

Queenstown Lakes District Council, Inclusionary Housing Variation

Tanya Stevens, Te Rūnanga o Ngāi Tahu: Summary of Evidence

1. Tēnā koutou.
2. Ko Tanya Stevens ahau. My role is Senior Policy Advisor, Te Rūnanga o Ngāi Tahu (Te Rūnanga).
3. I am a planner and I have worked for Te Rūnanga for nearly 10 years during which time I've built up knowledge and understanding of Ngāi Tahu Settlements. I now tend to focus on bringing together my understanding of planning and Ngāi Tahu Settlements in amongst broader policy work, particularly aquaculture these days but I stay on land sometimes too.
4. Te Rūnanga o Ngāi Tahu submission on the proposed Inclusionary Housing Variation deals with both the Hāwea/Wānaka – Sticky Forest block, and also Māori land.
5. In saying Māori Land I am referring to land held under Te Ture Whenua Māori Act 1993.
6. Both Māori Land, and Hāwea/Wānaka-Sticky Forest have clear connections to the colonisation of New Zealand.
7. Between 1844-1864 ten major land purchases were negotiated by the Crown with Ngāi Tahu. Contractual agreements made between parties were not honoured, and Ngāi Tahu was left largely landless. By the early 1900s, fewer than 2,000 Ngāi Tahu remained alive on their own land as a result.
8. Investigations, of varying rigor and effort, were undertaken by Crown agents between 1886 and 1905 which identified the landlessness issue amongst Ngāi Tahu, and also the fundamental effect that that had on the tribe. Ngāi Tahu relied not just on ownership of land itself, but the ability to access and use resources to support economic and social well-being. Ultimately, it placed Ngāi Tahu people in a state of severe poverty.
9. The Waitangi Tribunal in considering the Ngāi Tahu Claim, Te Kerēme, states in the Ngāi Tahu Report that:

The Tribunal cannot avoid the conclusion that in acquiring from Ngāi Tahu 34.5 million acres, more than half the land mass of New Zealand, for £14,750 pounds, and leaving them with only 35,757 acres, the Crown acted unconscionably and in repeated breach of the Treaty of Waitangi.
10. I hope this builds a picture of the importance the both Māori Land, and the Hāwea/Wānaka-Sticky Forest redress land, that remains within the Ngāi Tahu Takiwā.
11. To that end existing Māori Land held in Queenstown is 13.5311ha of Māori Freehold Land which is located between the Neck and Hunter Valley. It has 4,766 registered owners.
12. The importance and uniqueness of Hāwea/Wānaka-Sticky Forest also stems from the ten major land purchases, failure to uphold agreements, and the resulting landlessness issue.
13. The South Island Landless Natives Act 1906 provided a means for title to allocated land blocks to be transferred to landless "natives". Nearly all blocks were transferred except four, one being the Hāwea/Wānaka block.
14. The four outstanding blocks were included in the Ngāi Tahu Deed of Settlement 1997 and a process for the transfer of those blocks to successors of the beneficial owners (Successors) set out.
15. The Hāwea/Wānaka block was originally located at Manuhaea/"The Neck" (Orokotewhatu). That land was not available at the time of settlement, as such Sticky

Forest was identified as a replacement block. To date, the Hāwea/Wānaka-Sticky Forest block has yet to be transferred to Successors. When the block is transferred to Successors, it is essential that it is in a meaningful form and not unreasonably constrained.

16. It is essential too, that both owners of Māori Land in the Queenstown Lakes District, and Successors of the Hāwea/Wānaka block do not suffer further encumbrances.
17. Whilst I understand that a financial contribution does not restrict development as such, it creates a substantial difficulty in practical terms.
18. In terms of the Māori Land block, and I note that I'm not an expert on Māori Land, but as a basic premise I understand that:
 - The structuring of multiple owners on a single block stems from a clash in two very different land ownership philosophies. Māori land would traditionally be owned in a more communal manner, tribal or hapū boundaries would likely be understood, but the concept of drawing shapes on whenua and saying – I own that as an individual – is a very Eurocentric approach.
 - There are numerous existing barriers to developing Māori Land. The Māori Land Court has processes that must be adhered to, in particular agreement with other landowners must be reached or at a minimum sought. In addition planning rules continue to apply plus of course Building Act requirements. It is difficult to raise a mortgage and packages for Māori Land offered by banks have only recently started to appear (namely Kiwibank).
 - In this regard, a financial contribution whilst it doesn't preclude an application to the council for a resource consent, would be added to the list of already substantial hurdles to realising any practical use of land.
19. In terms of the Māori Land owned between the Neck and Hunter Valley, I don't know the specific history of the block, and I cannot say what the likelihood is of development there, or what the aspirations of the owners may be. I don't know what the future is for the management of Māori Land. In a similar vein, I cannot speak for the aspirations of the Successors to the Hāwea/Wānaka-Sticky Forest allocation.
20. But there is a highly valid principle for you to consider, which is that it would be inappropriate to require the owners of remnant blocks of Maori Land, and in the case of Sticky Forest redress land, to further fund affordable housing. Ngāi Tahu already suffered from the loss of 80% of the South Island. Those blocks that remain, in this case Māori Land between the Neck and Hunter Valley, and Hāwea/Wānaka-Sticky Forest, have a direct link to that loss and to require financial contributions from those owners or Successors, chips away from any possible residual benefit of the whenua to those people, and in the case of Hāwea/Wānaka-Sticky Forest, before the Successors have access to the whenua.
21. For the Hāwea/Wānaka-Sticky Forest Successors, they have waited over 100 years for this allocation to be transferred. They have waited some 20 years since the allocation was included in the Ngāi Tahu Deed of Settlement 1997, for the transfer of that allocation through Sticky Forest.
22. I consider that the Treaty Principle of active protection is particularly relevant. Active protection requires action, a passive approach is not consistent with the principle of active protection. The principle of active protection requires that positive steps are taken to ensure that Māori interests are protected. Applied here, positive action is required to as far as possible, help Māori Land owners, and the Successors to Hāwea/Wānaka-Sticky Forest, to have an opportunity for some meaningful, genuine use of that whenua.
23. Ms Pull will discuss in greater detail planning solutions.

24. I welcome any questions.