



Ā UPANE KA UPANE WHITI TE RA

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Hutt City Council

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Te Rūnanga o Toa Rangatira Submission - Proposed Lower Hutt District Plan 2025

Tēnā koe,

This is a submission of Te Rūnanga o Toa Rangatira on the Proposed Lower Hutt District Plan 2025 (the proposed district plan).

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Te Rūnanga o Toa Rangatira has no gain or advantage in trade competition through this submission.

The specific provisions of the proposal that this submission relates to are the Tangata Whenua Chapter, Papakāinga Chapter, and Sites and Areas of Significance to Māori Chapter, District-Wide Matters, Te Awa Kairangi and zoning at No. 30 Benmore Crescent.

We wish to be heard in support of this submission.

Introduction

Te Rūnanga o Toa Rangatira is the mandated iwi authority for Ngāti Toa Rangatira. We have the responsibility for protecting and enhancing the mana of Ngāti Toa Rangatira across the various political, economic, social and environmental spheres.

In relation to Te Ao Tūroa, the objective of Ngāti Toa Rangatira is to nurture a resilient environment to sustain future generations through reclaimed connection and mātauranga to natural resources, empowering kaitiaki who are leaders and co-managers of our natural environment, our commitment to environmental sustainability and our ability to adapt to the impacts of climate change.

Ngāti Toa Rangatira are mana whenua of Te Awa Kairangi. This responsibility is shared with Taranaki Whānui ki Te Upoko o Te Ika who are also mana whenua and exercise ahi kā in the district. As reported by the Waitangi Tribunal, Ngāti Toa held ahi kā rights within the Hutt Valley at 1840. These rights were compromised by the New Zealand Company and the Crown in 1846 which involved colonial military action and multiple breaches of Te Tiriti o Waitangi. In 2012, the Crown apologised for these actions and the Deed of Settlement and associated Ngāti Toa Rangatira Claims Settlement Act 2014 provides the basis for recognition and partnership relationships in the Hutt Valley, including recognition of Te Awa Kairangi.



TE RŪNANGA O TOA RANGATIRA

Ā UPANE KA UPANE WHITI TE RA

We acknowledge and appreciate the ongoing relationship with Hutt City Council and the opportunities to provide feedback on this important kaupapa. We also acknowledge the engagement with Te Rūnanga o Toa Rangatira on the draft district plan and the drafting of various chapters throughout the plan alongside Taranaki Whānui ki Te Upoko o Te Ika.

1. Introduction and General Provisions - Tangata Whenua

Te Rūnanga o Toa Rangatira are supportive of the Tangata Whenua Chapter of the Proposed District Plan. This chapter acknowledges the statutory context of engagement and partnership with iwi, recognises the relationship of tangata whenua with the land and resources and articulates matters of significance, as well as important principles and values.

Under *Section 5. Ngāti Toa Rangatira Claims Settlement Act 2014* of the Tangata Whenua Chapter, the proposed district plan reads:

Concerning Statutory Acknowledgements, the Ngāti Toa Rangatira Claims Settlement Act:

- *Requires relevant consent authorities to have regard to Taranaki Whānui's statutory acknowledgements (section 26).*

However, this section needs to be amended to read:

Concerning Statutory Acknowledgements, the Ngāti Toa Rangatira Claims Settlement Act:

- *Requires relevant consent authorities to have regard to the statutory acknowledgements of Ngāti Toa Rangatira (section 26).*

Te Rūnanga o Toa Rangatira seek the adoption of the Tangata Whenua Chapter in the proposed district plan with the suggested amendments.

2. District-Wide Matters - Papakāinga

The Papakāinga Chapter in the proposed district plan supports mana whenua to exercise kaitiakitanga over their whenua and develop housing which aligns with traditional forms of living and the aspirations of whānau. Papakāinga also support the reconnection of whānau with their ancestral whenua.

Te Rūnanga o Toa Rangatira are supportive of the Papakāinga Chapter being included in the proposed district plan and suggest the following amendments:

- Amend Objective PK-O1 to read:

Mana whenua Māori with ancestral land in Lower Hutt are able to exercise rangatiratanga develop papakāinga on that their ancestral land, supporting the restoration and maintenance of whānau connections to their whenua. Papakāinga can include multi-generational living and a range of other activities that support the community within the papakāinga and are in accordance with tikanga, such as marae, community facilities, educational facilities, and small-scale commercial or agricultural activities.



Ā UPANE KA UPANE WHITI TE RA

Te Rūnanga o Toa Rangatira seek the adoption of the Papakāinga Chapter as proposed in the district plan with the suggested amendments to Objective PK-O1.

3. District-Wide Matters - Sites and Areas of Significance to Māori

Te Rūnanga o Toa Rangatira are supportive of the inclusion of the Sites and Areas of Significance to Māori (SASM) Chapter into the proposed district plan, including the related rules, schedule and mapping.

We support the provisions within this chapter as they ensure the recognition, protection and maintenance of these sites and the practice of kaitiakitanga, rangatiratanga and mana motuhake by mana whenua. Te Rūnanga o Toa Rangatira appreciates being engaged in the process of identifying sites of significance alongside Taranaki Whānui.

Te Rūnanga o Toa Rangatira seek the adoption of the Sites and Areas of Significance to Māori Chapter in the proposed district plan.

4. District-Wide Matters - Ecosystems and Indigenous Biodiversity

Te Rūnanga o Toa Rangatira are supportive of policies ECO-P3 and ECO-P5 within the Ecosystems and Indigenous Biodiversity Chapter. These policies provide for mana whenua to exercise customary harvesting practices and kaitiaki responsibilities to protect, restore and maintain areas of indigenous biodiversity. In particular, we are supportive of:

- Method ECO-M1 which states that Hutt City Council and Wellington Regional Council will work in partnership with Mana Whenua in collaboration with landowners, communities and other stakeholders to restore indigenous biodiversity.
- Appendix ECO-App1 which requires ecological impact reports to include mātauranga Māori and tikanga Māori assessment methodologies.
- ECO-App2 which identifies principles for biodiversity offsetting with Principle 9 stating the design and implementation of a biodiversity offset is informed by science and mātauranga Māori.
- ECO-App3 which identifies principles for biodiversity compensation with Principle 11 stating that the design of biodiversity compensation is informed by science and mātauranga Māori. Additionally, Principle 12 which relates to providing opportunity for effective and early participation of tangata whenua when planning for biodiversity compensation.

Te Rūnanga o Toa Rangatira seek the adoption of the Ecosystems and Indigenous Biodiversity Chapter in the proposed district plan.



Ā UPANE KA UPANE WHITI TE RA

5. District-Wide Matters - Natural Character

Te Rūnanga o Toa Rangatira are supportive of Objective NATC-O1 as its intent is for the natural character of coastal and riparian margins to be enhanced and preserved as well as protected from inappropriate subdivision, use and development. We are supportive of:

- Policy NATC-P1 to allow for customary harvesting by Mana Whenua within coastal margins and riparian margins in accordance with tikanga Māori.
- Policy NATC-P2 to provide for mana whenua to exercise their kaitiaki role to protect, restore and maintain the natural character of coastal and riparian margins.
- Rule NATC-R1 as it provides for customary harvesting by Mana Whenua in Outstanding Natural Features and Landscapes as a permitted activity.

We seek the adoption of the Natural Character Chapter in the proposed district plan.

6. District-Wide Matters - Natural Features and Landscapes

Te Rūnanga o Toa Rangatira are supportive of the provisions within the Natural Features and Landscapes Chapter. Turakirae Head is identified as an Outstanding Natural Feature in the proposed district plan. Turakirae is of significance to Ngāti Toa Rangatira as a pouwhenua and a marker of the extent of our rohe. We are also in support of:

- NFL-O1 to protect Outstanding Natural Features and Landscapes from inappropriate subdivision, land use and development.
- NFL-P2 to allow for customary harvesting by Mana Whenua within Outstanding Natural Features and Landscapes in accordance with tikanga Māori.
- NFL-P3 to provide for restoration or rehabilitation undertaken by Mana Whenua to exercise their role as kaitiaki and protect, restore and maintain areas with outstanding landscape values.
- NFL-R1 as it provides for customary harvesting by Mana Whenua in Outstanding Natural Features and Landscapes as a permitted activity.

Te Rūnanga o Toa Rangatira seek the adoption of the Natural Features and Landscapes Chapter in the proposed district plan.



TE RŪNANGA O TOA RANGATIRA

Ā UPANE KA UPANE WHITI TE RA

7. District-Wide Matters - Coastal Environment

Te Rūnanga o Toa Rangatira are supportive of objective CE-O1 for maintenance, restoration and enhancement of natural character within the landward extent of the coastal environment. Te Rūnanga o Toa Rangatira supports:

- Objective CE-O2 for identified characteristics and values of High, Very High and Outstanding Coastal Natural Character Areas in the landward extent of the coastal environment to be preserved and protected from inappropriate subdivision, use and development.
- Policy CE-P3 to provide for customary harvesting by Mana Whenua within the landward extent of the coastal environment in accordance with tikanga Māori.
- Rule CE-R1 which provides for customary harvesting by Tangata Whenua in the Coastal Environment as a permitted activity.

Te Rūnanga o Toa Rangatira seek the adoption of the Coastal Environment Chapter in the proposed district plan.

8. Te Awa Kairangi

Due to the significance of Te Awa Kairangi for Ngāti Toa Rangatira, we sought better recognition of *Te Mahere Wai o Te Kāhui Taiao* within the provisions of the draft district plan to address and improve the health of Te Awa Kairangi.

Te Rūnanga o Toa Rangatira acknowledges the provisions throughout the plan including in the Tangata Whenua Chapter, Strategic Direction and SASM Chapter which acknowledge the significance of Te Awa Kairangi. We are supportive of Objective NESD-O1 to restore and protect the health and wellbeing of Te Awa Kairangi and Objective NESD-O2 to protect the values of significant water bodies including Te Awa Kairangi.

We are also supportive of Te Awa Kairangi being recognised as a SASM in the proposed district plan. The provisions within the SASM Chapter align with our submission on the draft district plan seeking further enhancement and protection of Te Awa Kairangi.

Specifically, Te Rūnanga o Toa Rangatira are supportive of SASM-P8 to avoid degradation of the mauri of sites and areas listed as Ngā Awa o te Takiwā as a result of activities including cemeteries, landfills, wastewater treatment plants and earthworks. As stated in the submission of Te Rūnanga o Toa Rangatira on the draft district plan, Ngāti Toa Rangatira are concerned about the discharges from Seaview Wastewater Treatment Plant and addressing the associated pollution must be a key priority.

9. Zoning



Ā UPANE KA UPANE WHITI TE RA

In our submission on the draft district plan, Te Rūnanga o Toa Rangatira highlighted the importance of planning for development and zoning being informed through partnership with iwi and aligned to iwi aspirations. As part of that submission, we addressed issues relating to 30 Benmore Crescent and sought zoning provisions which reflects past and future uses of the site, the surrounding environment and aspirations of Ngāti Toa Rangatira. We question the retention of General Rural Zone considering the characteristics, uses and history of the site.

The land at 30 Benmore Crescent is owned by Te Rūnanga o Toa Rangatira on behalf of all of Ngāti Toa Rangatira. The property has been leased to Rosco Ice Cream Limited for development purposes. We understand that Rosco Ice Cream Limited are looking to encourage a range of uses on the property and are working with Waste Management Ltd to establish a resource recovery park at the site.

Te Rūnanga o Toa Rangatira are supportive of the concept of a resource recovery park and exploring a range of other commercial and/or industrial uses on the property. The land, however, has a number of key constraints including restrictions on use due to traffic management issues, hazard and noise overlays and proximity to the highway and railway. Consequently, there are limited development options that are suitable or possible for the property.

In view of the unique circumstances of the site, we suggest that a special purpose industrial zone would be appropriate for No.30 Benmore Crescent. There are currently five special purpose zones in the proposed district plan which provide flexibility for existing and new uses in a manner that is compatible with the surrounding environments. A special purpose industrial zone for No.30 Benmore Crescent could provide for development capacity needs, alongside managing adverse effects on the surrounding zones, local community and environment.

To summarise, Te Rūnanga o Toa Rangatira is opposed to the existing general rural zone and will continue to work with Hutt City Council on planning issues at No.30 Benmore Crescent and the development of appropriate zoning provisions for the site.

Relief Sought

In conclusion, Te Rūnanga o Toa Rangatira supports the proposed district plan, and we will work in partnership with Hutt City Council to implement provisions which align with the values and aspirations of Ngāti Toa Rangatira. As outlined in this submission, we are seeking the adoption of the following matters in the proposed district plan:

- The Tangata Whenua Chapter with the suggested amendments.
- The Papakāinga Chapter with the suggested amendments to Objective PK-O1.
- The Sites and Areas of Significance to Māori Chapter.
- The Ecosystems and Indigenous Biodiversity Chapter.



TE RŪNANGA O
TOA RANGATIRA

Ā UPANE KA UPANE WHITI TE RA

- The Natural Character Chapter.
- The Natural Features and Landscapes Chapter.
- The Coastal Environment Chapter.

In terms of No.30 Benmore Crescent, we oppose the General Rural Zone and consider the development of a Special Purpose Industrial Zone is more appropriate.

Nāku noa, nā

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