

The Māori Trustee's submission on  
He Marohi Kaupapa Here ā-Motu mō ngā  
Whakataunga Mōreareatangaā-Taiao:  
Proposed National Policy Statement for  
Natural Hazard Decision-making

November 2023



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## Summary of Position

1. The Māori Trustee's principal role is to administer, as trustee or agent, approximately 82,000 hectares of Māori freehold land on behalf of around 100,000 individual Māori landowners. Te Tumu Paeroa – the Office of the Māori Trustee – supports the Māori Trustee to carry out her statutory and other legal 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. Given the sheer scale and varied nature of the land assets within the Māori Trustee's portfolio, the views expressed in this submission may not always be shared by all owners of lands under the Māori Trustee's administration.
3. Te Tumu Paeroa considers that the effects of natural hazards will have a varied and adverse impact on the extensive landholdings the Māori Trustee administers across Aotearoa<sup>1</sup>. Approximately 82%<sup>2</sup> of administered trusts have land located in low-lying<sup>3</sup> areas and within 1km of a waterway. This affected area equates to 31% of the trusts total title area. Furthermore, approximately 15%<sup>4</sup> of the Māori Trustee's portfolio is situated within 500m of the coastline. These topography factors are therefore likely to make 82% of the portfolio more susceptible to natural hazard risks from severe climate events.
4. Given these statistics and Te Tumu Paeroa's recent experience in response to the significant impact that Cyclone Gabrielle has had, Māori landowners will likely struggle to have their lands become climate resilient unless appropriate action is taken to address the historic and structural barriers that continue to exacerbate inequities. The Government needs to be aware and take into account the barriers to develop Māori land and implement adaptation and retreat processes.
5. Detailed responses to the questions posed in the Discussion Document are set out below at pages 7 to 20 in the Specific Submissions Table. In summary, Te Tumu Paeroa:
  - a. Agrees that more action is needed to reduce development from occurring in areas facing natural hazard risk.
  - b. Considers that assessing natural hazard risk against tolerance of risk will need consensus as to what is a 'tolerable' and 'intolerable' natural hazard risk.
  - c. Considers that the Government will need to take care to ensure Māori landowners, who have historically faced disadvantages in developing their often under - or undeveloped

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<sup>1</sup> The Māori Trustee currently administers, as trustee or agent, over 82,000ha of land within Aotearoa for approximately 1,746 entities. The median area of a land block within her portfolio is 16.6ha and the mean area is 48ha.

<sup>2</sup> 1,307 trusts identified which have a total title area of 56,159ha.

<sup>3</sup> Blocks that have been identified as low-slope or 5-10 degrees: Stock Exclusion Low Slope Land 2022 | MfE Data Service

<sup>4</sup> 250 trusts identified which have a total title area of 9,680ha, however, 93 of these trusts are in addition to the above 1307 trusts.



land, are not further or disproportionately disadvantaged through implementation of the proposed NPS-NHD.

- d. Considers there needs to be sufficient and appropriate financial and technical support for Māori to participate in the development and implementation of risk assessment and mitigation responses for natural hazards on new development over specified Māori land.
- e. Considers that the NPS-NHD should include policy that requires local government to be responsible for management actions to minimise natural hazard risks faced by communities and landowners.
- f. Supports a risk-based approach when making decisions on new development in natural hazard areas. Te Tumu Paeroa also considers that elements of a te ao Māori approach need to be explicitly referenced in the description of any risk assessment process for decision-makers. This will ensure a holistic approach.
- g. Considers that non-urban critical infrastructure should be emphasised through a policy in the NPS-NHD.
- h. Considers that the wording of the proposed objective of the NPS-NHD should be amended to include the tolerability of people and communities to the natural hazard risk.
- i. Considers that there is not enough information about how a risk management assessment framework for categorising “low”, “moderate” or “high” risks would work. There is a concern that the physical characteristics of individual land blocks that may minimise hazard risk could be ignored in favour of a wider overall assessment. Māori land is disproportionately located within areas of moderate or high natural hazard risk and there is the potential for Māori landowners to be disproportionately affected by the adoption of such a framework.
- j. Considers that the meaning of ‘precautionary approach’ needs to be defined in the NPS-NHD, and that the adoption of a precautionary approach should not undermine the use of mātauranga Māori to inform decisions on natural hazard risk.
- k. Considers that without significant central government intervention, resourcing and funding, the framework as set out under Policy 5 of the proposed NPS-NHD will not improve decision making. Guidance will be required to understand how existing information on natural hazard risk is going to be categorised in to a “low/moderate/high” framework and how these will be separated for resource consent activity classes.
- l. Considers it essential that additional funding is invested in mātauranga Māori based research and methodologies to enable holistic solutions in adapting to climate change and mitigating the exposure to risks of natural hazards. The Government will need to ensure that any recommendations based on mātauranga Māori research can be implemented and visibly used in practice.



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- m. Considers that Policy 7 does not adequately provide for Māori landowner rights, values and interests and should be re-written to remove the reference to ‘tangata whenua’.



## Specific Submissions

Question	Submission Point
<p>1. Is more action needed to reduce development from occurring in areas facing natural hazard risk?</p>	<p>Te Tumu Paeroa agrees that more action is needed to reduce development from occurring in areas facing natural hazard risk. We support the Government’s intention to set a national direction for natural hazard decision making through the proposed National Policy Statement for Natural Hazard Decision-Making (NPS-NHD).</p> <p>National direction and council planning has not and does not consistently provide sufficient, informative, and user-friendly data to allow decision-makers, individuals, communities, and developers to easily assess natural hazard risks in their localities. This has resulted in inappropriate development occurring in hazardous areas, resulting in many communities being at undue risk of a severe weather event seriously impacting their lives and livelihoods.</p> <p>Property owners, developers and communities need to be able to rely on national and local direction on natural hazards to fully understand risk when considering future development. The Government needs to fund, undertake, collate, store, and publicly disseminate extensive research and data (from both mātauranga Māori and western scientific knowledge sources) in a single, accessible, online platform to empower the public to make informed decisions around future development.</p> <p>It is imperative that a more consistent policy is adopted at a national level and implemented at a local level, with appropriate checks and balances, to ensure that development in high hazard areas is avoided or minimised. This must be balanced against the recognition that a level of risk can be borne by communities and individual (by choice or circumstance). The NPS-NHD direction in assessing natural hazard risk against a community or individual tolerance of risk will need consensus as to what is a ‘tolerable’ or ‘intolerable’ natural hazard risk.</p>
<p>2. Are there any other parts of the problem definition that you think should</p>	<p>Te Tumu Paeroa also considers that it is unclear whether the problem definition has addressed the issue that the NPS-NHD could potentially exacerbate inequity in relation to the identification</p>



Question	Submission Point
<p>be addressed through the NPS-NHD? Why?</p>	<p>of natural hazard risk and future development on Māori land. Te Tumu Paeroa does not support the NPS-NHD assigning primary responsibility for meeting the costs of natural hazard risk assessment on landowners when new development is being considered. The vast majority of land administered by the Māori Trustee is uneconomic or marginally economic<sup>5</sup>. Māori landowners are more financially exposed to the costs of natural hazards and owners are unlikely to be able to meet the costs of mitigation responses required through decisions on planning applications under a future NPS-NHD. Te Tumu Paeroa therefore considers further options should be considered (such as targeted funding) to resource Māori landowners for their investigation of how to manage risks from natural hazards whilst the whenua is utilised.</p> <p>The Discussion Document identifies '<i>inconsistent identification and assessment</i>' and '<i>variation in resource management planning frameworks</i>' as themes in the problem definition<sup>6</sup>. Many regional councils and territorial authorities already hold a significant amount of information on the likelihood and severity of natural hazard risks. The problem definition does not identify that the current systems and methods for providing information about natural hazard risks creates a barrier for landowners to perform their own natural hazard risks assessments. For example, in assessing earthquake risk, communities, landowners and developers should be able to have access to a general description of a particular risk (e.g. liquefaction, subsidence, ground shaking, slope failure) that is adequate to inform decision makers for a typical type of development (such as a single dwelling, a papakāinga development, or wharenuī / whare kai). Only where a non-typical type of development is proposed should a landowner have to investigate whether there is an additional risk from the natural hazard, and therefore whether specific solutions are required.</p>

<sup>5</sup> 73% of blocks administered in the Māori Trustee’s portfolio generate less than \$10,000 per annum and 58% generate less than \$5,000. Approximately 30% of the trusts the Māori Trustee administers cannot afford all or part of the Māori Trustee’s base trustee fee. This number is increasing with additional costs to become climate resilient and new environmental regulatory compliance costs affecting rural land.

<sup>6</sup> Refer Discussion Document Part 2 page 14.



Question	Submission Point
<p>3. Are there other issues that have not been identified that need to be addressed through the NPS-NHD or the comprehensive National Direction for Natural Hazards?</p>	<p>Te Tumu Paeroa considers that there is an issue with the scope and context of the proposed NPS-NHD as it relates to all ‘natural hazards’ and ‘new development’.</p> <p>The scope and context has not identified the issue that the proposed NPS-NHD only addresses new development and does not require regional councils or territorial authorities to address how their management actions influence natural hazards (i.e. such as not undertaking river work upstream which now limits development downstream). The NPS-NHD is potentially allowing for a failure by local government in not directing that proactive management to remediate an environment, system, or network is undertaken to minimise adverse effects to people and communities from a natural hazard event.</p> <p><b>Example case study:</b> A lack of progressive management action over a sustained period of time to maintain the flood conveyance capacity of a river channel might mean that future new development adjacent to the river is declined or opposed.</p>
<p>4. Do you support the proposed NPS-NHD’s requirement that decision-makers take a risk-based approach when making decisions on new development in natural hazard areas? Why or why not?</p>	<p>Te Tumu Paeroa supports a risk-based approach when making decisions on new development in natural hazard areas. A risk-based framework for decisions is a logical next step in the process for an NPS towards a consistent, nation-wide approach to risk-based natural hazards management.</p> <p>A risk-based approach for decision making should:</p> <ul style="list-style-type: none"> <li>• Involve a comprehensive risk assessment that aligns with the scale of the proposed new development (i.e. individual property/activity, designation, or plan change).</li> <li>• Explicitly reference a te ao Māori approach in its process to ensure the inclusion of mātauranga Māori and a holistic approach by decision-makers.</li> <li>• Aligns with best international practice standards for risk management.</li> </ul>





Question	Submission Point
	<p>Te Tumu Paeroa considers that Māori landowners, communities, and developers require upskilling in risk assessment techniques for natural hazards in order to supply the quality of information to regional councils and territorial authorities required under the NPS-NHD. A mechanism should also be developed that allows landowners to create and submit their own risk assessments where regional council or territorial authority hazard planning/mapping does not reflect what is happening on the land. This would assist landowners to increase their awareness and adaption to natural hazard risks when undertaking development opportunities.</p> <p>Te Tumu Paeroa considers that every situation will be unique and that the determinants for natural hazard intolerability will differ from case to case. Therefore, effective guidelines for local authorities and meaningful engagement with communities will be imperative. The risks associated with cultural, spiritual, health and safety, social, environmental, and economic factors will all need to be considered by the affected communities – including marae, hapū, iwi and Māori landowners.</p> <p>Te Tumu Paeroa believes that decision makers would benefit from upskilling in the application of mātauranga Māori knowledge in risk assessment for decisions on new development in areas with a moderate or high risk from natural hazards (refer to response to Question 18 below).</p>
<p>5. Should all natural hazards be in scope of the proposed NPS-NHD? Why or why not?</p>	<p>Yes.</p> <p>An all-hazards approach ensures that there is a consistent outcome being sought for all hazards and including those which are cascading, inter-related and cumulative. It also captures natural hazards about which there may be only limited information or are not obvious to communities or landowners. This ‘all hazards’ approach reflects the definition of ‘effect’ in the RMA.</p> <p>“Natural Hazard” is a defined term under the RMA, however, a definition of what constitutes an ‘area’ at risk from natural hazards (i.e. a “natural hazard area”) is not defined. Te Tumu Paeroa considers such a definition should be included within the interpretation section of the proposed</p>



Question	Submission Point
	NPS-NHD. This definition would provide guidance to local government, decision makers, communities, and individuals in preparing and assessing new development proposals.
6. If not all natural hazards are in scope, which ones should be included? Why?	Te Tumu Paeroa considers all natural hazards should be in scope.
7. Should all new physical development be in scope of the proposed NPS-NHD? Why or why not?	<p>Te Tumu Paeroa considers that the scope (new buildings or structures, extensions, replacement, and the extension or replacement of infrastructure) as set out in the Discussion Document is appropriate.</p> <p>Te Tumu Paeroa also considers that infrastructure that is critical for rural communities (such as roads, bridges, power, and telephone utilities) should be explicitly provided for through a Policy in the NPS-NHD.</p>
8. What impact do you think the proposed NPS-NHD would have on housing and urban development? Why?	No comment.
9. Do you agree with the proposed objective of the NPS-NHD? Why or why not?	<p>Te Tumu Paeroa considers that the wording of the proposed objective of the NPS-NHD could be improved through an amendment to align it with risk assessments to define natural hazards as 'tolerable' or 'intolerable'<sup>7</sup>. Te Tumu Paeroa considers that the proposed objective should be re-written to add the additional text in <i>red italics</i> as follows:</p> <p><b>“Objective:</b> The risks from natural hazards to people, communities, the environment, property, and infrastructure, and on the ability of communities to quickly recover after natural hazard events, are minimised <i>to a level that is tolerable</i>”.</p>

<sup>7</sup> Refer to Pages 13-14 of the Supplementary Analysis Report: National Policy Statement- Natural Hazard Decision Making



Question	Submission Point
	<p>The proposed objective should also reflect the Discussion Document in that planning decisions have not properly considered the mitigation/management of natural hazard risks<sup>8</sup> and the tolerance of people to the natural hazard risk.</p>
<p>10. What are the pros and cons of requiring decision-makers to categorise natural hazard risk as high, moderate or low?</p>	<p>Te Tumu Paeroa considers there are both advantages and disadvantages in requiring decision-makers to categorise natural hazard risk as high, moderate, or low.</p> <p>There is a lack of detail in the Discussion Document and the draft NPS as to how the Policy 1 framework will be implemented and what considerations decision makers of resource consents, designations and plan change proposal will need to apply.</p> <p>A potential disadvantage of decision makers applying the proposed “low”, “moderate” or “high” risk assessment framework is that the framework may not account for the physical nuances on individual sites that mitigates the natural hazard risk compared to the wider area.</p> <p>Such a framework may also be used by insurers as a tool for providing insurance. Natural hazard modelling if based on the current Policy 1 framework<sup>9</sup>, could, ignore individual sites with characteristics that lessen the probability of a natural hazard event, or where there is no history of natural hazard occurrence. This has the potential to specifically impact Māori landowners whose whenua is disproportionately located in areas of moderate or high natural hazard risk.</p> <p>Te Tumu Paeroa considers that Māori landowners need to be involved in risk management and identification to ensure hazard mapping reflects reality. There is a need to provide funding for Māori landowners to enable these actions.</p> <p>Te Tumu Paeroa considers that further research and evaluation needs to be undertaken to define and practically describe the boundaries and ranges for “low”, “moderate”, or “high” natural hazard risks.</p>

<sup>8</sup> Discussion document Part 2 *Problems to Solve*, page 14.

<sup>9</sup> Draft NPS-NHD Page 6 2.2 *Policies*



Question	Submission Point
	<p>An advantage in using three risk categories is that this would assist to simplify the assessment process and improve the consistency of categorising natural hazards across Aotearoa. However, in terms of seeking consistency, there may also be a potential disadvantage with this system. As noted in the Discussion Document<sup>10</sup> “<i>The categories are principle-based rather than highly prescriptive, to provide decision-makers with discretion on how to apply them.</i>” This could potentially mean that decision-makers for different regional council or territorial authorities could apply a different category of risk to the same natural hazard risk. <b>Example:</b> Where the natural hazard risk of ‘storm surge’<sup>11</sup> is an issue, a proposal for a residential building in a particular region or district with a certain floor level height above ground and a setback distance from the high tide level might be assessed as having moderate risk. However, in a different region or district, a proposed residential building with the same floor level and the same set back distance might be assessed as having only a low risk from storm surge.</p> <p>Te Tumu Paeroa considers that communities, regional councils, and territorial authorities are going to need guidance to understand how existing information on natural hazard risk should be categorised under a “low”, “moderate” or “high” framework. Decision-makers will need to ensure that they have access to adequate technical, and nationally consistent knowledge to provide for an equitable and efficient outcome.</p>
<p>11. What are the pros and cons of directing decision-makers to assess the likelihood, consequence and tolerance of a natural hazard event when making planning decisions?</p>	<p>Te Tumu Paeroa considers that an advantage to assessing the likelihood, consequence and tolerance of a natural hazard event is that a better outcome in planning decisions will eventuate in terms of knowledge of the risks (whether cultural, social, environmental, and economic), and evaluating the resilience of a proposal in mitigating the assessed risks.</p> <p>Directing decision makers to assess risk in decision making will align new development decisions (at a local government level) with global best practice. The NZ Government is a signatory to</p>

<sup>10</sup> Refer to Page 20 of the Discussion document under “Policy 1 and definitions...”

<sup>11</sup> A storm surge is a rise in sea level that occurs during tropical cyclones, intense storms also known as typhoons or hurricanes. The storms produce strong winds that push the water into shore, which can lead to flooding. <https://education.nationalgeographic.org/resource/storm-surge/>



Question	Submission Point
	<p>international framework agreements<sup>12</sup> under the United Nations for disaster risk reduction which includes priorities for action being:</p> <ul style="list-style-type: none"> <li>• understanding disaster risk</li> <li>• strengthening disaster risk governance to manage disaster risk</li> <li>• investing in disaster risk reduction for resilience</li> <li>• enhancing disaster preparedness for effective response and “build back better”.</li> </ul> <p>A potential disadvantage is that decision makers will seek an increased level of information because the NPS-NHD does not require the local authority planning instruments to be updated<sup>13</sup> (in terms of criteria for assessment). This may lead to resistance by applicants and delays in the processing of resource consent or plan change applications.</p> <p>Another potential disadvantage is that the wording of Policy 2 of the NPS-NHD as proposed may create a bias to natural hazards based on authoritative technical information and ignore natural hazard risks that are undocumented or are only known from limited information. Te Tumu Paeroa considers that the wording of the proposed Policy 2, or the discussion in the interpretation of the criteria needs to be widened to allow for a broader understanding of what is constituted as ‘determining’ a risk.</p>
<p>12. What are the pros and cons of directing decision-makers to adopt a precautionary approach to decision-making on natural hazard risk?</p>	<p>Te Tumu Paeroa considers that decision-makers should apply a precautionary, but adaptive, approach when encountering uncertainty. This would ensure that each development proposal is dynamically assessed and responsive to changing situations. Te Tumu Paeroa also considers that if the Government were to recommend decision-makers to adopt a precautionary approach, that this recommendation does not unintentionally undermine the use of mātauranga Māori to inform decisions, as research in this area has historically been underfunded.</p>

<sup>12</sup> Sendei Framework 2015, as referenced on pages 14 & 15 in “Risk Based Approach to Natural Hazards under the RMA (Tonkin & Taylor: June 2016)

<sup>13</sup> This issue is raised in the discussion document under ‘Implementation timing’, paragraph 2 on page 25.



Question	Submission Point
<p>13. What are the pros and cons of requiring natural hazard risk as a matter of control for any new development classified as a controlled activity in a plan, and as a matter of discretion for any new development classified as a restricted discretionary activity?</p>	<p>Te Tumu Paeroa considers that there are both advantages and disadvantages in the use of resource consent activity classes (controlled, discretionary).</p> <p>An advantage is that it makes for a clear distinction between the natural hazard risk and what type of resource is required. For example, a ‘moderate’ natural hazard risk may require a controlled resource consent, whereas a ‘high’ natural hazard risk may require a restricted discretionary consent.</p> <p>It would also be helpful for the NPS-NHD (or its guidance) to provide interpretation in consideration where there is more than one natural hazard risk recognised and what impact that might have on the activity status (potentially a change from controlled to restricted discretionary).</p> <p>Te Tumu Paeroa considers that the National Planning Standards developed in 2019 could be used as an approach for ensuring consistency in relation to natural hazard classification and risk assessment.</p> <p>Further assessment and consultation on the parameters for the resource consent activity classifications of natural hazards will be needed.</p> <p>This issue also broadly aligns with Te Tumu Paeroa’s response in Question 2 that there is inadequate data and information at a national level for consistency under an NPS-NHD.</p>
<p>14. What are the pros and cons of requiring planning decisions to ensure the specific actions to address natural hazard risk outlined in policy 5?</p>	<p>Te Tumu Paeroa considers that the advantages of Policy 5 are that:</p> <ul style="list-style-type: none"> <li>• It sets a hierarchy of information requirements and criteria to be provided in applications for new development and to be assessed by decision makers. For example, in relation to undertaking development within an area of natural hazard risk, an assessment against the listed criteria under (a)(i) – (iv) would be required.</li> <li>• Consistency of the assessment of natural hazard risk across Aotearoa</li> <li>• Assists decision makers to determine what strategies for management and mitigation of the natural hazard event are available to protect the community.</li> </ul>



Question	Submission Point
	<p>Te Tumu Paeroa considers that the disadvantage of Policy 5 is that:</p> <ul style="list-style-type: none"> <li>• Due to the nature of Māori freehold land ownership and the barriers to accessing capital for risk mitigation, owners could face an inability to develop within tolerable areas of high risk.</li> </ul> <p>Further to the above comments, Te Tumu Paeroa suggests the following amendments:</p> <ul style="list-style-type: none"> <li>• The definition of “hazard sensitive activity” should be in relation to the building purpose or density of occupation.</li> <li>• The definition of a “hazard sensitive development”<sup>14</sup> category should include other buildings or uses where high numbers of people congregate, and which may have civil defence purposes such as a ‘Sports Stadium’.</li> </ul>
<p>15. What is the potential impact of requiring decision-makers to apply this framework in their decision-making? Will it improve decision-making?</p>	<p>Te Tumu Paeroa considers that the framework under Policy 5 will be problematic for regional councils and territorial authorities to apply. The policy does not provide enough detail as to how Council statutory plans should align with the Policy 5 framework until a plan change occurs. Without further significant central government intervention, resourcing and funding, the framework as set out under Policy 5 of the proposed NPS-NHD will not improve decision making. For regional councils and territorial authorities to effectively implement the Policy 5 framework they will need to be guided and funded to ensure that their statutory plans are consistent with the NPS-NHD.</p>
<p>16. What are the pros and cons of providing direction to decision-makers on the types of mitigation measures that should be adopted to reduce the level of natural hazard risk?</p>	<p>Te Tumu Paeroa considers that the advantages of a policy that directs the reduction of natural hazard risks through mitigation are that it provides:</p> <ul style="list-style-type: none"> <li>• A hierarchy in terms of a directive that decision makers are to firstly, assess proposals in terms of their effectiveness in mitigating the impact of a natural hazard, and secondly</li> </ul>

<sup>14</sup> Discussion document page 22 footnote 3



Question	Submission Point
	<p>demonstrate whether (or not) the mitigation solution is “nature-based” and/or part of any “comprehensive area-wide measures”.</p> <ul style="list-style-type: none"> <li>National consistency in terms of mitigation solutions for certain natural hazard risk (for example buffer distances for buildings from seismic risks).</li> <li>A level of certainty for new development in terms of what kind of mitigation solutions are to be evaluated and designed for.</li> </ul> <p>Te Tumu Paeroa considers that the disadvantages of a proposed policy that directs the reduction of natural hazard risks through mitigation are:</p> <ul style="list-style-type: none"> <li>Potential to ignore or overlook other considerations or ‘local’ solutions relating to mitigation that are not ‘publicised’. There is a need for the NPS-NHD to provide a guideline for a process that regional councils or local territorial authorities can follow as a solution so that ideas are not locked out.</li> </ul>
<p>17. Does policy 7 appropriately recognise and provide for Māori rights, values and interests? Why or why not?</p>	<p>Te Tumu Paeroa considers that Policy 7 does not appropriately recognise and provide for Māori rights, values and interests. It is imperative that any views and decisions made about whenua Māori are not unduly influenced by any one group at the expense of Māori landowners.</p> <p>The proposed policy should be amended to read:</p> <p><b>Policy 7:</b> Māori and, in particular, tangata whenua values, interests, and aspirations are recognised and provided for, including through early engagement, when making decisions on new development on specified Māori land where there is a high or moderate natural hazard risk.</p>
<p>18. Can traditional Māori knowledge systems be incorporated into natural hazard risk and tolerance assessments?</p>	<p>Te Tumu Paeroa envisions that a local mātauranga-based framework allows for a dynamic, holistic, interconnected and intergenerational assessment of risk to the health and longevity of</p>





Question	Submission Point
	<p>whenua, tangata and mauri. This aligns with ideas already expressed in the Rauora Framework<sup>15</sup> and could be adapted to help inform a local mātauranga-based framework to risk assessment.</p> <p>It is important that national direction provides opportunities for Māori to develop their own local mātauranga-based frameworks a-iwi, a-hapū, a-whānau as each rohe differs in their tikanga and mātauranga. This will be critical in ensuring Māori feel valued and are able to meaningfully engage with a natural hazard risk and tolerance assessment process.</p> <p>Any local mātauranga-based framework for risk assessment should give careful consideration to the following matters, among others:</p> <ul style="list-style-type: none"> <li>• what has mātauranga indicated about the area in the past;</li> <li>• what tohu has te taiao indicated through observations;</li> <li>• how has council planning impacted whenua Māori previously;</li> <li>• the whakapapa connections Māori have to the whenua; and</li> <li>• the mauri and wairua of the area before and after a natural hazard.</li> </ul> <p>Additional funding will need to be invested in mātauranga Māori based research and methodologies to enable holistic solutions in adapting to climate change and mitigating the exposure to risks of natural hazards. The Government will need to ensure that any recommendations based on mātauranga Māori research can be implemented and visibly used in practice. This will assist both Māori and non-Māori to make informed decisions, from an integrated and holistic knowledge base, when adapting to climate change. By way of example, the use and application of mātauranga Māori, by decision-makers, could have mitigated or prevented significant damage and the eventual retreat of the community in the case of Matatā<sup>16</sup>.</p>

<sup>15</sup> [Exploring-an-indigenous-worldview-framework-for-the-national-climate-change-adaptation-plan.pdf \(environment.govt.nz\)](#), p. 11-12.

<sup>16</sup> [Mātauranga Māori—the ūkaipō of knowledge in New Zealand \(tandfonline.com\)](#), p.7.



Question	Submission Point
19. Does the requirement to implement te Tiriti settlement requirements or commitments provide enough certainty that these obligations will be met? Is there a better way to bring settlement commitments into the NPS?	The Māori Trustee is not involved in Treaty Settlements. It is not appropriate for the Māori Trustee to comment.
20. Is the implementation timeframe workable? Why or why not?	To be workable the implementation timeframe will need to provide more time for communities and landowners in terms of enabling their understanding of how the NPS-NHD will be implemented.
21. What do you consider are the resourcing implications for you to implement the proposed NPS-NHD?	<p>Appropriate financial support for Māori landowners should be made available to undertake requirements for risk assessment and mitigation responses on new development within specified Māori land.</p> <p>73% of blocks administered in the Māori Trustee’s portfolio generate less than \$10,000 revenue per annum and 58% generate less than \$5,000. Approximately 30% of the trusts the Māori Trustee administers cannot afford all or part of the Māori Trustee’s base trustee fee. This number is increasing with additional costs to become climate resilient and new environmental regulatory compliance costs affecting rural land. Over 16,000 Māori land blocks in Aotearoa do not have a governance structure and are not income generating.</p>
22. What guidance and technical assistance do you think would help decision-makers to apply the proposed NPS-NHD?	<p>Te Tumu Paeroa would welcome practical ‘how-to’ guidance notes and technical workshops in terms of the following topics relevant to a future NPS-NHD:</p> <ul style="list-style-type: none"> <li>• what is meant by the terms “high”, “moderate” or “low natural hazard risk”?</li> <li>• Training for Māori landowners in terms of how to undertake a risk assessment for natural hazards when considering future development on the whenua.</li> </ul>



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Question	Submission Point
	<ul style="list-style-type: none"><li>• General guidance for mitigation solutions for different types of natural hazards and in terms of appropriate nature-based solutions (this does not replace the requirement for specific professional advice in relation to a specific site or development proposal).</li></ul>



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

### Who We Are

The Māori Trustee is appointed by the Minister for Māori Development under the Māori Trustee Act 1953. One of the principal roles of the Māori Trustee is to administer as trustee or agent whenua Māori and other client assets in accordance with the principles and obligations of trusteeship and agency, and relevant legislation including the Māori Trustee Act 1953, Trusts Act 2019 and Te Ture Whenua Māori Act 1993. 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.

Te Tumu Paeroa is the organisation that supports the Māori Trustee to undertake her statutory and other legal functions, duties and responsibilities.

The Māori Trustee administers approximately 88,000 hectares of Māori freehold land, as well as general land and other interests and investments, on behalf of over 100,000 Māori landowners.

A primary objective of The Māori Trustee, is to protect, utilise and grow the assets of our Māori landowners. The organisation provides land administration and professional trustee services to one third of all Māori land trusts (over 1700 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.

The Māori Trustee currently employs approximately 166 staff across five offices throughout New Zealand, with the Māori Trustee based in Te Whanganui-a-Tara.

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

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.

Our purpose is to be a dedicated professional trustee service for Māori.

Our strategic priorities assist us to deliver on our vision and purpose:

- Enhancing operational excellence.
- Growing an inclusive culturally competent organisation committed to a greater understanding of Te Ao Māori.
- Contributing to growth, development and future leadership in whenua Māori administration and governance.



- Increasing the resilience and sustainability of the assets and whenua we administer.

## Our Portfolio

Our portfolio currently<sup>17</sup> consists of the following:

- Number of trusts and other entities under administration – 1746.
- Total hectares administered by Te Tumu Paeroa – 82,161.
- Number of owner accounts maintained – 104,049.
- Number of ownership interests – 263,233.
- Number of leases under management – 1,704.
- Client funds held (market value) - \$ 133 million.
- Te Tumu Paeroa equity - \$ 165 million.

## Our Mahi

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

Our core services are:

- Administration of trusts where the Māori Trustee is the responsible trustee.
- Agreed trustee services where the Māori Trustee is an agent or custodian trustee.
- Keeping records for trusts we administer.
- Managing finances and preparing financial statements.
- Consulting with and convening meetings for advisory trustees.
- Consulting with and convening meetings for beneficial owners.
- Reporting to responsible trustees, advisory trustees and beneficial owners.
- Administering trust distributions.
- Filing applications with the Māori Land Court and attending associated hearings.
- Property management, including leases and asset maintenance.
- Reviewing land use and considering, where appropriate, alternative land use options.
- Developing and enhancing land and assets; including the production and maintenance of Asset Management Plans and Farm Environment Plans.
- Responding to requests for information.
- Managing and investing cash assets in the Common Fund.
- Managing and providing support services for the General Purposes Fund.
- Acquiring and paying for goods and services.

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<sup>17</sup> The Māori Trustee Annual Report 2023