritage values, interests or associations of importance to tangata whenua:</p> <ol style="list-style-type: none"> 1. <u>demolition or removal of existing buildings and structures;</u> 2. <u>alterations to existing buildings and structures excluding earthworks; and</u> 3. <u>erection of signs.</u>

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		<p>protection of historic heritage is a matter of national importance. Undue weight is given to network utilities in SASM-P3 above the protection of historic heritage which in our view is out of step with the strategic objectives of the plan, the direction of the Regional Policy Statement for Taranaki 2010, and Part 2 of the RMA. There are numerous examples where 'maintenance or upgrading' works associated with Network Utilities are undertaken without input from tangata whenua, and historic heritage is disrupted, destroyed or interfered with.</p> <p>Network Utilities are provided for in the policies of the Network Utilities chapter and these activities can fit within policy SASM-P4.</p>	
SASM-P4	Support in Part	Use of the wording 'or adjacent' lacks specificity and direction. Replace with wording 'in proximity to'.	<p>Amend the policy to read as follows:</p> <p><i>Manage activities that occur on, or <u>in proximity</u> to scheduled sites and areas of significance to Māori that have the potential to compromise cultural...</i></p>
SASM-P5	Support in Part	Use of the wording 'or adjacent' lacks specificity and direction. Replace with wording 'in proximity to'.	<p>Amend the policy to read as follows:</p> <p><i>Ensure that activities on, <u>in proximity</u> to or affecting sites and areas of significance to Māori avoid adverse effects on the site or area, or where avoidance...</i></p>
SASM-P6	Support in Part	Use of the wording 'or adjacent' lacks specificity and direction. Replace with wording 'in proximity to'.	Amend the policy to read as follows:

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			<i>Ensure that any structures that exceed permitted height limits on <u>in proximity</u> to sites and areas of significance to Māori are appropriately located...</i>
SASM-P7	Support in Part	Landowners are best placed to protect historic heritage. Whilst management, maintenance and preservation are also important it is considered that 'protection' must also be an outcome this policy references.	Amend the policy to read as follows: <i><u>Support</u> landowners to manage, maintain, <u>preserve</u> and <u>protect</u> sites and areas of significance to Māori...</i>
SASM-P8	Support in Part	SASM-P8 looks to promote access to SASM. Promotion of access does not go far enough to provide for the relationship tangata whenua with SASM. Amending policy SASM-P8 to provide for access to sites is required to implement the strategic objectives of the proposed plan, in particular Objective TW-11.	Amend the policy to read as follows: <i><u>Provide for the provision or development of access for tangata whenua to sites and areas of significance to Māori, including...</u></i>
Rules: SASM-R1 to SASM-R9	Support in Part	<p><u>Appropriateness of the definitions of Earthworks and Land Disturbance for rule parameters:</u></p> <p>The recent National Planning Standards have introduced definitions for 'earthworks' and 'land disturbance' both of which are not considered appropriate to be used as rule triggers in the context of SASM. It has been the experience of tangata whenua where there is ambiguity around the interpretation of what activities constitute earthworks or land disturbance historic heritage can be destroyed, interfered with or damaged.</p> <p>Rules SASM-R4 looks to provide for the maintenance, repair or upgrading or a network</p>	<p>Require SASM-R1 to SASM-R3 to be amended as follows:</p> <p><i>R1 – Any activity on or within 50 metres of the extent of a site or area of significance to Māori excluding:</i></p> <ol style="list-style-type: none"> <i>4) Gardening;</i> <i>5) The grazing of livestock; and</i> <i>6) Maintaining existing fence lines outside of the extent of a site.</i> <p><i>R2 – Over height buildings between 100m and 50m from the extent of a site and area of significance to Māori.</i></p> <p><i>R3 – Subdivision of land containing all or part of a site or area of significance to Māori.</i></p>

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		<p>utility structure, with the rule parameters allowing a level of earthworks in ground that has been previously disturbed by the existing network utility, as well as the provision of notice to tangata whenua 10 working days prior to . This allowance was introduced into the operative district plan through PLC13/00040 and has been operative since 2016. To date we have not received notice from any network utility operator prior to maintenance, repair or upgrading works in proximity to a SASM. Similarly, it is not clear how the area 'previously disturbed by the existing network utility' can be reasonably determined.</p> <p>Ambiguity when a rule in the plan requires consent or not is neither efficient nor effective for plan users, is difficult to enforce; and in our view is not sufficient to meet the certainty requirements for rule drafting.</p> <p>For these reasons, a clearer rule requiring the consideration of all activities on or within 50 metres of a SASM is necessary; noting that these rules are critical to protect historic heritage as a matter national importance.</p> <p><u>Location of rule trigger in relation to SASM</u></p> <p>Archaeological methods alongside the expert advice from tangata whenua have been utilised to identify the extent of a SASM as notified in line with best practise site identification practise,</p>	<p>The activity status where there is non-compliance with these rules to be discretionary.</p> <p>A s.33 transfer of powers to an iwi authority for the implementation of these rules is recommended.</p>

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		<p>and the Council's site recording guide. Site extents cannot be treated as being definitive, as has been shown over time additional features or information becomes available which modifies these extents. There is a higher probability (especially adjacent to urupā) for uncovering archaeological material in the immediate vicinity of the extent of a site. For this reason a rule provision that manages all development within 50 metres of a site included in Schedule 3) is required.</p> <p>It is important to note that despite best endeavours an extent is not available for all sites. Where this is the case, the site location is only considered to be accurate to +/- 200 metres.</p>	

SPECIAL PURPOSE ZONE - AIRPORT ZONE			
Airport Zone	Oppose	<p>The Special Purpose Airport Zone has been developed without the benefit of specific engagement with mana whenua on the proposed provisions.</p> <p>The section 32 report and chapter acknowledges that the Airport Zone is of significance to Puketapu Hapū. The objectives of the Zone are currently silent on tangata whenua related matters.</p>	Amend the PREC1 – Figure 85 – New Plymouth Airport Precinct Map and make consequential changes to the provisions of the Airport Zone alongside Puketapu Hapū through a cultural impact process.

Section/Sub-section/Provision	Support/Support in Part/Oppose	Submission <i>(Explain the reasons why you support/support in part/oppose the specific provisions or wish to have them amended.)</i>	Relief sought <i>(Give precise details of the decision you want the Council to make. To mark up changes to a provision strike through text you want to remove and underline text you want to add)</i>
		<p>Whilst policy provision is made for ensuring adverse effects on cultural, spiritual and/ or historic values and sites and areas of significance to Puketapu (mana whenua)(policy AIRPZ-P4); recognising sites and areas of significance to Māori by using best practice industry requirements and technology to ensure efficient use of land and to reduce effects (policy AIRPZ-P8); encourage the incorporation of mātauranga Māori into development and airport operations as well as opportunities for Puketapu to exercise customary responsibilities (policy AIRZ-P9) and TKOTAT acknowledges the engagement of Puketapu Hapū around the Airport redevelopment, the Airport Zone does not recognise or provide for section 6(e) of the RMA. This lack of recognition and providing for the relationship of tangata whenua is further undervalued by Māori purpose activities being considered an incompatible use within the Airport Zone (with a non-complying activity rule status).</p> <p>In addition TKOTAT are opposed to the statement around best practice industry being utilised to ensure efficient use of land and to reduce effects (policy AIRPZ-P8), as per Strategic Objective TW-9, only tangata whenua can identify impacts on their relationship with their culture, traditions, ancestral lands, waterbodies, sites, areas and landscapes and other taonga of significance to Māori.</p>	

Section/Sub-section/Provision	Support/Support in Part/Oppose	Submission <i>(Explain the reasons why you support/support in part/oppose the specific provisions or wish to have them amended.)</i>	Relief sought <i>(Give precise details of the decision you want the Council to make. To mark up changes to a provision strike through text you want to remove and underline text you want to add)</i>
WATERBODIES			
WB-R1 – WB-R3	Oppose	<p>Puketapu Hapū are supportive of setbacks being required from waterbodies to further enhance the integrated management approach to freshwater.</p> <p>It is well known that in addition to rural waterbodies, some of our urban awa within Puketapu Hapū are some of the most degraded in the district e.g. Mangaone, Waitaha and Mangati. Puketapu Hapū is concerned that setbacks are not provided from natural and significant waterbodies in the commercial and mixed use zones and all natural waterbodies in all zones except for in the rural zones.</p> <p>It is therefore considered reasonable to require setbacks from both significant and natural waterbodies in all zones to ensure their protection.</p> <p>TKOTAT consider it necessary that the rules apply to all types of pump stations. No justification has been provided within the s32 report as to why the rule only applies to wastewater pump stations.</p> <p>When the location of wastewater infrastructure is close to waterbodies the potential for unauthorised discharges of untreated human effluent into freshwater is elevated such as the recent Mangati discharge.</p> <p>There are hundreds if not thousands of stormwater outlets that discharge into waterbodies in the district. Collectively these have a significant adverse effect on the mauri of</p>	<p>Amend rules to apply to all zones.</p> <p>Clarification sought as to why the rules do not apply to all types of pump stations. Rules must be amended to ensure the rules apply to all pump stations.</p>

Section/Sub-section/Provision	Support/Support in Part/Oppose	Submission <i>(Explain the reasons why you support/support in part/oppose the specific provisions or wish to have them amended.)</i>	Relief sought <i>(Give precise details of the decision you want the Council to make. To mark up changes to a provision strike through text you want to remove and underline text you want to add)</i>
		these waterbodies, as well as the relationship tangata whenua are able to have with those waterbodies through kaitiakitanga, mahinga kai, kaukau and other activities. Whilst it is acknowledged that discharges are managed by the territorial authority integrated management, rule WB-R3 provides for by considering the location of infrastructure in relation to a waterbody and associated risks through the resource consent process.	
WB-R4	Oppose	<p>Puketapu Hapū is supportive of the proposed rule; however, it is known that earthworks within urban catchments/ waterbodies can have impacts on tangata whenua's relationship with their culture and traditions with water. It is therefore considered appropriate to amend the rule to apply to all zones.</p> <p>Puketapu Hapū are opposed to the exception that the rules do not apply where earthworks are permitted by a rule or a resource consent has been issued by the TRC; and for the matters set out in part 2 of the rule. It is considered that allowing for this exception would create confusion with developers and landowners. The provision of the rule, with the exceptions, will enhance the integrated approach to freshwater management.</p>	Amend rule to apply to all zones. Remove exception to the rules.