

Appendix 2 – Officer's Recommended Decisions on Submissions (Tangata Whenua Matters - Rezoning Māori Purpose Zone, Treaty Settlement Land Overlay, Areas of Interest Mapping & Tapuaetahi)

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Officer recommendation	Relevant section of S42A Report
S420.005	Muriwhenua Incorporated	District Plan Framework	Not Stated	The Te Hāpua community currently houses approximately 200 people. The current housing area is within an identified area of sea level rise risk. This submission seeks to obtain appropriate zoning and planning provisions which will facilitate the housing of the Muriwhenua community at Te Hāpua, and provide the opportunity for economic development. It requests in part a new 'Maori Purpose Rural Settlement' zone (MPRS), and in part a 'Māori Development Rural' zone.	Insert a new 'Maori Purpose Rural Settlement' zone and 'Māori Development Rural' zone as outlined in submission (also refer to submission point S420.004). Or such alternative zone or precinct to achieve the equivalent relief sought in the submission.	Reject	Section 2.2.1 Rezoning Māori Purpose Zone
S420.008	Muriwhenua Incorporated	District Plan Framework	Not Stated	The Te Hāpua community currently houses approximately 200 people. The current housing area is within an identified area of sea level rise risk. This submission seeks to obtain appropriate zoning and planning provisions which will facilitate the housing of the Muriwhenua community at Te Hāpua, and provide the opportunity for economic development. It requests in part a new 'Maori Purpose Rural Settlement' zone (MPRS), and in part a 'Māori Development Rural' zone.	Insert a new 'Maori Purpose Rural Settlement' zone and 'Māori Development Rural' zone as outlined in submission (also refer to submission point S420.004). Or such alternative zone or precinct to achieve the equivalent relief sought in the submission.	Reject	Section 2.2.1 Rezoning Māori Purpose Zone

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Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Officer recommendation	Relevant section of S42A Report
S571.002	Te Rūnanga o Te Rarawa	Iwi and hapu planning documents	Not Stated	The Proposed Map Tools includes 14 layers. There is no spatial layers setting out the area of interest relevant to each iwi/hapū management plan.	<p>Insert a map layer which maps the area of interest for each of the iwi/hapū management plans lodged with Council. The interactive map currently includes Treaty Settlement Areas of Interest (under the 'Non-Council Layers' tab), but these are not the same thing.</p> <p>We suggest 'Iwi/hapū Management Plans' be a separate "top" layer (i.e. along with Zone, Non District Plan Layers, Historical and Cultural Values, Specific Controls etc) with the 14 areas sitting underneath it, and not included within the 'Historical and Cultural Values' layer so that it is easily accessible to plan users. Alternatively, it could be included under the 'Non-Council Layers' tab. The maps could also link to the documents.</p>	Reject	Section 2.2.3 Areas of Interest Mapping
FS348.248	Alec Brian Cox		Oppose	The submission was not made by the closing date and is therefore not a valid submission under RMA	<p>Disallow</p> <p>I seek that the whole of the submission be disallowed</p>	Accept	
S571.005	Te Rūnanga o Te Rarawa	Iwi and hapu planning documents	Not Stated	Te Rūnanga o te Rarawa's submission that the plan should provide a process which allows plan users to identify iwi/hapū management plans which might be relevant to them and obtain the plan(s) they require was accepted but does not appear to have been implemented in the proposed plan	<p>Insert a mapping layer which shows the areas of interest which relate to the 14 iwi/hapū management plans recognised by the plan. The current mapping shows the area of interest in Treaty Settlements (under the Non-District Plan Layers tab), but these are not the same thing.</p>	Reject	Section 2.2.3 Areas of Interest Mapping
FS348.251	Alec Brian Cox		Oppose	The submission was not made by the closing date and is therefore not a valid submission under RMA	<p>Disallow</p> <p>I seek that the whole of the submission be disallowed</p>	Accept	
S407.004	Tapuaetahi Incorporation	MPZ-R4	Support in part	The number of dwellings allowable on a Maori Purpose Zone site should be determined by the carrying capacity of the site, determined through MPZ-P3 and MPZ-P4 (not	<p>Amend MPZ-R4 (Māori Purpose zone - Rural):</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-2</p>	Reject	Section 2.2.4 Tapuaetahi

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				PER-1-PER3) of Rule MPZ-R4 [inferred].	<p>The site area per standalone residential unit is at least 40ha.</p> <p>PER-3</p> <p>The number of residential units on any site does not exceed six.</p> <p>Note:</p> <p>PER-2 and PER-3 do not apply to:</p> <ul style="list-style-type: none"> a single residential unit located on any site less than the minimum site area; and papakāinga provided for in Rule MPZ-R5. The landholdings owner by the Taupaetahi Incorporation at Te Tii (Insert Lot and DP as required). 		
S407.005	Tapuaetahi Incorporation	MPZ-R5	Support in part	The exemption provided within MPZ-R5 which applies to landholdings within Matauri Bay is similarly proposed to be provided for the land under this submission.	<p>Amend Māori Purpose Zone - Rural MPZ-R5 to:</p> <p>Activity Status: Permitted</p> <p>Where:</p> <p>PER-2</p> <p>The number of residential units does not exceed the greater of: one residential unit per 40ha of site area; or 10 residential units per site.</p> <p>PER-3</p> <p>Any commercial activity associated with the papakāinga does not exceed a GBA of 250m2.</p> <p>Note:</p> <p>PER-2 does not apply to the land identified by the following legal description:</p> <ul style="list-style-type: none"> Lot 186-188, 190, 193 DP 393664 being part Matauri X Residue. The landholding owner by the Taupaetahi Incorporation at Te Tii (insert Lot and DP as required). 	Accept	Section 2.2.4 Tapuaetahi
S339.058	Te Aupōuri Commercial	Treaty Settlement Land	Not Stated	TACDL note that their site of interest as shown in Figure 1 has not been mapped as TSL. TACDL seek that the	Amend the mapping of the Treaty Settlement land overlay to include identify 5891 held in Record of Title NA75B/196 (refer to Figure 1	Reject	Section 2.2.2 Treaty Settlement

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	Development Ltd			TSL be applied to this site of interest for the following reasons: -The land is owned and managed by TACD and there is no intention for this land to be sold or disposed of; and -This land was purchased by Te Aupōuri utilising their financial redress as part of their Treaty Settlement therefore meeting the criteria for its identification.	of the submission), being 5891 Far North Road, Ngataki.		Land Overlay Mapping
S376.001	Taheke 38 Ahu Whenua Trust	Māori Purpose - Rural Zone	Oppose	Nga Puhī/ Ngati Pakau have not ceded sovereignty to our whenua wai. We do not consent to your district plan pertaining to our whenua. We decline and do not accept any authority other than direct whakapapa to our tupuna. We Taheke38 Ahu Whenua Trust maintain authority and Kaitiakitanga over our whenua in Hokianga.	remove Māori land titles from the proposed district plan. We (Taheke38 Ahu Whenua Trust inferred) the tangata whenua, Kaitiaki do not cede authority over our whenua or waters.	Reject	Section 2.2.1 Rezoning Māori Purpose Zone
S420.001	Muriwhenua Incorporated	Māori Purpose - Rural Zone	Not Stated	Muriwhenua strongly supports the concept embodied within the Proposed District Plan of providing specialist zones for Māori purposes. The Proposed Plan currently provides for a Māori Purposes Urban zone and a Māori Purposes Rural zone.	Retain the Maori Purpose - Rural zoning of Te Hapua 42 Block (title identifier 517692, affecting land at Te Hapua Road and Waharua Road, Te Hapua). PLEASE NOTE - this shall exclude land identified on diagram 5 of the submission for which a new 'Māori Purpose Rural Settlement' zone' is sought; or such alternative zone or precinct to achieve the equivalent relief sought in the submission. Refer to submission point S420.004.	Accept	Section 2.2.1 Rezoning Māori Purpose Zone
S420.004	Muriwhenua Incorporated	Māori Purpose - Rural Zone	Not Stated	The Te Hāpua community currently houses approximately 200 people. The current housing area is within an identified area of sea level rise risk. This submission seeks to obtain appropriate zoning and planning provisions which will facilitate the housing of the Muriwhenua community at Te Hāpua, and provide the opportunity for economic development. It requests in part a new 'Maori	Delete the Maori Purpose - Rural zoning of parts of Te Hapua 42 Block (title identifier 517692, affecting land at Te Hapua Road and Waharua Road, Te Hapua). The parts are as identified in Diagram 5 to the submission and a new zone with provisions outlined in the submission is sought, referred to as a 'Maori Purpose Rural Settlement' zone. Or such alternative zone or precinct to achieve the equivalent relief sought in the	Reject	Section 2.2.1 Rezoning Māori Purpose Zone

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				<p>Purpose Rural Settlement' zone (MPRS), and in part a 'Māori Development Rural' zone.</p> <p>There are cultural and social reasons why Muriwhenua wishes to house its people in a village operation. That enables Muriwhenua to support its people through the social and community services that we provide including potentially a marae or at least a whare manaaki. It enables us to provide a café or other food and beverage facilities and core basic shops. By setting our people in a village, it enables support through residents of the elderly and young. A significantly higher level of support than could occur if, as under the current zone, people are spread out in well separated homes. Finally, the village concept has a smaller environmental footprint on the land with a small, appropriately scaled settlement requiring less land per capita than a disaggregated spread facility</p> <p>This zone would provide for a similar range of activities as the Māori Purpose Urban and Rural zones, but would provide for residential development at higher intensity and would provide for greater intensity of economic development than the Māori Purpose Rural zone.</p> <p>Muriwhenua consider that the creation of a bespoke zone but built on the Māori Purposes zones is the appropriate method to achieve the cultural, planning and resource management outcomes. However, if the Council's preference is to create a different method, such as a special precinct applying to the Muriwhenua</p>	submission. (Also refer to submission point S420.005).		

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				lands, then the submitter would accept that as an alternate methodology			
S305.002	Nicole Butler	Mixed Use Zone	Oppose	Supports Māori purpose zones. Our whenua Māori is zoned under Māori purpose zone. However our ahuhenua Trust has other whenua we have been able to acquire (contiguous) to our Whenua Māori that we wish to be included in the Māori purpose zone (283 and 313 Ngawha Springs Rd and we hold the lease for the recreation reserve between 283 and 313 that will ultimately be returned either via settlement or in agreement with FNDC). Note that definition of Māori land under Te Ture Whenua Māori includes general land owned by Māori. the Trust has successfully redeveloped Ngawha Springs and has a master plan for the development of other properties. The submitter is also interested in the difference between the mixed use zone (as 283 currently zoned) and Māori purposes zone and which would most advantageous to our development aspirations. Submitter is also interested in process to create its own special zone as has Carrington, Kauri Cliffs, Ngawha Innovation Park.	Amend zoning of land at 283 Ngawha Springs Road, Ngawha Springs from Mixed Use Zone to Maori Purpose Zone, provided the Maori Purpose Zone will be most advantageous for the Trusts development aspirations.	Reject	Section 2.2.1 Rezoning Māori Purpose Zone
S420.003	Muriwhenua Incorporated	Natural Open Space Zone	Not Stated	Muriwhenua strongly supports the concept embodied within the Proposed District Plan of providing specialist zones for Māori purposes. The Proposed Plan currently provides for a Māori Purposes Urban zone and a Māori Purposes Rural zone.	Delete the Natural Open Space zoning of Section 1 SO Plan 470881, Mokaikai Block (title identifiers 726749, NA1A/1450, NA2108/28 and NA738/244, affecting land at Te Hapua) and zone Maori Purpose - Rural (or such alternative zone or precinct to achieve the equivalent relief sought in submission).	Reject	Section 2.2.1 Rezoning Māori Purpose Zone
S418.001	Waitomo Papakainga	Rural Production Zone	Oppose	The subject site is immediately adjacent to the Te Rarawa marae which is zoned Māori Purpose Zone -	Amend zoning of land at 684 Kaitaia-Awaroa Road, Pukepoto from Rural Production Zone to Māori Purpose Zone - Rural.	Reject	Section 2.2.1 Rezoning Māori Purpose Zone

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				Rural and is subject to the 'Sites and Areas of Significance to Māori' overlay and is surrounded by a mix of rural and rural-residential activities which form an established community centre which provides for more than just productive land. Given the surrounding context, the proposed zoning does not include any enabling objectives, policies or standards for residential activities that would encompass Waitomo Papakainga residences or allow for Te Warawa to achieve the social, cultural and economic aspirations for the whenua.			
S355.037	Wakaiti Dalton	Rural Production Zone	Oppose	The MPZ recognises and provides for Māori freehold land, Māori customary land and general land owned by Māori, as defined in Te Ture Whenua Māori Act 1993. While all of our land is held in general title, we have resided on this whenua for at least seven generations, living in a dwelling that was constructed in the 1890's. This whenua has been held in our whanau for all of this time. In our view our sites of interest is General Land Owned by Māori, and while it is not MFL, there is no intention to sell, alienate or dispose of this land. We are the kaitiaki and ahi kā of this whenua, for the purpose for maintaining the ancestral relationship for all whanau members. For this reasons, we seek the land be rezoned MPZ in line with our values, the nature of the tenure and recognise our relationship with our land in accordance with section 6(e) of the RMA.	rezone our sites from Rural Production to Maori purpose zone NA19C/722, Whirinaki 5K6D1 Block; - NA19C/1001, Whirinaki 5K6D2 Block; - NA21A/197, Whirinaki 5K 6O Block; - NA21C/1080, Whirinaki 5K6P Block; - NA26B/1140 (Freehold), Whirinaki No 5K No 6L Block and Section 1 Survey Office Plan 60502; - NA19C/1351, Whirinaki 5K6N Block and Section 1 Survey Office Plan 60501; - NA19C/929, Whirinaki 5K6A2 Block.	Reject	Section 2.2.1 Rezoning Māori Purpose Zone
S479.032	Tracy and Kenneth Dalton	Rural Production Zone	Oppose	The Māori Purpose Zone recognises and provides for Māori freehold land, Māori customary land and general land	Amend the zoning of the sites shown in Figure 1 as "1" and "2" (NA31B/253 and NA31B/253) to Māori Purpose Zone from	Reject	Section 2.2.1 Rezoning Māori Purpose Zone

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				owned by Māori, as defined in Te Ture Whenua Māori Act 1993. The land identified as '1' and '2' in Figure 1 above shows our sites of interest which meet the definition of General Land Owned by Māori. Our whanau have been the kaitiaki of this whenua ("owners") since the early 1900s, when titles were established. The history and whakapapa of this whenua is sensitive and is not something we want to share through this public process. Despite the land being in general title, we consider ourselves the kaitiaki and ahi kā of the land with responsibilities to care for the whenua and be a place where family can return. In our view, the land is a papakāinga for the wider whanau and will not be sold or disposed of now and into the future. For this reasons, we seek the land be rezoned MPZ in line with our values, the nature of the tenure and recognise our relationship with our land in accordance with section 6(e) of the RMA.	Rural Production located at 4749 State Highway 12, Kaikohe		
S514.003	The General Trust Board of the Diocese of Auckland	Rural Production Zone	Oppose	8145 Far North Road, Te Kao is zoned as Rural Production under the Operative Plan. The zoning remains as the Rural Production Zone under the Proposed Plan. The site is subject to both the Sites of Cultural Significance to Māori and, Sites and Areas of Significance to Māori. The site zoning is opposed and it is considered that the Māori Purpose - Rural Zone is more appropriate for this site.	Delete the Rural Production zoning of 8145 Far North Road, Te Kao, zone Maori Purpose - Rural	Reject	Section 2.2.1 Rezoning Māori Purpose Zone
S420.002	Muriwhenua Incorporated	Rural Production Zone	Not Stated	Muriwhenua strongly supports the concept embodied within the Proposed District Plan of providing specialist zones for Māori purposes. The Proposed Plan currently provides for a	Delete the Rural Production zoning of Lot 1 DP 84931 (title identifier 5202813, affecting land at State Highway 1F, Te Hapua) and zone Maori Purpose - Rural (or such alternative zone or precinct to achieve the equivalent relief sought in submission)	Reject	Section 2.2.1 Rezoning Māori Purpose Zone

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				Māori Purposes Urban zone and a Māori Purposes Rural zone.			
S305.001	Nicole Butler	Rural Production Zone	Oppose	Supports Māori purpose zones. Our whenua Māori is zoned under Māori purpose zone. However our ahuwheua Trust has other whenua we have been able to acquire (contiguous) to our Whenua Māori that we wish to be included in the Māori purpose zone (283 and 313 Ngawha Springs Rd and we hold the lease for the recreation reserve between 283 and 313 that will ultimately be returned either via settlement or in agreement with FNDC). Note that definition of Māori land under Te Ture Whenua Māori includes general land owned by Māori. The Trust has successfully redeveloped Ngawha Springs and has a master plan for the development of other properties. Submitter is also interested in process to create its own special zone as has Carrington, Kauri Cliffs, Ngawha Innovation Park.	Amend zoning of land at 313 Ngawha Springs Road, Ngawha Springs from Rural Production to Maori Purpose Zone.	Reject	Section 2.2.1 Rezoning Māori Purpose Zone
FS345.051	Ngawha Generation Limited		Oppose	NGL opposes the rezoning of 313 Ngawha Springs Road, Ngawha Springs from Rural Production to Māori Purpose Zone as the extent of the area sought to be rezoned is unclear. Should Ms Butler's relief be granted, NGL seeks to ensure that any activities enabled by provisions within that zone do not create reverse sensitivity effects on existing and consented activities in the surrounding area.	Disallow disallow original submission	Accept	
S399.007	Te Hiku Iwi Development Trust	General / Miscellaneous	Not Stated	Te Rūnanga o te Rarawa's submission that the plan should provide a process which allows plan users to identify	Insert a mapping layer which shows the areas of interest which relate to the 14 iwi/hapū management plans recognised by	Reject	Section 2.2.3 Areas of Interest Mapping

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				iwi/hapū management plans which might be relevant to them and obtain the plan(s) they require was accepted but does not appear to have been implemented in the proposed plan.	the plan. The current mapping shows the area of interest in Treaty Settlements (under the Non-District Plan Layers tab), but these are not the same thing.		
S399.001	Te Hiku Iwi Development Trust	General / Miscellaneous	Not Stated	The Proposed Map Tools includes 14 layers. There are no spatial layers setting out the area of interest relevant to each iwi/hapū management plan.	Insert a map layer which maps the area of interest for each of the iwi/hapū management plans lodged with Council. The interactive map currently includes Treaty Settlement Areas of Interest (under the 'Non-Council Layers' tab), but these are not the same thing. We suggest 'Iwi/hapū Management Plans' be a separate "top" layer (i.e. along with Zone, non District Plan Layers, Historical and Cultural Values, Specific Controls etc) with the 14 areas sitting underneath it, and not included within the 'Historical and Cultural Values' layer so that it is easily accessible to plan users. Alternatively, it could be included under the 'Non-Council Layers' tab. The maps could also link to the documents.	Reject	Section 2.2.3 Areas of Interest Mapping
FS339.024	Haititaimarangai Marae Kaitiaki Trust		Support	Identifying tribal boundaries will assist would-be applicants with understanding who they need to engage with.	Allow Allow the original submission.	Reject	
S571.001	Te Rūnanga o Te Rarawa	General / Miscellaneous	Not Stated	The Proposed Map Tools includes 14 layers. There is no spatial layers setting out the area of interest relevant to each iwi/hapū management plan.	Insert a map layer which maps the area of interest for each of the iwi/hapū management plans lodged with Council. The interactive map currently includes Treaty Settlement Areas of Interest (under the 'Non-Council Layers' tab), but these are not the same thing. We suggest 'Iwi/hapū Management Plans' be a separate "top" layer (i.e. along with Zone, Non District Plan Layers, Historical and Cultural Values, Specific Controls etc) with the 14 areas sitting underneath it, and not included within the 'Historical and Cultural Values' layer so that it is easily accessible to plan users. Alternatively, it could be included	Reject	Section 2.2.3 Areas of Interest Mapping

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					under the 'Non-Council Layers' tab. The maps could also link to the documents.		
FS348.247	Alec Brian Cox		Oppose	The submission was not made by the closing date and is therefore not a valid submission under RMA	Disallow I seek that the whole of the submission be disallowed	Accept	