

# The Māori Trustee's submission on the Proposed Timaru District Plan - He Po. He Ao. Ka Awatea

December 2022



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## Summary of Position

1. The Māori Trustee administers, as trustee or agent, nearly 88,000 hectares of Māori freehold land on behalf of approximately 100,000 individual Māori landowners. Te Tumu Paeroa is the organisation that supports the Māori Trustee to carry out her functions, roles and responsibilities. Detailed information regarding the Māori Trustee and Te Tumu Paeroa is set out in Appendix A. Additional information can be found on Te Tumu Paeroa's website, [www.tetumupaeroa.co.nz](http://www.tetumupaeroa.co.nz).
2. The views expressed in this submission on the 'Proposed Timaru District Plan' (Proposed Plan) are those of the Māori Trustee as the single largest administrator of Māori land in Aotearoa. The Māori Trustee administers 4 blocks (76.22 hectares) across the Timaru District, representing approximately 663 beneficial ownership interests. Necessarily, this means the views of the Māori Trustee may not be shared by some owners of land impacted by the Proposed Plan. Further, and to labour the point, the Māori Trustee does not speak for or otherwise represent iwi, hapū or other holders of Māori land, some of whom are likely to submit on the Proposed Plan.
3. In summary, the Māori Trustee is generally comfortable with the objectives, policies, rules and standards to manage land use activities and subdivision across the Timaru district in the Proposed Plan. However, the Māori Trustee considers amendments are required to recognise all Māori landowners, reduce ambiguity and provide clear direction to those implementing plan provisions.
4. The Māori Trustee's submission naturally focuses on those parts of the Proposed Plan (in its current form) that impact on land she administers.
5. While that remains the Māori Trustee's focus, if any other parts of the Proposed Plan were changed in consequence of this submission round and the Māori Trustee considered that these changes negatively impacted on land she administers, she would like the opportunity to address her concerns with council officials.
6. The Māori Trustee would welcome the opportunity to discuss her submission with council representatives.



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## General Submissions

### Definitions

7. The Māori Trustee notes that ‘Ancestral lands’ and ‘Māori land’ appear to be used interchangeably throughout the Proposed Plan. The Māori Trustee’s preference is that a definition for ‘Ancestral lands’ be provided to highlight the nuance between the two terms or a singular term be used. This will reduce ambiguity and ensure consistency when implementing the plan.
8. The Māori Trustee considers that the definition of ‘papakāika’ needs to be amended in the Proposed Plan to provide for Māori landowners. The Māori Trustee administers whenua Māori on behalf of Māori landowners in Timaru and notes that not all Māori landowners will be actively involved in Kāti Huirapa.
9. The Māori Trustee proposes the following change to the Papakāika definition:
  - a. “Means any building associated with any activity undertaken in the traditional rohe of mana whenua **or on Māori land subject to the District Plan**, to sustain **mana whenua or Māori landowners**, and may include (but is not limited to) residential, social, cultural, economic, conservation and recreation activities including...”
10. Related to this, the current Māori Purpose Zone introduction refers to mana whenua – Kāti Huirapa as rights holders, and that definition needs to be amended to include Māori landowners. This will ensure that Māori landowners are afforded the same opportunities to apply to have their whenua recognised within the Māori Purpose Zone.



## Specific Submissions

### Submission table

Proposed District Plan provisions	Support or oppose	Māori Trustee submission	Relief sought
<b>District-wide Matters</b>		<b>Māori Trustee Submission</b>	<b>Relief sought</b>
<b>Strategic Direction</b>			
<b>SD-05</b>	Partially Support	<p>The Māori Trustee is generally comfortable with the objectives in the 'Strategic Direction' chapter.</p> <p>However, the Māori Trustee considers that an amendment to SD-05(iv) is required to ensure all Māori landowners are able to exercise their tino rangatiratanga and mana motuhake through retaining, and where appropriate, enhancing access to their sites of significance.</p>	<p>The Māori Trustee considers that the following amendment needs to be made to objective SD-05.</p> <p><b>Amendments</b>  <b>Mana Whenua</b>                      iv. Kāti Huirapa <i>and Māori landowners</i> retain, and where appropriate <i>are</i> able to enhance access to their sites and areas of significance;</p>
<b>Urban Form and Development</b>			
<b>UFD-01</b>	Partially Support	<p>The Māori Trustee is generally comfortable with the objectives in the 'Urban Form and Development' chapter.</p>	<p>The Māori Trustee considers that 'ancestral lands' should be defined in the definitions chapter of the Proposed Plan.</p>



		<p>However, the Māori Trustee reiterates her point made in paragraph 7 that ancestral lands needs to be defined to preclude ambiguity within the Proposed Plan.</p>	<p>The Māori Trustee considers that the following amendment needs to be made to objective UFD-O1.</p> <p><b>Amendments</b></p> <p>viii. enable papakāika, to occur on ancestral lands <i>and Māori land</i></p>
<p><b>Historical and cultural values</b></p> <p><b>Sites and Areas of Significance to Māori</b></p>		<p><b>Māori Trustee Submission</b></p>	
<p><b>Relief sought</b></p>			
<p><b>Objectives</b></p>			
<p><b>SASM-O2</b></p>	<p>Partially Support</p>	<p>The Māori Trustee is generally comfortable with the objectives in the ‘Sites and Areas of significance to Māori’ chapter.</p> <p>The Māori Trustee supports Kāti Huirapa ability to access, maintain and use areas and resources of cultural value. However, as sites of significance to Māori are currently mapped on the E-Plan over entire property records of titles, including private land, an ‘in agreement with affected landowners’ qualifier is needed.</p> <p>The Māori Trustee also considers that the Proposed E-Plan needs to clearly identify the extent of sites of significance to Māori as they currently appear to be across entire property records of title.</p>	<p>The Māori Trustee also considers that the Proposed E-Plan needs to clearly identify the extent of sites of significance to Māori as they currently appear to be across entire property records of title.</p> <p>The Māori Trustee considers that the following amendment needs to be made to objective SASM-O2.</p> <p><b>Amendments</b></p> <p><b>Access and use</b></p> <p>Kāti Huirapa are able to, <i>in agreement with affected landowners</i>, access, maintain and use resources areas of cultural values within identified Sites and Areas of Significance to Kāti Huirapa.</p>



Policies			
SASM-P3	Partially Support	<p>The Māori Trustee is generally comfortable with the policies in the 'Sites and Areas of significance to Māori' chapter.</p> <p>However, the Māori Trustee considers that an amendment to SASM-P3 is required to expressly include Māori landowners.</p>	<p>The Māori Trustee considers that the following amendment needs to be made to policy SASM-P3.</p> <p><b>Amendments</b>  <b>Use of sites and areas for cultural practices</b>                      Enable Kāti Huirapa <i>and Māori landowners</i> to undertake customary harvest and other cultural practices in identified sites and areas listed in SCHED6 – Schedule of Sites and Areas of Significance to Kāti Huirapa, in accordance with tikaka.</p>
Rules			
SASM-R1 – R8	Partially Support	<p>The Māori Trustee is generally comfortable with the rules in the 'Sites and Areas of significance to Māori' chapter.</p>	N/A
Area Specific matters - Zones		Māori Trustee Submission	Relief sought
<b>Māori Purpose Zone</b>			
Introduction	Partially support	<p>The Māori Trustee is generally comfortable with the 'Introduction' of the Māori Purpose Zone.</p> <p>However, the Māori Trustee notes that the current Māori Purpose Zone introduction only provides for mana whenua – Kāti Huirapa the hāpu. The Māori Trustee administers whenua</p>	<p>The Māori Trustee considers that the following amendment needs to be made to the 'Introduction' of the Māori Purpose Zone.</p> <p><b>Amendments</b>                      The purpose of the Māori Purpose Zone is to provide for the social, cultural, environmental and economic</p>



		<p>Māori on behalf of 663 Māori landowners in Timaru and notes that not all Māori landowners will be actively involved in Kāti Huirapa.</p> <p>The Māori Trustee, therefore, considers that Māori landowners need to be included within the introduction.</p>	<p>wellbeing of mana whenua <i>and Māori landowners</i>, and ensure a thriving and self-sustaining Māori community. The zone recognises and provides for the relationship of Māori with the land.</p> <p>The Māori Purpose Zone is applied to areas of land originally granted as Native Reserve for Māori occupation or use. One of the main aspirations of the Māori Purpose Zone is to create an enabling planning regime to not only encourage the development and use of existing Māori land, but to create a place for mana whenua <i>and Māori landowners</i> to return to. Māori should benefit from these provisions and enjoy the additional activities that can be undertaken within the Zone.</p>
<b>Objectives</b>			
<p><b>MPZ-O1</b></p>	<p>Partially support</p>	<p>The Māori Trustee is generally comfortable with the objectives in the ‘Māori Purpose Zone’ chapter.</p> <p>The Māori Trustee supports and acknowledges Kāti Huirapa as the mana whenua of their lands and the use and development of their whenua. However, the Māori Trustee administers whenua on behalf of Māori landowners in the Timaru district, who may not be actively involved with Kāti Huirapa. Therefore, MPZ-O1</p>	<p>The Māori Trustee considers that the following amendment needs to be made to objective MPZ O1.</p> <p><b>Amendments</b></p> <p><b>Enabling use and development of Māori land</b></p> <p>The occupation of ancestral land by mana whenua <i>and Māori landowners</i> is recognised and provided for within the Māori Purpose Zone.</p>





		should be amended to include Māori landowners.	
<b>MPZ-O2</b>	Partially support	<p>The Māori Trustee supports and acknowledges Kāti Huirapa as the mana whenua in Timaru.</p> <p>As some lands administered are within the Māori Purpose Zone, it is integral that the zone recognises and provides for all Māori landowners needs and activities.</p>	<p>The Māori Trustee considers that the following amendment needs to be made to objective MPZ O2.</p> <p><b>Amendments</b>  <b>Purpose of the Zone</b>                      The Māori Purpose Zone specifically provides for mana whenua <i>and Māori landowners</i> needs and activities, including papakāiaka, to achieves a thriving, sustainable and self-sufficient Māori community.</p>
<b>Policies</b>			
<b>MPZ-P6</b>	Partially support	<p>The Māori Trustee is generally comfortable with the policies in the ‘Māori Purpose Zone’ chapter.</p> <p>However, MPZ-P6 should be amended to expressly include Māori landowners in addition to mana whenua. This will ensure that Māori landowners are afforded the same opportunities to apply to have their whenua recognised within the Māori Purpose Zone.</p>	<p>The Māori Trustee considers that the following amendment needs to be made to objective MPZ O1.</p> <p><b>Amendments</b>  <b>Future zone locations</b>                      Support the future application of the Māori Purpose Zone in other locations where it will enable the use and development of land in accordance with tikaka Māori and to meet mana whenua and <i>Māori landowner’s</i> needs.</p>



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## **Conclusion**

11. The Māori Trustee looks forward to discussing this submission with Council representatives.

12. Please contact [REDACTED]  
[REDACTED]

**Dr Charlotte Severne**

Māori Trustee



## Appendices

### Appendix A – The Māori Trustee and Te Tumu Paeroa

#### Who We Are

13. The Māori Trustee is appointed by the Minister for Māori Development under the Māori Trustee Act 1953. The role of the Māori Trustee, is to provide accurate and timely administration and management of whenua and other client assets in compliance with the principles and obligations of trusteeship and agency, and in accordance with the Māori Trustee Act 1953, Trusts Act 2019, Te Ture Whenua Māori Act 1993 and other legislation. The current Māori Trustee, Dr Charlotte Severne, was appointed for a three-year term in September 2018 and was re-appointed for a five-year term in October 2021.
14. Te Tumu Paeroa is the organisation that supports the Māori Trustee to undertake her functions, duties and responsibilities.
15. The Māori Trustee administers around 88,000 hectares of Māori freehold land, as well as general land and other interests and investments, on behalf of approximately 100,000 Māori Land owners.
16. A primary objective of The Māori Trustee, is to protect, utilise and grow the assets of our Māori land owners. The organisation provides land administration and professional trustee and agency services to one third of all Māori land trusts (over 1,700 trusts), as well as targeted development and sector-specific expertise. The organisation is involved in the management of a number of Māori enterprises and development projects.
17. The Māori Trustee currently employs 124 staff across five offices throughout New Zealand, with the Māori Trustee located in Te Whanganui-a-Tara. Our organisation is made up of, but not limited to, trust and property management, law, client services, and other specialist teams. Our employees are focussed on protecting and enhancing the whenua Māori that we have the privilege to administer on behalf of its landowners and their tipuna.
18. Te Tumu Paeroa is unique, in that it is the only nation-wide organisation that manages significant tranches of Māori land and assets on behalf of Māori landowners.

#### Our Vision and Priorities

19. Our vision is: Ko Te Tumu Paeroa tēnei, te tauawhi nei, te taunaki nei, te tiaki nei ngā whenua Māori mō naianei, mō āpōpō hoki. Ensuring Māori land is protected and enhanced, now and for generations to come.  
Our vision requires a careful balance between protection of the whenua and taiao and enhancement of the whenua through a range of pathways, including commercial development.
20. Our purpose is to be a dedicated professional trustee service for Māori.
21. Our strategic priorities assist us to deliver on our vision and purpose:



- a. Ensuring consistent delivery of professional trustee services.
- b. Building trust and confidence across all of our engagements.
- c. Demonstrating leadership in meeting new challenges to governance and administration of whenua Māori.

22. Our responsibility as trustee in the context of PC-54, is to ensure that the voices of the whenua that we are responsible for, and those landowners who whakapapa to that whenua, are heard and understood.

## Our Portfolio

23. Our portfolio currently<sup>1</sup> consists of the following:

- a. Number of trusts and other entities under administration – 1,746.
- b. Number of hectares under management – 88,000.
- c. Number of owner accounts maintained – 102,502.
- d. Number of ownership interests – 258,469.
- e. Number of leases administered – 1,732.
- f. Client funds under management (market value) – \$ 130.1 million.
- g. Māori Trustee equity – \$ 170.7 million.

## Our Mahi

The Māori Trustee has the responsibility to ensure that the best interests and outcomes for Māori land owners are advanced by Te Tumu Paeroa's mahi.

24. Our core services are:

- a. Administering trusts as responsible trustee, custodian trustee, and agent
- b. Convening, running and recording proceedings of meetings of beneficial owners
- c. Responding to requests for information
- d. Consulting with advisory trustees and owners
- e. Leasing property on behalf of owners and administering leases
- f. Collecting rent and managing arrears and bad debts
- g. Managing contracts for service entered into by trusts
- h. Managing and investing cash assets in the Common Fund
- i. Reporting to beneficial owners
- j. Acquiring and paying for goods and services
- k. Preparing financial statements and annual tax returns
- l. Keeping records for trusts we administer
- m. Making trust distributions to owners
- n. Administering grants and scholarships

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<sup>1</sup> The Māori Trustee Annual Report 2022



- o. Making applications to the Māori Land Court
- p. Reviewing land use and considering, where appropriate, alternative land use options
- q. Developing and enhancing property and land management including Asset Management and Farm Environment Plans
- r. Managing and providing support services for the General Purposes Fund

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