



To	Whakatāne District Council
From	Te Mana o Ngāti Rangitahi Trust
Re	Eastern Bay of Plenty Spatial Plan Submission
Date	27 th November 2024

Introduction:

Ngāti Rangitahi stands as the embodiment of resilience, unity, and strength, guided by the enduring principle of *Te Mana o Ngāti Rangitahi*. This sacred concept reflects the collective authority, dignity, and legacy of our people, firmly rooted in the teachings of our tūpuna and the profound connection to our ancestral lands and waters. Anchored in the rohe of the Tarawera region, our iwi is committed to preserving and enhancing the mauri of our environment, our people's wellbeing, and future generations' aspirations.

Te Mana o Ngāti Rangitahi, is the Post-Settlement Governance Entity (PSGE) established in 2008 to represent Te Mana o Ngāti Rangitahi in the historic Central North Island (CNI) Forest Iwi Collective Settlement. which marks a significant milestone in our journey of reclaiming our rangatiratanga. We have also successfully represented our Iwi in our Treaty of Waitangi Settlement negotiations with the Crown. Through this Settlement, we have secured the resources, support, and partnerships necessary to advance the social, cultural, environmental, and economic aspirations of Te Mana o Ngāti Rangitahi. This includes initiatives to restore and safeguard our taonga, enhance educational and employment opportunities for our people, and ensure our marae and cultural institutions are thriving hubs for whānau and hapū.

As kaitiaki of the Tarawera River, we lead the Tarawera River Restoration Strategy, a cornerstone of our commitment to environmental protection and restoration alongside other iwi and hapū partners. This strategy seeks to revive the mauri of the Tarawera River, a vital lifeline for our iwi and a source of identity and sustenance, by returning it to its natural flow path. The anticipated restoration of this awa is a testament to our enduring responsibility as kaitiaki and our dedication to achieving a balance between human activity and the natural world. The actions that will follow the completion of this strategy are coupled with our aspirations for Matatā including housing for our people, eco-tourism led by Te Mana o Te Mana o Ngāti Rangitahi and enhanced environment and subsequent relationship with it, and sustainable development. We must not become another Papamoa or Coastlands.

Our Overarching Position:

Engagement/Consultation

1. The engagement process for this Eastern Bay of Plenty Spatial was from October 14th to November 17th.
This period is inadequate for such an extensive plan that will lock in the actions of our council for the next 30 years.
2. The consultation documentation included a “preferred scenario” stamp on the preferred scenario. Such inclusion must adhere to specific consultation principles to ensure fairness and transparency. Section 82 of the Local Government Act emphasises that councils must, in this instance:
 - a. Make available the proposal and its reasons, along with an analysis of the reasonably practicable options, including the preferred option. This ensures that all interested or affected persons can access comprehensive information to form an informed opinion.
Without the technical support of Te Au o Te Awa Punga this would not have been possible. They provided a full analysis and breakdown of the scenarios to support this submission.
 - b. Actively encourage those who may be affected by, or have an interest in, the decision or matter to present their views. This involves informing the public about the purpose of the consultation and the scope of the decisions to be made. *The process to ensure this has been poor.*
We have been the subject of misleading engagement and, up until 2-3 weeks ago, believed that the housing capacity in Matatā would increase by only 450 homes. This is a sentiment we share with Ngāti Rangihouhiri and Ngāti Hikakino. We have

since been informed that the 450 homes are in “Stage One,” which does not align with our good faith arrangement in Te Niaotanga o Mataatua o Te Arawa co-design group.

- c. Clearly communicate how and within what timeframe individuals can present their views, ensuring the consultation process is accessible and understandable.
We appreciate that through Te Au o Te Awa Punga, we have been supported and are able to make this submission. Our mana whenua interest in Matatā must have precedence in future discussions and decisions made for the development of Matatā.
3. In addition, the Act includes specific provisions to ensure the involvement of Māori, including iwi and hapū, in local government decision-making processes:
 - a. Section Four of the Local Government Act requires local authorities to recognise and respect the Crown's responsibility to take appropriate account of the principles of the Treaty of Waitangi, thereby facilitating active participation by Māori in local authority decision-making processes and especially in this case, Te Mana o Ngāti Rangitīhi.
 - b. Section 81 determines that councils must establish and maintain processes to provide opportunities for Māori to contribute to decision-making processes, consider ways to foster the development of Māori capacity to contribute to these processes, and provide relevant information to Māori.
We acknowledge the efforts made by Whakatāne District Council to ensure we had capacity through Te Au o Te Awa Punga. However, our ability to contribute specifically to decision-making has not been adequately provided for, given our connection to Matatā as mana whenua.
4. Te Au o Te Awa Punga has been instrumental in enabling this submission by providing critical context on scenarios and the Eastern Bay of Plenty Spatial Plan. Without this, Te Mana o Ngāti Rangitīhi has experienced inconsistent and ad-hoc engagement methods that lack integrity and transparency, hindering effective participation.
5. The development of Matatā is a critical piece of “Scenario One,” highlighted as the preferred option in consultation documentation. Extensive discussions must be held for the remainder of the Spatial Plans' development. These can be managed through Te Au o Te Awa Punga.

Te Niaotanga o Mataatua o Te Arawa

1. Within Te Niaotanga o Mataatua o Te Arawa, Te Mana o Ngāti Rangitīhi's position is that its core objectives for wastewater reticulation and relationship management between iwi and WDC have been effective. However, its framework is being used inadequately for matters outside its designated jurisdiction. This dilutes its effectiveness and undermines its core objectives.
2. The process has become a bottleneck for addressing pātai on spatial planning for Matatā that require broader iwi, hapū, or stakeholder engagement, especially for Te Mana o Ngāti Rangitīhi, Ngāti Awa and Tūwharetoa ki Kawerau.
3. Pressure placed on Te Niaotanga has highlighted a significant technical support and resourcing gap on the matters of spatial planning for Matatā. Responses lack the depth and rigor needed for meaningful engagement and decision-making without this support.
4. The process does not reflect the co-design intent, which seeks to ensure fairness, equity, and partnership. The current approach has become unfair and does not honour the collaborative spirit that was initially envisioned. Without addressing these structural and operational issues, Te Niaotanga is at risk of undermining its intent which is maintaining strong relationships between iwi and WDC.

Critical Key Positions:

1. Whakatāne District Council must provide clear definitions and planning intentions regarding Matata's role in the district's anticipated development. This includes defining what the Whakatāne District Council considers the Matatā Township Area to be.
2. To protect our rights and aspirations, Te Mana o Ngāti Rangitihī must be recognised and included as a critical decision-maker in all development and implementation processes concerning our rohe, including managing our awa and moana.
3. As a central initiative, The Eastern Bay of Plenty Spatial Plan must prioritise the re-diversion and restoration of Tarawera Awa ki te awa o te Atua.
4. Development plans must resolve historical inequities by ensuring Te Mana o Ngāti Rangitihī has access to essential services, including:
 - a. Water reticulation
 - b. Wastewater systems
 - c. Sustainable water allocations
5. Future growth in Matatā must balance environmental integrity, cultural preservation, and community well-being, with a specific focus on supporting Te Mana o Ngāti Rangitihī Uri with:
 - a. Support for papakāinga housing,
 - b. Sustainable energy solutions to enhance iwi self-sufficiency and support for Te Mana o Ngāti Rangitihī whānau.
6. Te Mana o Ngāti Rangitihī advocates for a rates policy that upholds equity and protects the rights of mana whenua. Rates on whānau-owned land within our rohe must reflect historical, cultural, and social contexts, ensuring affordability for our people. Development and growth within our rohe should not burden Te Mana o Ngāti Rangitihī landowners with increased rates driven by external encroachment or speculative development that does not align with iwi aspirations. This approach safeguards our connection to our whenua and prevents displacement due to rising costs. Options for consideration and policy development are:
 - a. Rates on Ngāti Rangitihī whānau-owned land should be frozen at their current levels, protecting landowners from increases driven by external developments or urban encroachment in the rohe.
 - b. A reduced rate classification for papakāinga housing and Māori land to support cultural, social, and economic resilience for Ngāti Rangitihī whānau.
 - c. Recognise and provide rates credits for landowners who maintain whenua for cultural or environmental purposes, such as kaitiakitanga initiatives or conservation efforts.
 - d. Provide full or partial rates exemptions for whenua Māori that is unused, under developed, or historically zoned in ways that limit its economic or housing utility for Ngāti Rangitihī whānau.
 - e. Ensure that rates increases resulting from speculative development or encroachment by external parties are not passed on to Ngāti Rangitihī landowners.
 - f. Require councils to engage with Ngāti Rangitihī on rates assessments and policy decisions to ensure alignment with our role as mana whenua of Matatā.
7. Planning processes must foster trust, inclusivity, and transparency, ensuring that Ngāti Rangitihī's voice is central and that historical grievances are acknowledged and addressed.
8. The Spatial Plan must address concerns related to cultural water flows and allocations to ensure the sustainability of our natural resources.

9. Development initiatives must include a commitment to social procurement, ensuring a percentage of development benefits are allocated to advancing prosperity and well-being for Te Mana o Ngāti Rangitihī and its whānau. This should include:
 - a. Implement transparent procurement processes that provide Ngāti Rangitihī businesses with equitable access to tender opportunities, ensuring fairness and accountability. For example, the first offer of a development-related contract to Ngāti Rangitihī uri.
 - b. The development of social procurement targets amongst all mana whenua in Matatā.
 - c. Include contractual obligations for all suppliers and contractors to respect Ngāti Rangitihī cultural practices and engage in culturally appropriate ways, such as through engagement with hapū or employing tikanga-compliant methods.
 - d. Actively seek opportunities to partner with Ngāti Rangitihī entities in joint ventures or collaborative projects that deliver long-term benefits for the iwi and its people.
 - e. Establish monitoring and reporting mechanisms to ensure procurement activities meet cultural, social, and economic objectives, with regular feedback loops involving Te Mana o Ngāti Rangitihī representatives.
10. Water management strategies must include provisions for cultural flows, ensuring sufficient water remains in waterways to sustain the mauri and cultural practices of Ngāti Rangitihī. This consists of performing key cultural rituals, accessing clean water, and protecting the awa's spiritual and ecological integrity.
11. Longstanding issues of water overallocation within the rohe must be urgently addressed. Existing water allocations should be reviewed, with reductions applied where overallocation compromises the mauri of waterways or the ability of Te Mana o Ngāti Rangitihī to exercise kaitiakitanga.
12. Future water allocation frameworks must prioritise Ngāti Rangitihī rights and interests, ensuring equitable access for cultural, environmental, and economic purposes, including sustainable water use for papakāinga housing, restoration projects, and iwi-led developments.
13. Introduce robust monitoring and enforcement mechanisms to ensure compliance with water use limits, prioritising the protection of cultural and environmental values over commercial and extractive uses.

Scenario Submission Points

Scenario One: Residential Greenfields

Our understanding of Scenario 1 is that it will focus on developing new greenfield areas at Matatā, Hukutaia, and Awakeri to enable a long-term supply of housing and business land. This means there would be a low level of infill (new homes built among existing ones) and rural residential development.

In the central areas, by 2055:

- The priority would be for Matatā (east of the existing urban area) to grow by around 1,500 dwellings.
- Papakāinga and Māori-led housing has grown to meet iwi aspirations, becoming a more significant part of the overall housing mix.
- New rural residential development could also occur at a low rate strongly limited by District Plan rules.

Our Position Scenario One:

- Te Mana o Ngāti Rangitihī supports the development of 450 new homes in Matatā, provided the iwi is involved in technical consent processes and residential, economic, and rural development planning to ensure culturally and environmentally appropriate outcomes. This position is maintained and developed through direct engagement in Te Nīatanga ō Mataatua ō Te Arawa Matatā.
- Te Mana o Ngāti Rangitihī has aspirations for the development of Matatā. To see Matatā grow sustainably, providing for the needs of whānau and creating a more robust economy.
- Te Mana o Ngāti Rangitihī opposes the development of 1500+ new homes in Matatā.

Additional Submission Points for Scenario

- A detailed and transparent plan outlining implementation, infrastructure upgrades, and how Māori-led housing will contribute to the overall housing target must be developed at pace with Te Mana o Ngāti Rangitihī inclusion in decision-making.
- Before further development proceeds, Matatā's infrastructure must be comprehensively overhauled. Current systems are piecemeal and pose significant risks, particularly in stormwater management and wastewater systems.
- Te Mana o Ngāti Rangitihī calls for a whole-of-system stormwater assessment to address flood risks projected over the next 100 years due to poor stormwater infrastructure and systems, as suggested by the Tarawera River Restoration Strategy Group's initial analysis.
- Te Mana o Ngāti Rangitihī expects to be actively involved in expanding or altering network discharge consent conditions.
- Te Mana o Ngāti Rangitihī emphasises the need for planning that addresses saltwater intrusion and sea level rise, particularly regarding the potential impact on bore water and other vital resources. This will play a significant factor in the water supply concerning the proposed town expansion.
- Te Mana o Ngāti Rangitihī is concerned that a council-driven approach to develop Matatā without the engagement of iwi and the community will cause significant issues that may lead to the displacement of whānau living in Matatā.
- The iwi supports sustainable growth in Matatā that meets the needs of whānau, strengthens the local economy, and enhances the cultural and environmental integrity of the area.
- Te Mana o Ngāti Rangitihī supports the focus on Matatā as a priority area to develop but is disappointed in the lack of engagement from the council. Engagement with Te Mana o Ngāti Rangitihī is non-negotiable when planning the development of Matatā to ensure the aspirations of the iwi are adhered to by the implementation of the Spatial Plan and to ensure the protection of te taiao and Ngāti Rangitihī whānau in this process.
- Te Mana o Ngāti Rangitihī advocates for district rules that determine the incorporation of rainwater harvesting systems in all future housing developments within Matatā and funded initiatives for existing homes. This initiative promotes environmental sustainability by conserving municipal water supplies, enhances infrastructure resilience by reducing system burdens, lowers homeowner costs, and aligns with our values of kaitiakitanga and sustainable resource management. Specifically, we propose that new homes be equipped to utilise harvested rainwater for non-potable applications, including but not limited to:
 - Toilet flushing
 - Washing machines
 - Dishwashers
 - Showers
 - Irrigation (small scale and large where possible).

Scenario Two: Residential Greenfields

Te Mana o Ngāti Rangitihī does not think this scenario will be progressed or even considered at length. It is clear that Whakatāne District Council has a preconceived objective and that the consultation is purely a legislative obligation rather than an integral process.

- Scenario 2 avoids significant new greenfield development and overlooks Matatā as an area for growth.
- Te Mana o Ngāti Rangitihī aspires for the growth and development of Matatā to provide more housing for whānau and create better economic opportunities, not only for the iwi but also for the EBOP region. This needs to be developed in a sustainable way that meets the needs of the environment and whānau living in Matatā.
- Te Mana o Ngāti Rangitihī strongly supports the growth of papakāinga and Māori-led housing within Scenario 2. However, this must be backed by equitable access to services and infrastructure, enabling sustainable and culturally aligned development on our whenua. The plan must include pathways for hapū-led housing and infrastructure projects.
- Te Mana o Ngāti Rangitihī strongly opposes the reduced regulatory requirements proposed in Scenario 2. Historically, all development has adverse effects on iwi and hapū. Te Awa o Te Atua, Tarawera River has proven that reduced regulatory requirements are not in the best interest nor favour of iwi and hapū.

Scenario 3: Focus on the Western Bay of Plenty and Rotorua with Limited Local Development

Te Mana o Ngāti Rangitihī does not think this scenario will be progressed or even considered at length. It is clear that Whakatāne District Council has a preconceived objective and that the consultation is purely a legislative obligation rather than an integral process.

- Under this scenario, Matatā grows at a much lower rate than Scenario One, and the focus is shifted to other priority areas.
- Te Mana o Ngāti Rangitihī supports a more scaled approach to housing, with smaller developments occurring over a longer period.

Closing Comments

Te Mana o Ngāti Rangitihī appreciates the opportunity to provide a submission on the Eastern Bay of Plenty Spatial Plan. As mana whenua of Matatā, we assert our unwavering commitment to ensuring that development within our rohe aligns with our cultural values, environmental stewardship, and aspirations for sustainable growth.

While we recognise the potential benefits of development, these must not come at the expense of environmental integrity, community well-being, or the displacement of whānau. Our submission outlines clear expectations for equitable and meaningful engagement, existing infrastructure assessments and upgrades, and the prioritisation of Māori-led housing and papakāinga developments.

Te Mana o Ngāti Rangitihī stands ready to partner with Whakatāne District Council and other stakeholders to ensure that the Spatial Plan reflects our shared goals while safeguarding our iwi's rights, interests, and aspirations. By embedding the principles of kaitiakitanga, partnership, and transparency, we can collectively create a future for Matatā that benefits, while honouring the mana of Te Mana o Ngāti Rangitihī and its people.

We look forward to continued dialogue and collaboration to ensure that this process's outcomes genuinely reflect the needs of the whenua, awa, and people.



Leith Comer
Chairperson
Te Mana o Ngāti Rangitihī