

Robin Ariene

Interested in Land use rules

Two zones  
No personal land  
Restrictions on  
Private land  
use

My submission is of a general nature as it applies to land use.

My written submission is very brief so this oral submission is an explanation of why I hold the views expressed in my written submission.

The tension between a landowners wishes to do what they like with their property and the community's wishes that property use is in line with community expectations for the area so that all landowners can enjoy peaceful ownership of their property has resulted in the current legal requirements such as the RMA.

It is pleasing for me that the Council acknowledges that the RMA and the resource consenting process is not only a significant barrier to development on Maori land but it is also an unnecessary barrier. This is because having acknowledged this the Council cannot reasonably hold the view that it is not a significant and unnecessary barrier to development and use of all land. For me that is very pleasing.

I am currently battling Council over plan changes that threaten to affect my ability to use my avocado orchard as I currently do now. I would like to have a council acknowledgement that their restrictions are unnecessary and the go away and leave me to the peaceful enjoyment of my property.

I am unsure how the Council can hold the view that removing the resource consent requirements will not adversely affect neighbouring properties. But given that it does then it surely questions why this Council or any council concerns itself with land use restrictions. And they should all be removed. The position that neighboring properties are not affected by neighboring land use is in contradiction with just about everything the Council and Regional Council does in the way of RPS and district plans.

the proposal does

I point out too that a neighbouring property in this case could be owned by a Maori and nothing I have seen of the Treaty of Waitangi provisions restrict the Crown's obligations to Maori in terms of land use to ancestral land. So the Crown has an additional obligation to the neighbouring property in this case, which this proposed change ignores.

My general submission is that this plan change articulates there is no need for any resource consent process for land use and while it articulates that there are reasons to do this for Maori on both ancestral land and general land that might have been owned or used by an ancestor, none of those reasons are unique to Maori.

- We are all agreed about an  
children - buy a house

I am involved in land that I own with my wife and in family land that goes back 5 generations and we would appreciate the same consideration from Council in removing resource consent requirements to allow us to surround ourselves with family. A spiritual connection with land and the desire to share the use of that land with relatives and preserve it for future generations is not limited to Maori people. There is nothing special or unique about that human desire.

EVIDENCE 07  
TOPIC Papakāinga  
SUB# PC94B Papakāinga  
DATE 21-11-2016

While there are problems under the current law relating to Maori land ownership these are not significantly addressed by this plan change and the problems are really for Maori to solve. They are the ones who seem to want the Crown to impose more restrictions on their land use than general land, which is quite baffling to me why they persevere with land use restrictions that exist in paternalistic and patronizing laws. This patronizing legislation has its roots in a time when Maori were perceived to be less sophisticated than Europeans and in need of special protection against exploitation, which is an offensive suggestion today. The issue of multiple ownership is not unique to Maori on Maori land so it does not need a unique solution.

The restrictive controls by the Crown over Maori land is cited repeatedly as a reason for this proposal whereas the obvious and better way is to allow owners of Maori land the same rights as owners of general land.

The premise of existing law is to facilitate the retention, use, development and control of Maori land as a treasure handed down through the generations. Parliament should have realized that if indeed Maori regarded their land a treasure handed down through the generations they would never sell it so no legislation was needed to stop that. If however Maori owners felt it was in their best interests to sell their land, then it quite clearly was not a treasure and so either way no legislation was needed.

- *Just as a government Maori has not helped the amt all*

Better to deal with that than address these difficulties this way.

So my position is that it is exciting that Council acknowledges here how much a hindrance to land development it is through provisions of the RMA. What ever it can do to enhance development it should do but it should be for all land, if environmental protections are not needed, or land use restrictions are not needed to protect neighbours then they are not needed full stop. If however they are needed then there should be no exceptions, and they should be preserved for all land.