



Proposed Far North District Plan – Te Aupōuri Commercial Development Ltd (S339)

Hearing 12: Sites and Areas of Significance to Māori – Planning Evidence

Makarena Dalton | 28 May 2025

- Overview of Original Submission
- Te Aupōuri's Revised Relief
- Statutory Context
- Issue
- Assessment of Sites and Areas of Significance to Te Aupōuri
- Amendments to PDP Schedule 3
- Conclusions / Recommendations

Sub #	Feedback Topic	Support/Oppose/Seek Amendment	Comments / Reasons	Relief Sought
43	SCHED3 – Sites and areas of significance to Māori	Support, Seek amendment	TACDL are <u>supportive of the protection</u> of sites and areas of significance to Māori throughout the Far North. However, it is of <u>concern that the SCHED3 has not been updated</u> with new sites as part of this process. There are <u>many sites and areas of significance to Te Aupōuri</u> , however, they are concerned with the sensitive nature of these sacred places and whether it is appropriate to have these incorporated into the PDP. <u>Te Aupōuri Iwi, hapū and whanau are the kaitiaki of these places</u> and are <u>unsure</u> whether there is <u>appropriate provision for their role as kaitiaki</u> , and sufficient incorporation mātauranga and tikanga Māori.	Seek flexibility to incorporate new sites into SCHED3.

In conclusion, TACDL seeks the following relief:

- (a) That TACDL's submission is addressed through decisions on the PDP and that the specific amendments sought in **Attachment 1** are made; and
- (b) Any further necessary consequential amendments required to achieve (a) above.

At pages 2 and 19 – 20 of Te Aupōuri's original submission.

Te Aupōuri – Original Relief

- Te Aupōuri revised their relief to amend the PDP to recognise and provide for the historic, cultural, traditional and spiritual relationship the sites and areas that are significant to them by:
 - ❖ Amending Schedule 3 to **recognise Te Aupōuri as a 'Requesting Party'** for sites and areas that are of significance to them;
 - ❖ Consequential **amendments** to Schedule 3 to **correct descriptions/names of sites and features**; and
 - ❖ Consequential amendments to the planning maps to **accurately identify features and resources**.

- Is the new relief a natural extension of the original submission?
- Has the submitter changed from support to opposition or vice versa?
- Could others have reasonably anticipated this change and had a chance to respond?
- Is the relief within the bounds of the notified plan change?

- In achieving the sustainable management purpose of the Resource Management Act 1991 (“RMA”), s6(f) requires that **historic heritage** resources which includes Sites and Areas of Significance to Māori, **be protected from inappropriate subdivision, use, and development**, while ensuring **the relationship of Māori, their culture and traditions with these sites, wāhi tapu** and other taonga **is provided for** in accordance with section 6(e). In protecting and **managing these sites** and areas of significance to Māori, regard must be given to **the role of kaitiakitanga**.
- There are two key threads protection and management of these resources:
 - ❖ A traditional, spiritual, historical, or cultural connection to an important place, area or site must be established; and
 - ❖ Those connections or relationships to an important place, area or site must be by the relevant tangata whenua grouping (whānau, hapū or iwi), that hold authority over an area.

- Policy 4.5.3 of the Regional Policy Statement for Northland 2016 (“RPS”) sets out the criteria to identify and assess historic heritage resources which includes the following:

*“(i) Tangata whenua: the resource place or feature **is important to tangata whenua for traditional, spiritual, cultural or historic reasons**”*

- Method 4.5.4(3) directs regional and district councils to assess and identify these resources ‘**as soon as practicable**’.

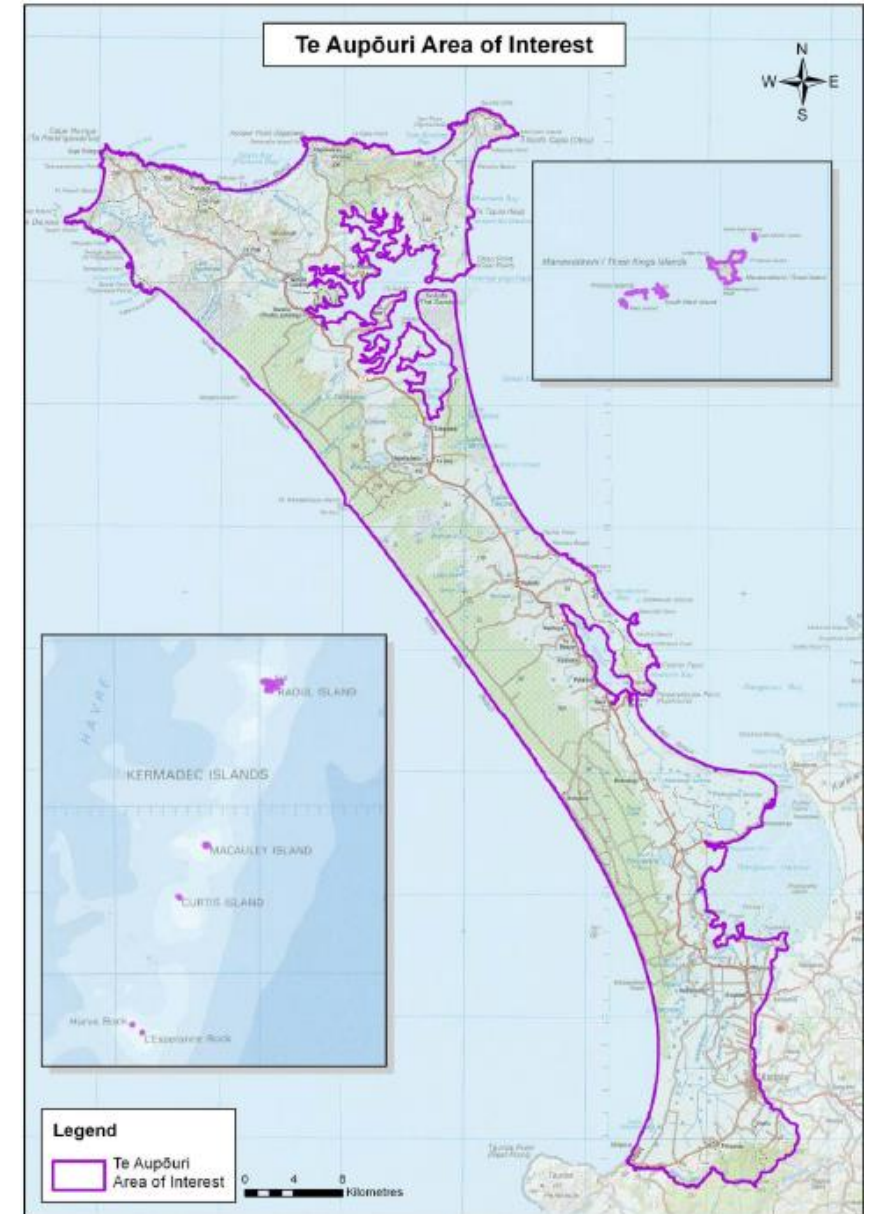
- The PDP proposes a ‘stop gap’ approach for the protection and management of Sites and Areas of Significance to Māori by rolling over the existing ODP schedule and planning maps, proposes a cultural landscape over Te Oneroa-A-Tōhē, incorporates four new sites put forward by HNZ with strengthened objectives, policies and rules.
- As notified, the PDP fails to recognise and provide for Te Aupōuri historic, traditional, cultural and spiritual associations to their sites and areas of significance.
- Mr Kapa-Kingi and Mr Conrad describe this [at 2.1] as follows:

*“Schedule 3 of the PDP, as it is currently written, is completely inaccurate and misleading. **It fails to correctly recognise Te Aupōuri** within the sites and areas in which Te Aupōuri holds sole or shared authority.” (emphasis added)*

➤ *Mr Kapa-Kingi and Mr Conrad’s evidence describes Te Aupōuri’s Rohe / Area of interest as at 3.3 and 3.4 as follows:*

*“Te Kao is Te Aupōuri’s turangawaewae, at the **southern end of the Pārengarenga Harbour, with Te Oneroa-A-Tōhē (Ninety Mile Beach) to the west, Tokerau to the East.***

Te Aupōuri have customary rights and associations running from Ngāpae in the south-west, east to Ngātu and Waipapakauri Stream, north to the mouth of Rangaunu Harbour, to Motu-puruhi and Te Rākau-tu-hakahaka (Simmons Islands) and north to Murimotu (North Cape), west to Te Rerenga Wairua (Cape Rēinga), encompassing Oromaki, Manatāwhi, Moekawa and Ohau (Three Kings Islands), south to Motu-o-Pao (Cape Maria van Diemen), to Kahokawa (Scotts Point), Matapia, Waka-te-hāua (The Bluff), Hukatere and back to Ngāpae. Te Aupōuri also maintains historical associations to Rangitāhua (Raoul and Kermadec Islands).”



➤ Te Aupōuri have reviewed the proposed Planning Maps and Schedule 3 of the PDP and have undertaken an assessment of the 'significance' of those sites, places and areas where in accordance with Policy 4.5.3 of the RPS taking account of the following criteria:

- (a) Are within their rohe where they hold sole or shared authority as mana whenua; and
- (b) Have established a historic, traditional, spiritual or cultural connection to those places, areas or sites.

- These amendments are considered to be the most appropriate for the following reasons:
- They provide for the protection of Sites and Areas of Significance to Māori from inappropriate subdivision, use and development through appropriate assessment and identification;
- Provide for the relationship of Te Aupōuri to their sites, wāhi tapu and other taonga that are significant to them;
- Ensure that the effects of subdivision, use and development can be appropriately assessed by the relevant tangata whenua;
- Provide for the role of kaitiakitanga;
- Relate to properties that are owned by Te Aupōuri (or their parent Post Settlement Governance Entity, Te Rūnanga Nui o Te Aupōuri) as the sole or joint owner

- Relate to properties owned and administered by Pārengarenga Incorporation who have provided that written support of Te Aupōuri ;
- Removal of reference to 'Te Hāpua Iwi/Hapū' as a 'Requesting Party' from those relevant scheduled Sites and Areas of Significance as they do not accurately refer to an entity, group that is identifiable.