

Submitter Name	Section / Sub-section / Provision	Submission number / Point Number	Position	Summary of Submission	Relief Summary
Mana Ahuriri Trust "MAT"	Definitions /Definitions /PAPAKĀINGA	280.1	Amend	To clarify and aid in useability of the PAK provisions, the definition of Papakāinga in the Definitions section of the Plan should be refined and expanded upon. The importance of the Papakāinga definition is the linkage to be established between the activity and the relationship of Mana whenua to the land as well as capturing the fact that other activities are often an integral component of such communities.	Seeks to Amend the current definition in the Plan to read: PAPAKĀINGA HOUSING means a comprehensive residential development for tangata whenua residing in Napier City to provide residential accommodation for members of iwi or hapū groups on Māori land and/ or land which Mana Whenua have a connection to <u>and/or</u> within the Māori Purpose zone, and also includes communal buildings, facilities and commercial activities to support the papakāinga and community.
Mana Ahuriri Trust "MAT"	Definitions /Definitions /MĀORI PURPOSE ACTIVITIES	280.2	Amend	The Submitter seeks a wider and more inclusive definition of Māori Purpose Activities to that currently set out in the Plan. The current definition centres largely on festivals, events (temporary), traditional cultural practices and ancillary structures to support such activities. MAT submit that this is a somewhat narrow view of Māori Purpose Activities, noting that there is already a definition for Māori Cultural Activity in the Plan. It is further noted that there is also a definition of Māori Cultural Tourism Activities in the Plan. It is considered that a merging and restructuring of such definitions is required in order to capture the relief sought by the Submitter on this issue and result in a more cohesive suite of definitions.	Add a new definition and/or restructure the existing relevant definitions within the Plan to ensure that the following matters are captured and can be utilised for the respective zones over which they are intended to apply: <u>MĀORI PURPOSE ACTIVITIES</u> <u>means the use of land and/or buildings for a range of activities for Māori cultural, community and living purposes, and/or integrated Māori development, including but not limited to one or more of the following activities:</u> a) <u>marae/pā;</u> b) <u>papakāinga;</u> c) <u>urupā;</u> d) <u>wānanga;</u> e) <u>customary activities;</u> f) <u>home occupation;</u> g) <u>arts and cultural centres;</u> h) <u>cultural education and research facilities;</u> i) <u>Māori cultural activities;</u> j) <u>child care services, kohanga reo or kura (schools); and</u> k) <u>whare karakia (Māori church)</u> l) <u>commercial activities to support the papakainga and community</u>
Mana Ahuriri Trust "MAT"	PKA - Papakainga /Introduction /General	280.3	Amend	The introduction highlights the importance of Papakāinga and of importance to MAT is the scope of the relationship of development to the land (be that Māori whenua land or land that Māori have an ancestral relationship with but is in general title). The Introduction to the PKA provisions appears to reflect that as they clearly state that PKA provisions apply to land that is whenua land or on land with an ancestral connection. This is appropriately acknowledged as being important in respect of Policy 1.a.ii of the NPS-UD 2020. However, the Introduction then sets a direction of being more enabling on land that has been declared as whenua land under the Te Ture Whenua Māori Act 1993 but then places general title under a caveat of "under certain circumstances". This is not considered a reasonable application of Policy 1 of the NPS-UD. The Introduction seemingly separates the 2 classes of landholdings despite acknowledging the importance of an ancestral connection. This has the effect in the rules that give effect to PKA of restricting the enablement of establishing such activities on sites that are in general title. MAT seeks that this be meaningfully addressed and clarify that the PKA provisions apply over all land and that is also translated into the relevant rules and standards in the PKA chapter.	Amend/clarify the Introduction to give effect to the relief sought and remove the distinction for development of Papakāinga in respect of land that is not identified under the Te Ture Whenua Māori Act 1993.
Mana Ahuriri Trust "MAT"	PKA - Papakainga /Policies /PKA-P1: Provision for papakāinga development on whenua Māori	280.4	Amend	The Submitter seeks to have clarity over the nature of landholdings that the development of Papakāinga can be undertaken on. The Submitter supports PKA-P2 which expressly seeks to enable the development of papakāinga on general title within the City. Similarly, the Submitter supports the intent of PKA-P1 which relates directly to the development of Māori land and the ability to develop Papakāinga on those sites. The Submitter further supports the intent of PKA- P5 which seeks to enable commercial and small-scale industrial activities as part of a papakāinga development. However, it is not considered necessary or reasonable to separate the general title and Māori land into separate policies given the relief that The Submitter seeks.	Amend the Policies in PKA-P1 and PKA-P2 to link all land tenures to enabling papakāinga developments with an all- encompassing policy which does not distinguish between land tenure and classifications under legislation.
Mana Ahuriri Trust "MAT"	PKA - Papakainga /Policies /PKA-P2: Provision for papakāinga on General Title	280.5	Amend	The Submitter seeks to have clarity over the nature of landholdings that the development of Papakāinga can be undertaken on. The Submitter supports PKA-P2 which expressly seeks to enable the development of papakāinga on general title within the City. Similarly, the Submitter supports the intent of PKA-P1 which relates directly to the development of Māori land and the ability to develop Papakāinga on those sites. The Submitter further supports the intent of PKA- P5 which seeks to enable commercial and small-scale industrial activities as part of a papakāinga development. However, it is not considered necessary or reasonable to separate the general title and Māori land into separate policies given the relief that The Submitter seeks.	Amend the Policies in PKA-P1 and PKA-P2 to link all land tenures to enabling papakāinga developments with an all- encompassing policy which does not distinguish between land tenure and classifications under legislation.

Mana Ahuriri Trust "MAT"	PKA - Papakainga /PKA - Papakainga - Rules Table /PKA-R2: Papakāinga	280.6	Amend	<p>Rule PKA-R2 applies to a number of zones and those are considered appropriate as an underlying extent upon which papakāinga can be enabled. However, the matters of control in PKA-R2A split the consent status depending upon the land tenure. This undermines the enabling narrative contained within the Introduction to the Zone and fails to recognise land that may be returned to Iwi under a redress or acquisitions settlement process as a result of previous acquisition or alienation.</p> <p>It is also considered unduly restrictive to render an activity on general title to be a Discretionary Activity whereas development on Māori land is rendered a Controlled Activity if it complies with the standards and restricted Discretionary if it does not. The rules are driven by land tenure as opposed to the substantive environmental effects that must be either avoided, remedied or mitigated. It is not considered that land tenure of itself should be the arbiter of an activity status for a development.</p>	Amend Rules PKA-R2A, PKA-R2B and PKA-R3A, PKA-R3B to remove the distinction between land tenure and apply consistency of provisions as a Controlled Activity where all standards are met and a Restricted Discretionary status where activity standards are not met regardless of the land tenure underpinning the activity.
Mana Ahuriri Trust "MAT"	PKA - Papakainga /PKA - Papakainga - Rules Table /PKA-R3: Industrial and commercial buildings and activities associated with papakāinga	280.7	Amend	<p>Rule PKA-R2 applies to a number of zones and those are considered appropriate as an underlying extent upon which papakāinga can be enabled. However, the matters of control in PKA-R2A split the consent status depending upon the land tenure. This undermines the enabling narrative contained within the Introduction to the Zone and fails to recognise land that may be returned to Iwi under a redress or acquisitions settlement process as a result of previous acquisition or alienation.</p> <p>It is also considered unduly restrictive to render an activity on general title to be a Discretionary Activity whereas development on Māori land is rendered a Controlled Activity if it complies with the standards and restricted Discretionary if it does not. The rules are driven by land tenure as opposed to the substantive environmental effects that must be either avoided, remedied or mitigated. It is not considered that land tenure of itself should be the arbiter of an activity status for a development.</p> <p>The Submitter notes the same approach taken to commercial and industrial activities within PKA-R3A and PKA-R3B and the same concerns as that for PKA-R1 and PKA-R2 manifest themselves.</p> <p>The Submitter also seeks amendments to PKA-R3A(4) which limits activities in such developments. The Submitter seeks that the rule incorporates the relevant components from the definition sought for a Māori Purpose Activity in this rule as required to give effect to the relief sought by the inclusion of the definition. If multiple buildings/activities are proposed, The Submitter seeks that these are set out as an individual control rather than a cumulative control linked to the number of dwellings.</p>	<p>Amend Rules PKA-R2A, PKA-R2B and PKA-R3A, PKA-R3B to remove the distinction between land tenure and apply consistency of provisions as a Controlled Activity where all standards are met and a Restricted Discretionary status where activity standards are not met regardless of the land tenure underpinning the activity.</p> <p>Amend the provisions of PKA-R3 to enable the activities sought under the definition and any associated amendments to accommodate the relief sought.</p>
Mana Ahuriri Trust "MAT"	PKA - Papakainga /PKA - Papakainga - Standards Table /PKA-S5: Minimum site sizeAll zones	280.8	Amend	The standards contained within PKA-S5 to PKA-S7 are suitable for larger sites. The underlying zones over which the standards apply will not, in many instances, render such forms of development as being capable of being achieved, with the result being that they are pushed into a more arduous consenting category. It means that smaller urban sites will not be capable of being enabled as a papakāinga development. The PKA provisions are enabling Papakāinga in more urban zones however the standards as currently drafted do not enable such sites to be developed.	Amend the standards to enable a greater degree of flexibility and relate to the underlying zone as may be appropriate to the site subject to development.
Mana Ahuriri Trust "MAT"	PKA - Papakainga /PKA - Papakainga - Standards Table /PKA-S6: Privacy separation distances	280.9	Amend	The standards contained within PKA-S5 to PKA-S7 are suitable for larger sites. The underlying zones over which the standards apply will not, in many instances, render such forms of development as being capable of being achieved, with the result being that they are pushed into a more arduous consenting category. It means that smaller urban sites will not be capable of being enabled as a papakāinga development. The PKA provisions are enabling Papakāinga in more urban zones however the standards as currently drafted do not enable such sites to be developed.	Amend the standards to enable a greater degree of flexibility and relate to the underlying zone as may be appropriate to the site subject to development.
Mana Ahuriri Trust "MAT"	PKA - Papakainga /PKA - Papakainga - Standards Table /PKA-S7: Building coverage	280.10	Amend	The standards contained within PKA-S5 to PKA-S7 are suitable for larger sites. The underlying zones over which the standards apply will not, in many instances, render such forms of development as being capable of being achieved, with the result being that they are pushed into a more arduous consenting category. It means that smaller urban sites will not be capable of being enabled as a papakāinga development. The PKA provisions are enabling Papakāinga in more urban zones however the standards as currently drafted do not enable such sites to be developed.	Amend the standards to enable a greater degree of flexibility and relate to the underlying zone as may be appropriate to the site subject to development.
Mana Ahuriri Trust "MAT"	PKA - Papakainga /Assessment criteria /PKA-AC1: Buildings accessory to existing or consented residential buildings (PKA-R1); Papakāinga (PKA-R2); Industrial and commercial Buildings and activities associated with papakāinga (PKA-R3); and Papakāinga, buildings accessory to existing or consented residential buildings, and industrial and commercial buildings and activities associated with papakāinga in all other zones not provided for in Rules PKA-R1-PKA-R3 (PKA-R4)	280.11	Oppose	<p>Based upon the points of submission above, the Submitter seeks that PKA-AC1(b) be removed as those criteria are again related to the tenure of the land and which determines the activity status of a development.</p> <p>See attached document for details.</p>	Delete PKA-AC1(b) and (c).
Mana Ahuriri Trust "MAT"	MPZ - Maori Purpose Zone /Introduction /General	280.12	Amend	The Submitter generally supports the proposed Introduction and the Issues framework (contained within MSPZ-I1 – MPS-I5 subject to amendments to the issues that capture the definition sought in this submission relating to a Māori Purpose Activity.	Amend the Introduction and Issues section to clearly reflect the nature of the activities captured within the Māori Purpose Activity definition.
Mana Ahuriri Trust "MAT"	MPZ - Maori Purpose Zone /Issues /General	280.13		The Submitter generally supports the proposed Introduction and the Issues framework (contained within MSPZ-I1 – MPS-I5 subject to amendments to the issues that capture the definition sought in this submission relating to a Māori Purpose Activity.	Amend the Introduction and Issues section to clearly reflect the nature of the activities captured within the Māori Purpose Activity definition.

Mana Ahuriri Trust "MAT"	MPZ - Maori Purpose Zone /Policies /General	280.14	Amend	The Submitter seeks an encompassing policy which captures the core intent of the activities listed whilst still placing the same obligations on those activities under the Act in respect of avoidance, mitigation and remediation.	Insert a new Policy in PKA-P section which reads: <u>Māori Purpose Activities and the comprehensive, coordinated and efficient development of land are enabled in the Māori Purpose Zone whilst ensuring actual or potentially adverse effects of activities are avoided, remedied or mitigated.</u>
Mana Ahuriri Trust "MAT"	MPZ - Maori Purpose Zone /MPZ - Maori Purpose Zone - Rules Table /General	280.15	Amend	The Submitter seeks to ensure that the range of activities provided for within the MPZ and to be amended as per the extent of the definition sought in this submission, are capable of enabling such activities subject to the reasonable consideration of the effects that may arise and the nature of amended or additional controls that may be required for their effects to be assessed, where it is reasonable to do so.	Amend the rules and standards to reflect a logical cascade of consenting status depending upon the nature of the activity enabled as part of a Māori Purpose Activity and appropriate matters for assessment.
Mana Ahuriri Trust "MAT"	MPZ - Maori Purpose Zone /MPZ - Maori Purpose Zone - Standards Table /General	280.16	Amend	The Submitter seeks to ensure that the range of activities provided for within the MPZ and to be amended as per the extent of the definition sought in this submission, are capable of enabling such activities subject to the reasonable consideration of the effects that may arise and the nature of amended or additional controls that may be required for their effects to be assessed, where it is reasonable to do so.	Amend the rules and standards to reflect a logical cascade of consenting status depending upon the nature of the activity enabled as part of a Māori Purpose Activity and appropriate matters for assessment.