

Form 5 Submission on notified proposal for policy statement or plan,
change or variation

[Clause 6](#) of Schedule 1, Resource Management Act 1991

To: Whakatāne District Council

Name of submitter: Tahei and Mereheeni Simpson Whanau Trust

This is a submission on the following change proposed to the plan:

Whakatāne District Plan - Plan Change 2: 23 and 45 Keepa Road

Trade Competition

I could not gain an advantage in trade competition through this submission.

The specific provisions of the proposal that my submission relates to are:

See attached submission

My submission is:

See attached submission

I seek the following decision from the local authority:

See attached submission

Hearing submissions

I wish to be heard in support of my submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature of submitter (or person authorised to sign on behalf of submitter)

Date: 12 April 2018

(A signature is not required if you make your submission by electronic means.)

Contact Details

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Contact person: Herewini Simpson

Submission on Proposed Plan Change 2 (Keepa Road)

1 Introduction

- 1.1 This submission is made on behalf of ***Tahei and Mereheeni Simpson Whanau Trust*** as shareholders and beneficiaries of both 25A Keepa Road (Lot 1 DPS 18658) and 25B Keepa Road (Allot 28B3C1).
- 1.2 The views expressed in this submission are our own and we do not purport to speak on behalf of our other whanaunga as shareholders and beneficiaries in common. We acknowledge other members of our whanau / hapū have submitted independently on this matter and support those submissions to the extent they are consistent with our own.

2 Summary

- 2.1 We are **opposed** to the plan change in its current form.
- 2.2 We consider the proposal to be fundamentally deficient in terms of assessing cultural impacts and corresponding failure to adequately provide for these.
- 2.3 Further grounds upon which our opposition is based include concerns around reverse sensitivity, impacts on amenity values, transport safety and infrastructure.
- 2.4 We seek a number of decisions / provisions including (but not limited to) measures to protect the cultural and amenity values of the existing environment, noting Te Hokowhitu a Tu marae (the 'Marae') as a significant cultural heritage feature of the area.

3 Submission

- 3.1 This submission provides a broad outline of our current position on the proposal. It should not be read as our complete submission. We reserve the right to further expand upon the matters raised in this submission and will endeavour to do so in advance of the Plan Change hearing process.
- 3.2 **Assessment of Cultural Impacts**
- 3.2.1 The plan change has **not** adequately assessed the cultural impacts of the proposal in its entirety. The significance of this cannot be understated given the subject area of the proposal directly adjoins Te Hokowhitu a Tu marae (the 'Marae'), and noting express District Plan provisions within its current zoning, intended to protect its cultural and amenity values.

3.2.2 It is widely acknowledged and accepted as industry standard, that tangata whenua are best placed to identify and speak on behalf of their cultural values and interests. Indeed the Bay of Plenty Regional policy Statement IW2B(b) states that “only tangata whenua can identify their relationship and that of their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga”. It is somewhat difficult to understand the basis upon which the proposal has sought to evaluate cultural impacts, in the absence of a comprehensive Cultural Impact Assessment (or equivalent).

3.2.3 The development of 23 & 45 Keepa Rd (particularly at the scale indicated) will cause the Marae to be boxed in; a victory for urban encroachment and bringing a final end to the rural outlook and natural amenity value that once surrounded the Marae. Effectively, our hapū / marae will be the second and only other within the Ngāti Awa rohe and central Whakatane district, to be deprived of its natural surrounds through urban encroachment.

3.2.4 It is yet another example of the cumulative effects of urban development that have consistently served to erode our cultural heritage. Further examples include:

- Loss of whānau lands surrounding the Marae (including 23 & 45 Keepa Rd) due to rates arrears and subsequent sale under duress.
- Compulsory acquisition of our family home (once located at the Gateway Dr and SH30 roundabout) for the formation of SH30, and having to relocate to Kawerau away from our Marae and established whanau support network.
- Extensive pollution of the Kopeopeo Canal by the neighbouring Whakatāne Board Mills, the loss of ability to undertake and maintain cultural practices to sustain our whānau and hapū.
- Dumping of dioxin waste on surrounding lands abutting our Marae, and high rates of cancer within our whanau, particularly those that lived on whānau lands in or around the Marae. The reduced lifespan of whānau and associated loss of those individuals as repositories of our cultural knowledge and traditions.
- Adverse effects of Gateway Industrial Park (at the western border of the Marae) and the lack of any plan provisions (ie setbacks, buffer zones) at the time of its development, to specifically recognise and provide for our cultural and amenity values.

3.2.5 Whilst we appreciate that decisions on the current proposal are limited to matters within scope, it is important to also recognise and appreciate that for us as tangata whenua, the proposal cannot be looked at in isolation from those experiences and the cumulative effect they have had, and continue to have on our cultural heritage.

3.2.6 We maintain that development must be undertaken sympathetically to the uniqueness of Te Hokowhitu a Tu marae Marae as a site of living cultural heritage now and in the years to come.

3.3 **Other Matters**

3.3.1 Further grounds upon which our current opposition is based include concerns around:

- reverse sensitivity,
- impacts on amenity values,
- transport safety and infrastructure

3.4 **Decisions / Amendments Sought**

3.4.1 We seek a number of decisions / provisions to protect the cultural and amenity values of the existing environment, noting Te Hokowhitu a Tu marae as a significant cultural and heritage feature of the area.

3.4.2 These measures include (but are not limited to):

- A comprehensive Cultural Impact Assessment
- A minimum 20m setback around the northern and eastern perimeter of the Marae (inclusive of both 25A and 25B Keepa Rd)
- Protection of view shafts from the Marae to sites of cultural significance and heritage including Pūtauaki and Kaputerangi.
- Limits on the number of potential dwellings
- Minimum allotment size
- Maintenance and protection of our unimpeded access along our private roadway in its entirety, from the Marae to Keepa Road
- Relocation of the proposed reserved from the current indicated position, westwards to abut the 20m setback along the eastern borer of the Marae
- Improvements to existing transport infrastructure (particularly at Keepa Rd / SH30 junction) to provide for increased traffic volumes

Authorised: Noho Simpson
Trustee
Tahei and Mereheeni Simpson Whanau Trust

Date: 12 April 2018