

## SUBMISSION ON FAR NORTH DISTRICT COUNCIL PROPOSED DISTRICT PLAN

To: Far North District Council

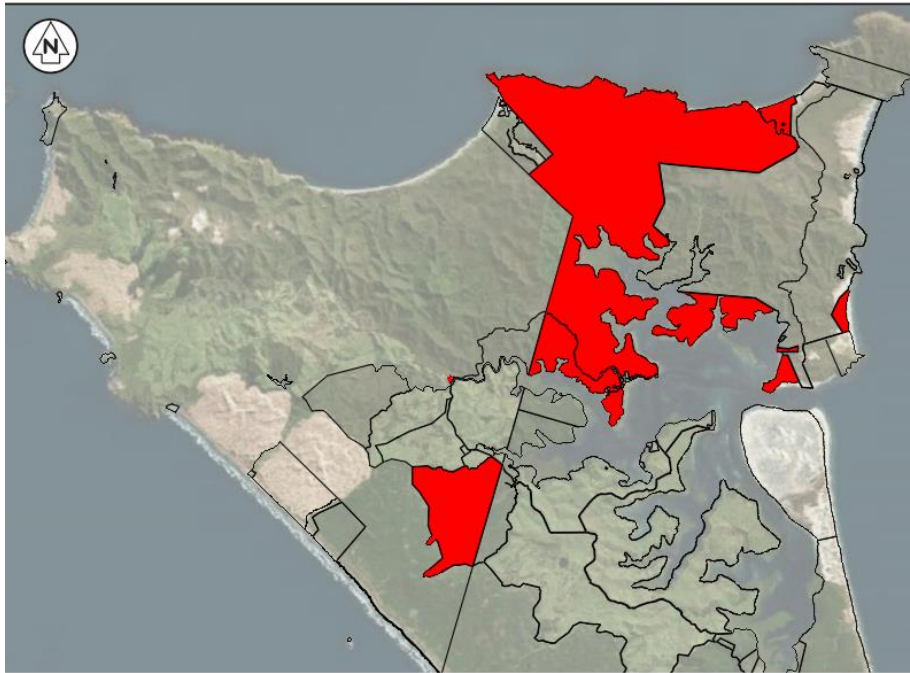
**Name of Submitter:** Muriwhenua Incorporated (“Muriwhenua”)

1. This is a submission to the Far North District Council Proposed District Plan 2022, and in particular to the provisions relating to the Muriwhenua land at Te Hāpua. Te Hapua is east of Cape Reinga on the east coast, just south of North Cape.
2. Muriwhenua would not gain an advantage in trade competition through this submission.

### **Land subject to this submission**

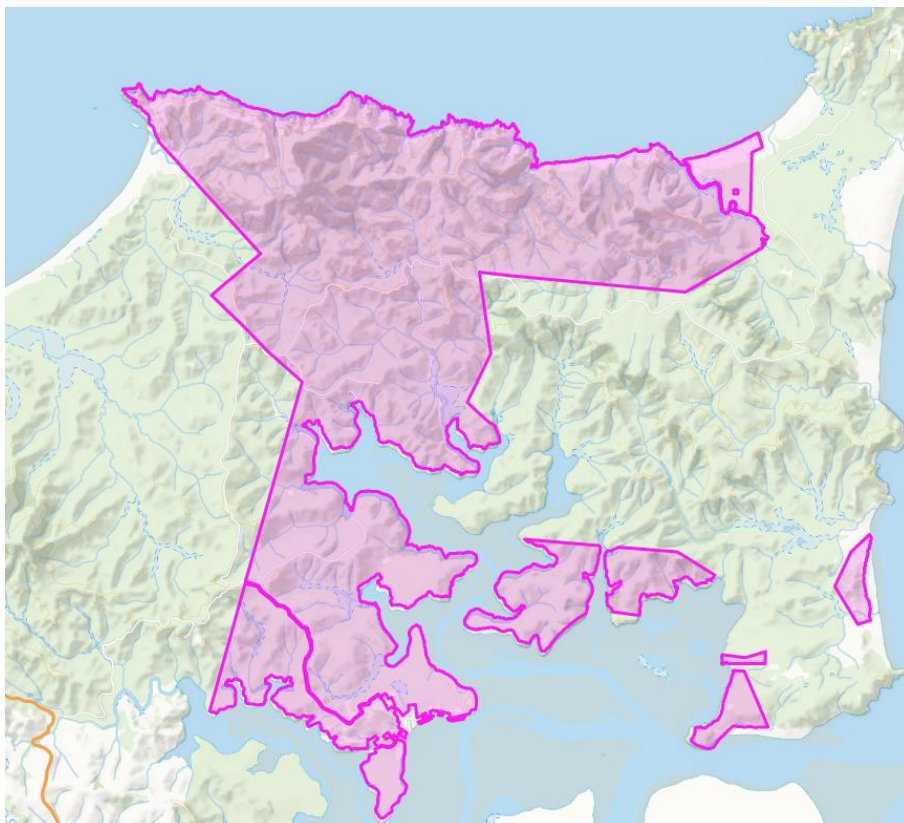
3. Muriwhenua have significant land holdings within the Te Hāpua area. Muriwhenua land is shown on the attached diagram 1. This submission relates to all the land shown red on Diagram 1. This includes, but is not limited too:
  - (a) 5,875ha of land being the Te Hāpua Forest.
  - (b) 865ha of land in the Shenstone Forest.
  - (c) Land adjacent to SH1 being the Waitiki Village / Landing

### **Diagram 1 : Muriwhenua Land Holdings**



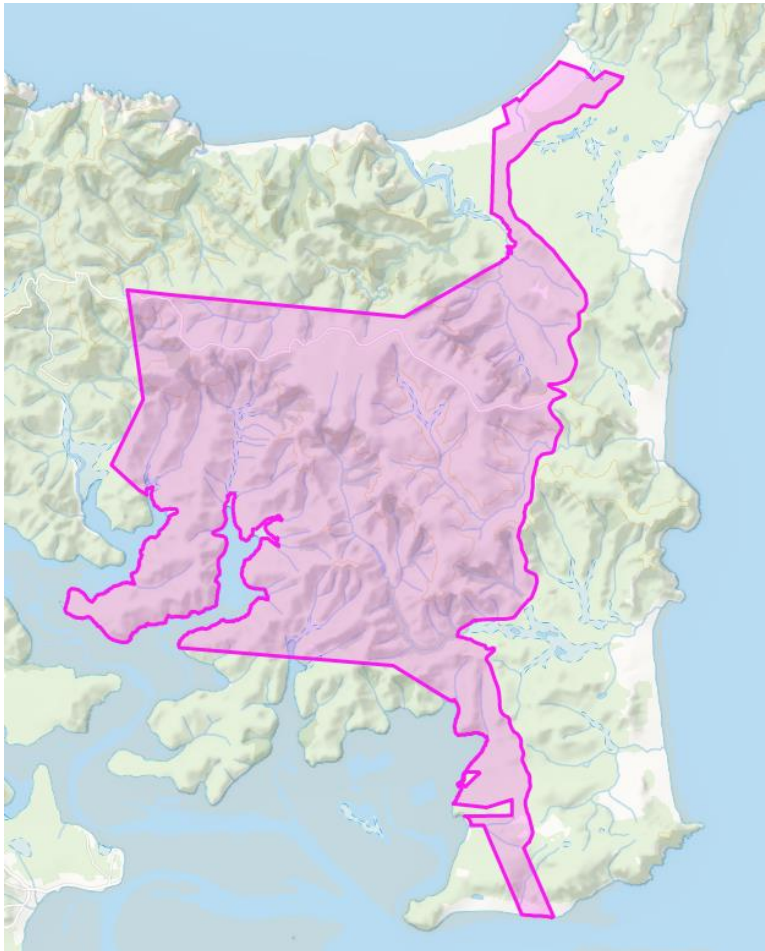
The title identifier for the landholding is 517692 and the legal description is the Te Hapua 42 Block and is identified in Diagram 2 below.

**Diagram 2: Record of Title 517692, outlined in pink**



The submission also relates to the title identifier for the landholding identified as 726749 and the legal description is Section 1 Survey Office Plan 470881 and is outlined in Diagram 3 below.

**Diagram 3: Record of Title 72649, outlined in pink**



#### **Background to this submission**

4. Muriwhenua are wanting to utilise their land holdings for the benefit of our iwi. This is both to advance cultural, social and economic objectives. Muriwhenua can do this in a manner that meets environmental objectives.
5. The Te Hāpua community currently houses approximately 200 people. The current housing area is within an identified area of sea level rise risk.

6. Muriwhenua has extensive forest holdings but is yet to realise the significant opportunity for Māori economic development that these strategic assets bring.
7. Muriwhenua is active in promoting other forms of economic development in this part of Northland including tourism, honey and aquiculture.
8. 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.

**Scope of submission**

9. This submission relates to:
  - (a) The zoning and zone provisions of the Muriwhenua land particularly shown on the map on diagram 1. This submission seeks a rezoning of this lands for community and economic development purposes. It requests in part a new 'Maori Purpose Rural Settlement' zone (MPRS), and in part a 'Māori Development Rural' zone
  - (b) The introduction of new provisions relating to the MPRS zone on Muriwhenua land.
  - (c) A request to bring down special zoning provisions or alternative relief appropriate to the Te Hāpua community and associated economic development area.
  - (d) The extent and application of the outstanding natural features classification, outstanding natural landscape overlay and SEA overlay applying to the Muriwhenua zone.

**The submission is:**

10. Muriwhenua seeks:

- (a) The land shown on Diagram 1 to be all be zoned from 'Māori Purpose Rural' zone except the land on diagram 3 which is to be zoned 'Māori Purpose Rural Settlement' zone; or alternative zone or precinct to achieve the relief sought in the submission
- (b) The plan be amended so as to create a new "Māori Purposes Rural Settlement zone".

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

- (c) Set the objectives, policies, activities and standards for the MPRS zone as per the planning framework attached to this submission.
  - (d) Support the objectives TW01 – TW05 and related policies addressing Tangata Whenua provisions in the plan
  - (e) Support the objectives of the Maori Purpose zones
  - (f) Deletion of the 'coastal environment' overlay from the Muriwhenua land other than that land within 500m of mean high water spring which is outside the sites currently used for housing or business activity.
  - (g) Deletion of the 'High Natural Character', 'Outstanding Natural Character', 'Outstanding Natural Feature' and 'Outstanding Natural Landscape' overlays from the Muriwhenua land
11. 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 lands, then the submitter would accept that as an alternate methodology.

## **Reasons**

12. This is the prime land of Muriwhenua. This is the best and only opportunity for Muriwhenua to provide for its people.

13. The current housing arrangements for Muriwhenua are not suitable for the long-term needs of the iwi. Housing needs to be upgraded. There is also a critical need for a substantial increase in the amount of housing.
14. Much of the current housing is located in areas identified as at risk from long-term sea level rise. In the regeneration of the Te Hāpua village, it would be appropriate to locate new housing and community areas outside of the sea level rise risk area.
15. 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.
16. Muriwhenua is looking to provide employment for our people within our land holdings and its immediate environs. This includes facilities as diverse as aquiculture, tourism, forestry and honey making. These economic activities will be pursued through appropriate consenting processes in the future as necessary. What this plan change seeks to do is to create an employment base within the facility to enable some of these activities to occur. Examples would include:
  - base facilities for revegetation programmes;
  - maintenance and servicing areas for forestry or other economic operations;
  - accommodation opportunities associated with tourism;
  - packing and distribution associated with aquiculture.
17. Muriwhenua accepts that the Council need a reasonable degree of scrutiny over the development, particularly to satisfy itself around infrastructure and other related matters. It also recognises that, whereas in a normal rural settlement circumstance, subdivision would be

the Council's primary control, Muriwhenua will retain ownership of its land and generally not subdivide to disaggregated lot scale. Consequently, there may not be a subdivision as such. The requested plan provisions require restricted discretionary activity consent for housing exceeding ten dwellings, where those dwellings connect to an existing wastewater network with sufficient capacity for the additional homes.

18. The plan should provide employment opportunities. It should also enable community services and retail at an appropriate scale for local tourism operations and for rural settlement.
  
19. 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. It fails to take account of the historic nature of some Māori communities in the north which are based around small settlements within a rural area. These are not tied to major urban communities as is the intention of the Māori Purposes Urban zone. Nor are they appropriately managed as a disaggregated community spread throughout a rural area, as is the intention of the Māori Purposes Rural zone. Te Hāpua is an example where Māori are located and/or would benefit from locating in small settlement(s) nestled in a broader rural landscape. The social and economic benefits of settlements is summarised in this submission. Essentially, it enables iwi to build a settlement that provides the cultural and social support that comes from community living. It provides economic efficiencies, particularly in terms of infrastructure. It provides enough critical mass to sustain issues such as local servicing shop or medical support. It also, by concentrating the housing and associated facilities in a settlement, that provides efficiency in the rural landscape for rural economic activity.
  
20. This request, in Muriwhenua's view, could equally apply to several rural communities throughout the Northland district. However it also recognises that, should the Council wish to confine this proposal just to Te Hāpua and the Muriwhenua land, then that would equally be acceptable to the Submitter.
  
21. The Te Hāpua community is a long established settlement for Muriwhenua. It is an area in need of both enhanced housing and an increase in housing to take account of the growing population. It is Muriwhenua's traditional home and the appropriate location for our people.

22. The cultural importance of enabling Māori to locate in their traditional homes and to provide the communities which will enable support, particularly for our elderly and young, is critical to the cultural and social wellbeing of the people of Muriwhenua.
23. The relative geographic isolation of Te Hāpua also emphasises the importance of creating economic development opportunities and core basic services for the community including employment opportunities, land for service industries, land for some support services such as a general store or medical offices, and the opportunity for infrastructure such as community wastewater treatment plants.
24. This is an area of significant forestry. Forestry and tourism provides significant opportunity for employment and economic development in the north. The support services, ranging from light industrial servicing activities, to nurseries and revegetation programmes; are all activities which add to the benefit of the community and the economic development generally of Northland.
25. The combination of the 'Coastal Environment', 'High Natural Character', 'Outstanding Natural Character', 'Outstanding Natural Feature' and 'Outstanding Natural Landscape' overlays is to significantly limit the opportunity for Māori Economic Development and for the creation of the Te Hapua community. Muriwhenua is not opposed to a targeted protection of prime features which achieve the appropriate balance between environment protection and community development. The extent of overlay controls and the methods deployed in determining the overlays do not achieve that balance or enable Muriwhenua to deliver on our cultural, social, and economic objectives for our iwi.

#### **Requested Māori Development Rural Settlement zone provisions**

26. The MDRS zone essentially:
  - (a) Adopts the objectives of the Māori Purposes zone (MPZ01 to MPZ03).
  - (b) Adopts the policies of the Māori Purposes zone (MPZ-P1 to MPZ-P4).
  - (c) Adopts the activity status of the Māori Purpose Urban zone subject to the proviso below.  
This is MPZ-R1 to MPZ-R25 except for the following:



- (i) The density in MPZ-R4 should allow, as a restricted discretionary activity, housing to a density of 1:300m<sup>2</sup>. This is intended to allow some cluster or community housing, and recognises that further development of the land is essential to the economic, social and cultural benefit of Muriwhenua.
- (ii) Any density in excess of 1:1,000m<sup>2</sup> would only be allowed if it is connected to a community wastewater network.
- (iii) There should be no restriction on the number of papakāinga houses. The density should also be set at 1:300. This recognises that development is not based on further subdivision of the land.
- (iv) The concept of multi-generational housing should be introduced enabling extended family members to live within the one dwelling including a primary dining and living area but with a supplementary kitchenette and a degree of independent living.

The concept of extended family living is common amongst many in Aotearoa and particularly within Maori whanau. The ability for families to live together in the one dwelling with adults being able to work and create economic return for the household, with the elderly living within the home with a degree of independence and providing supervision of the young within the whanau, is an important social and cultural aspect for Māori and many other communities. This form of housing should be provided for within the Māori economic development zone generally and particularly MDRS.

- (v) The provision for visitor accommodation at a maximum of six guests is suitable for a homestay. However, for a motel operation or a lodge, this level of activity is too constrained. Currently it is a full discretionary activity to exceed six guests. This submission seeks this as a restricted discretionary activity. It is accepted the Council will want to satisfy itself around services (infrastructure). It is also recognised that the larger building forms can have landscape and design impacts. This can be achieved as a restricted discretionary activity. If we are to stimulate economic development in the north, then tourism is a key part of this. Enabling a reasonable degree of visitor accommodation is a key element of this.

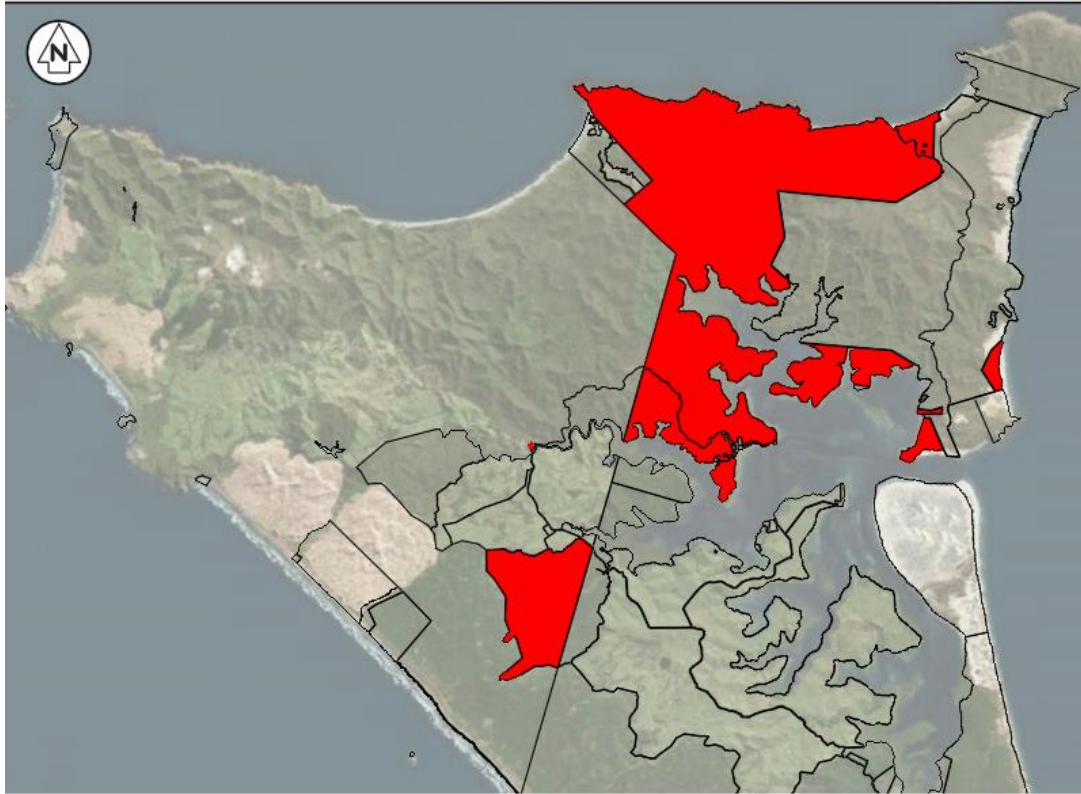
- (vi) The limit on commercial activity (MPZ-R15) of 250m<sup>2</sup> gross business area and 300m<sup>2</sup> per settlement does not take account of the reality of establishing these types of facilities. The plan should provide for local artists to be able to work and display their materials, for food and beverage facilities, and for the local servicing of the community. In an urban setting, then there are local town centres. In a rural setting, a smaller retail component may be appropriate. However, in a rural settlement, a more realistic retail component is appropriate. This submission seeks a cap of 5,000m<sup>2</sup> and a GBA limit of 1,000m<sup>2</sup>.
- (d) Adopts the standards of MPZ-S1 to MPZ-S5.
- (e) For onsite services, the MDRS zone seeks either the application of standards in MPZS8 or connection to a communal privately managed wastewater system. Modern wastewater technologies with microbiofilter systems and other methods enable the successful treatment of wastewater and land disposal for small treatment plant systems. This is tried and true technology in Europe, Australia and Aotearoa. Muriwhenua would create a community-based system. Once established, then the restrictions on services can be uplifted and development can proceed unconstrained by wastewater service.
- (f) The controls on water and stormwater are supported.
- (g) Deletion of the 'coastal environment' overlay from the Muriwhenua land, other than that land requested to be zoned Māori Development rural that is within 500m of mean high water spring, and the sites currently used for housing or business activity. (The intent of this requested decision means the overlay would not apply to the MDRS zone and the existing settlement land)
- (h) Deletion of the 'High Natural Character', 'Outstanding Natural Character', 'Outstanding Natural Feature' and 'Outstanding Natural Landscape' overlays from the Muriwhenua land

### **Decision requested**

27. Muriwhenua seeks the following decision from the Council:

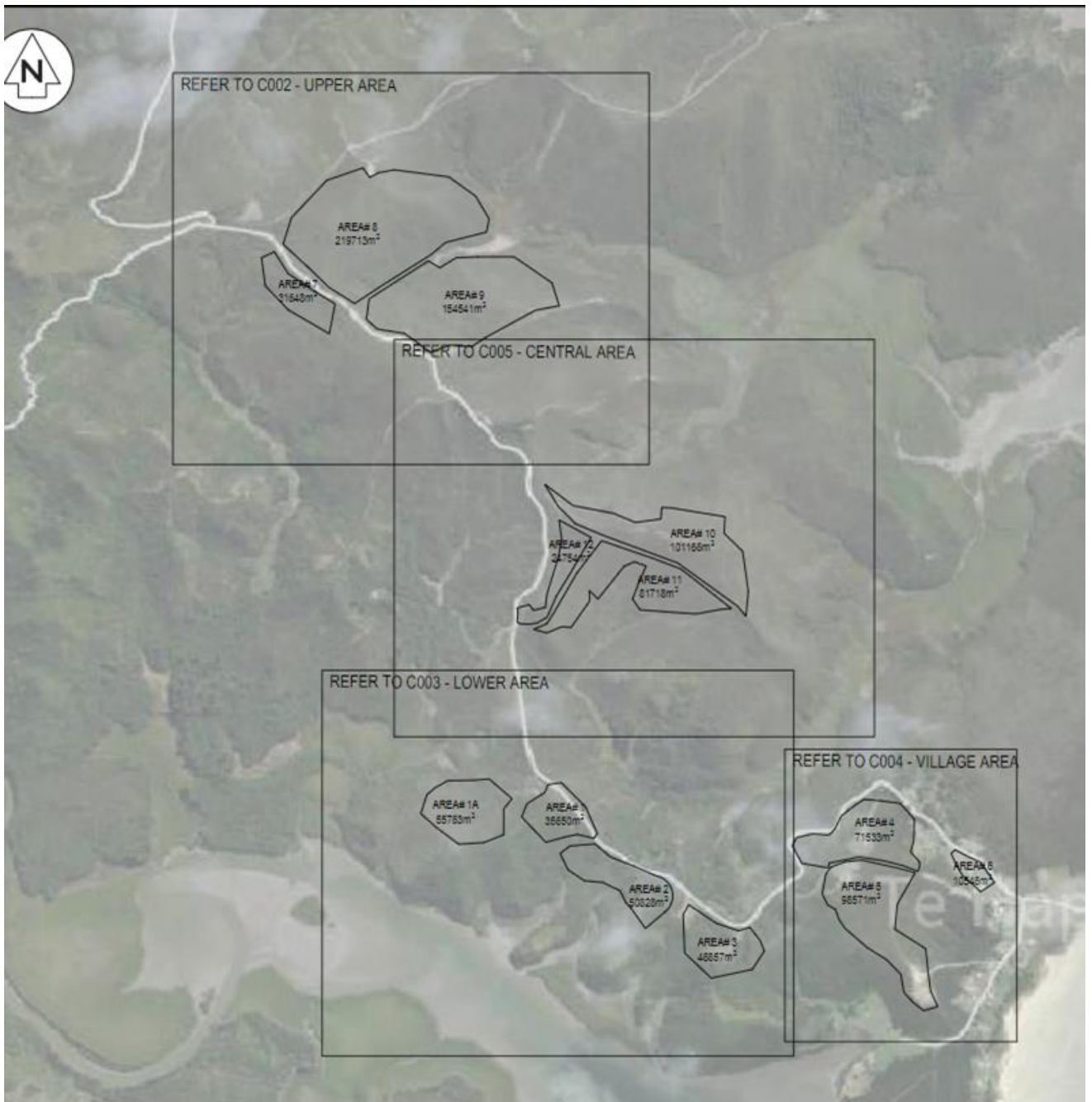
- (a) Zone all the Muriwhenua land shown in Diagram 4 'Māori Purpose Rural' zone (except the land on diagram 5 which is to be zoned 'Māori Purpose Rural Settlement' zone); or such alternative zone or precinct to achieve the equivalent relief sought in this submission. S420.001 to S420.003

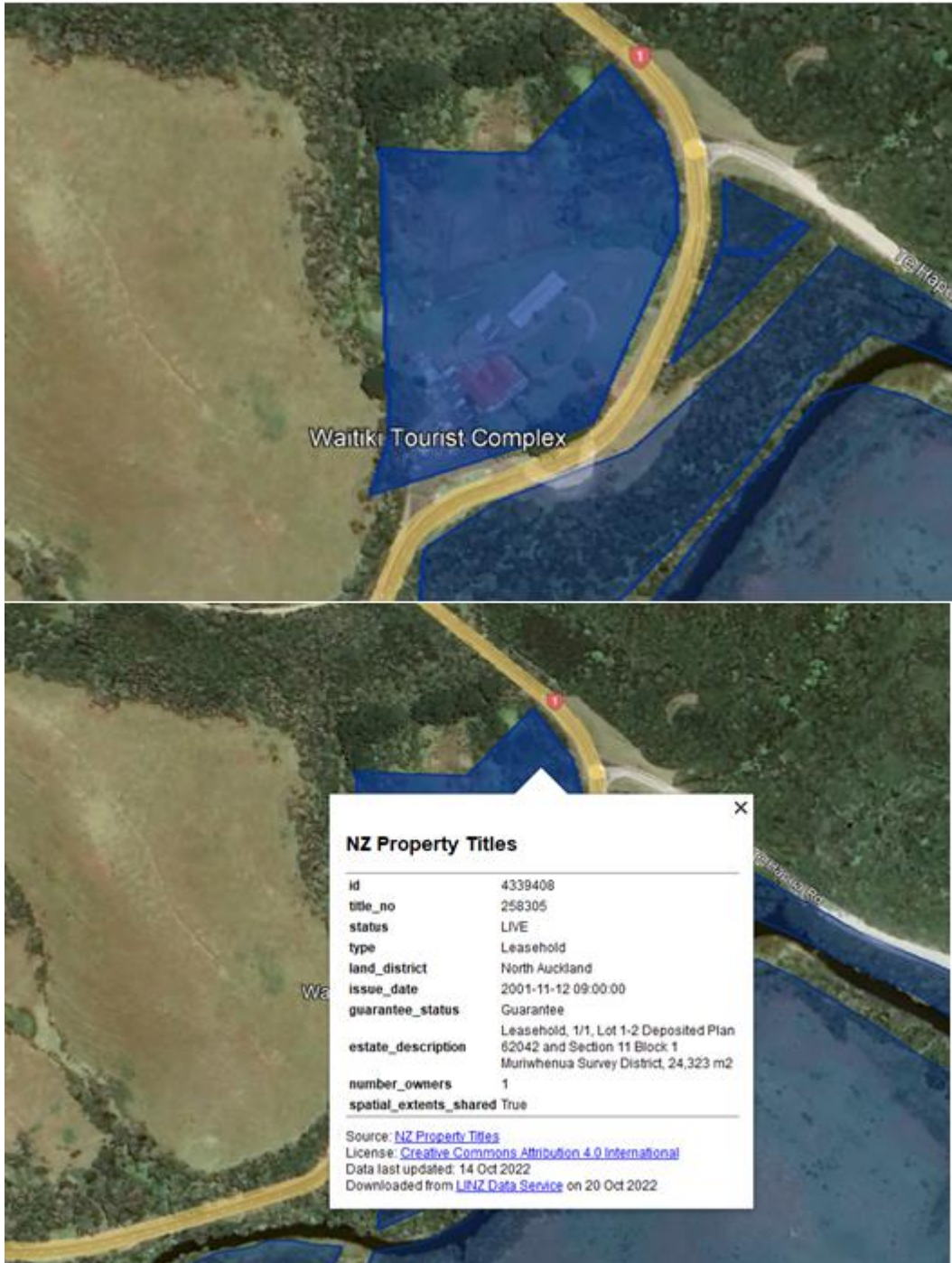
**Diagram 4: Land sought to zoned 'Maori Purpose Rural'**



- (b) Zone the Muriwhenua land shown in Diagram 5 below a new zone 'Maori Purpose Rural Settlement' or such alternative zone or precinct to achieve the equivalent relief sought in this submission. S420.004

Diagram 5: Land outlined in black sought to be zoned 'Maori Purpose Rural Settlement'





(c) Introduce a new Māori Purposes Rural Settlement Zone with the objectives, policies, activities, standards and assessment criteria generally as below (or such other planning method such as a precinct control which achieves the same outcome.).

S420.005  
S420.008

(i) Adopts the objectives of the Māori Purposes zone (MPZ01 to MPZ03).

(ii) Adopts the policies of the Māori Purposes zone (MPZ-P1 to MPZ-P4).

(iii) Adopts the activity status of the Māori Purpose Urban zone subject to the proviso below. This is MPZ-R1 to MPZ-R25 except for the following:

- A. The density in MPZ-R4 should allow, as a restricted discretionary activity, housing to a density of 1:300m<sup>2</sup>.
- B. Any density in excess of 1:1,000m<sup>2</sup> would only be allowed if it is connected to a community wastewater network.
- C. Delete the cap restriction on the number of papakāinga houses. Set the density at 1:300.
- D. Provide for multi-generational housing enabling extended family members to live within the one dwelling including a primary dining and living area but with a supplementary kitchenette and a degree of independent living.
- E. Provide for visitor accommodation for 7 or more guests as a restricted discretionary activity.
- F. Set the limit on commercial activity (MPZ-R15) in the MPRS zone of 5,000m<sup>2</sup> within the settlement and a GBA limit of 1,000m<sup>2</sup>.

(iv) Adopts the standards of MPZ-S1 to MPZ-S5.

(v) Provide for wastewater treatment plants serving a MDRS zone as a restricted discretionary activity

(vi) For onsite services, provide for a development to either meet the standards in MPZS8 or connect to a communal privately managed wastewater system with sufficient capacity.

(vii) The controls on water and stormwater are supported.

(d) Delete the 'coastal environment' overlay from the Muriwhenua land, other than that land requested to be zoned Māori Development rural that is within 500m of mean high water spring, and the sites currently used for housing or business activity S420.006

(e) Delete the outstanding natural features classification and outstanding natural landscape overlay from the Māori Purposes Rural Settlement zone area, and uplift this classification from that part of the Te Hāpua and Shenwood Forests that is greater than 500m from the coast.

S420.007 &  
S420.009

(f) Such other relief or consequential changes as necessary to give effect to this submission.

### **Appearance at hearing**

28. Muriwhenua wishes to be heard in support of its submission.

29. Muriwhenua would prefer to present its own submission rather than as part of a joint submission. However, it is happy to work with the Council to ensure hearing efficiency.

Dated 21 October 2022

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on behalf of Muriwhenua Incorporated

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