

MAI RAKAUMANGAMANGA KI RAIATEA
MAI RAIATEA KI RAPANUI
MAI RAPANUI KI RAKAUMANGAMANGA

CULTURAL VALUES ASSESSMENT

THIS CULTURAL VALUES ASSESSMENT REPORT WAS PREPARED BY



13 MAY 2025

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HE KUPU WHAKATAKI

Tā Patuone, ko Hohaia

Tā Hohaia, ko Te Tawaka

Ka moe a Te Tawaka ki a Eru Nehua, ka puta ko Hone Pani Tamati Waka Nene

Ka moe a Hone Pani Tamati Waka Nene ki a Te Whare Teneti, ka puta ko

Hinewhare

Ka moe a Hinewhare ki a Haami, ka puta ko Titewhai

Ka moe a Titewhai ki a Hone Puriri Harawira, ka puta ko Hinewhare Turikatuku

Ruiha Harawira, ka rere muri ki a Hone Pani Tamati Waka Nene Harawira

Ka moe a Hone Pani Tamati Waka Nene Harawira ki a Hilda Halkyard-Harawira,

ka puta ko te kaituhi o tēnei ripoata, rere ki muri ki ōku irāmutu anoki.

E rere rā te au ō mihi ki te wahine wehi kore o Te Kemara, ki a Hinewhare Turikatuku Ruiha Harawira. He wahine māia, he wahine mana nui. Ko tēnei ripoata, he mea whakanui i ōna mana whakahaere, i ōna mana tuku iho, i ōna ringa raupā anoki. E te Whaea, tenei te whakatinanatanga o tō mana i te whenua kua kapohia, kia tupu rahi, kia tupu rangatira anoki ngā wawata o rātou mā. Ka riro mā tō mauri ēnei mahi e kawē, mā tō pukumahi ēnei mahi e whakamaru.

Otirā, e mihi ana ki nga rangatira i tākoha i nga kōrero tuku iho ki roto i nga tono ki te Rōpū Whakamana i Te Tiriti o Waitangi, otirā, ki te Kaunihera anoki, kia tupu te māramatanga mo te mana whenua, te mana moana me te tino rangatiratanga.

Ka tōia mai ō koutou rangahau kia kaua rawa e riro hei kai mā te pūehu. He mahi manawanui, he mahi whakarauora i te āpōpō o Te Whare Tapu o Ngāpuhi.

Ko koutou tonu, e kore e warewaretia.



NA JOS WHEELER TENEI WHAKAAHUA

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1. HEI TIMATANGA

1.1. This Cultural Values Assessment Report (the "Report") has been prepared in response to the FNDC Proposed District Plan ("the PDP") and the proposed zoning and associated provisions relating to the Waitangi Estate ("the Estate"). This Report is a crucial document in ensuring that tangata whenua perspectives are gathered, represented and considered in relation to Waitangi Limited's ("WL") proposal to redesignate the Estate into a Special Purpose Zone.

1.2. At the outset, it is important to highlight that a unique and comprehensive management approach is needed to acknowledge the cultural interests in the Estate held by local hapu, Ngāti Rāhiri and Ngāti Kawa, as well as the wider Te Whare Tapu. Ngāti Rāhiri in particular, was the last hapu to freely exercise mana whenua over the Estate prior to its sale in 1815. The chieftainess Maikuku stands as a central figure in this Assessment, as those who trace their whakapapa to the Bay of Islands are also recognised as descendants of Maikuku. Her enduring legacy reinforces the deep ancestral connections to the whenua and underscores the significance of this landscape to her uri.

1.3. Given the political landscape of Te Whare Tapu o Ngāpuhi with the impending historical settlement, it is important to note that this Report is not intended to establish boundary lines. The term Haukāinga refers to local and neighbouring hapū and iwi who hold ancestral, historical and contemporary relationships with the whenua. This definition is used to support the identification and protection of sites of significance within a proposed cultural corridor for consideration in future development of the Estate."

1.4. It is challenging to undertake a comprehensive Cultural Values Assessment in the absence of a master plan or detailed information regarding the proposed developments. This lack of clarity has also been raised as a concern by the Haukāinga. It is essential that the Haukāinga are afforded a genuine opportunity to articulate their aspirations for the Estate. This includes participating in a wānanga process to collaboratively identify sites of significance on a map, and being appropriately resourced with the necessary technical expertise to lead these discussions and support the preparation of a culturally informed and robust resource. These steps, along with a set of guiding principles to support a positive and respectful relationship moving forward, are recommended within this Report." between WL, the Haukāinga and the Waitangi National Trust Board ("the Board"), fostering a partnership model that upholds cultural integrity and mutual respect.



2. ASSESSMENT APPROACH

2.1. In terms of the approach taken in the production of this cultural values assessment, two specific hui were had for the purposes of identifying sites of significance:

<u>Kaikōrero</u>	<u>Kaupapa Kōrero</u>
Full day wānanga with Isaiah Apiata on 19 March 2025	<p>The primary focus for this wānanga was around building cultural capacity in the overall operations of the Estate, what that would look like, how might we go about that, areas of significance and kōrero tuku iho. This included engaging up to 2 full-time roles solely responsible for:</p> <ul style="list-style-type: none">• Ensuring that Hawaiki remains at the forefront of our people;• Need to look at building capacity for economic growth not just covering overheads;• Building the capacity of the taumata, ensuring there is someone available to whakatau all manuhiri with dignity at all times;• Safeguarding Ngāpuhi wide relations <p>A significant portion of building capacity was focused on educational pathways:</p> <ul style="list-style-type: none">• Whakamahi i ngā ingoa taketake o te kāinga nei;• Waihanga marau whakaako i nga hītori me nga mātāpono o He Whakaputanga me Te Tiriti ki nga kaimahi, nga pakihi, nga Kura, nga Whare Wānanga me nga ope o te ao – anō nei, he momo professional development;• He wāhi pai tēnei mo te wānanga – me whakamahi mo nga wānanga, whakapiki mātauranga anoki. <p>A major concern for Mr. Apiata was being able to give regards to the proposal without being able to see the Estates plans for future development. Mr. Apiata also addressed the matter of representation on the Board, proposing the inclusion of a dedicated seat for Te Kemara. In addition, the appropriateness of certain existing Board members was discussed and whether their ongoing roles in the governance of the Estate remain necessary.</p>



Kaikōrero	Kaupapa Kōrero
Attend Waitangi Marae Hapu komiti hui online on 23 March 2025	<p>The goal for this hapu hui was to inform the whānau that I was preparing this Report, the need for a Map indicating the Sites of Significance to Māori throughout the Estate and to seek instruction with regards to next steps or to receive any feedback.</p> <p>In summary, the concerns for the Hapu hui were:</p> <ul style="list-style-type: none"> • If we added another tūpuna to the Board, everyone will want their tūpuna on the Board and it will get out of hand. • The Haukāinga cannot give their views on future developments without knowing what they are – would like to be brought into the loop early on. • We have already poured a lot of effort into identifying sites of significance in the Tribunal Hearings – can we use what rangahau has already been done first? • We are very busy with all of the other kaupapa we look after at the Marae and we have due dates coming up. We need a proper wānanga about this. <p>Next steps:</p> <ul style="list-style-type: none"> • To confirm that the Haukāinga would like this map but that we don't need to start from square one as there are maps that already exist; • To compile all the maps (mentioned in this Report) into one map. • Must attend hapu wide hui to present this kaupapa.



NĀ HEEMI KAPA-KINGI TĒNEI WHAKAAHUA



NĀ JOS WHEELER TĒNEI WHAKAAHUA



2.2. In addition to these two hui, the assessment approach also involved a review of the following documentation, which already encapsulates key considerations relevant to the proposed Special Purpose Zone:

- Te Paparahi o Te Raki Waitangi Tribunal Reports, Evidence and Submissions - Throughout the Te Paparahi o Te Raki Hearings, many Ngāpuhi esteemed rangatira and orators – some of whom have since passed – shared their expertise, wisdom, and kōrero tuku iho. This report draws upon the insights of these leaders, both living and deceased, to ensure that tangata whenua perspectives are appropriately and meaningfully represented with regards to the specific task of identifying sites of significance.
- FNDC Submissions and Section 32 Reports regarding the PDP, Kauri Cliffs and Carrington Estate - individuals of Ngāti Rāhiri made a submission to the Far North District Council, clearly articulating their views on the criteria that should be applied when addressing sites of significance and the need for Council support in resourcing tangata whenua. This submission has also been drawn upon to provide a Haukāinga perspective for the purposes of the proposed Special Purpose Zone. Consideration was also given to other Far North District Council documentation, including Section 32 Reports regarding Kauri Cliffs and Carrington Estate, to assess the standards applied in those cases and to evaluate whether the proposed Special Purpose Zone on the Estate would be culturally appropriate and viable by comparison.

2.3. As previously noted, the impending Ngāpuhi Settlement is a significant consideration, given the shared areas of interest and interwoven whakapapa connections that extend throughout the Estate.

2.4. Taking into account the nature of the feedback received, along with the complexities surrounding the Ngāpuhi Settlement, the most practical approach moving forward was to develop a set of guiding principles to support the Board, WL and the Haukāinga in the creation of a Sites of Significance map that will inform future developments on the Estate. In addition to this, it was important to identify key steps that are necessary in the creation of such a map, including giving the Haukainga the opportunity to engage in that process. Ensuring inclusivity of all neighbouring hapū and iwi is essential, as it avoids the need to define inter-tribal boundary lines – an entirely separate and complex matter.



3. SITE IDENTIFICATION

3.1 In the traditional rohe of Ngāti Rāhiri, the descendants of Maikuku and Hau of Pouērua extend across Taiaimai, Marangai, Pākaraka, Oromahoe, Puketona, Te Puke, Tapeka, Moturoa, Ōkahu, Te Rākaumangamanga, Rāwhiti, Te Tii Waitangi, and returning to Pouērua. Ngāti Rāhiri is grounded in continuous whakapapa connection, sustained occupation and enduring obligations to the whenua and wai. Given the voyaging legacies of our tūpuna, the title of this Report also depicts the original area of interest for the Haukāinga. Whaea Esme Sherwin noted that the Haukainga is encapsulated in the wakaoriori composed by Kaiteke for his child:

*Tama rangi huanga kore he kahawai kotiti,
A puhia koe nga hau o te rae,
A werohia koe e tea anu o Hikurangi,
E kai ki to kiri tohia iho koe ki te tohi
kuare.....Na.*

*Nei koa taua te kiia mai nei,
Mo Whiorau ranei, mo Tapeka hoki,
E tika ana Tapeka he utu tangata hoki
Ina ia te kore ko to tūpuna ko Takaroa,
Takoto mai i roto o te Wharau
Ehara ko Mataiwhetu ka ea nga mate.....Na*

*Me maka atu koe ki a Mataa ma ra,
Ki a Maanu ma ra mo te whenua nei,
Mo te waka uta katoa e ki roto o Waipapa
E tae ra koe nga rake maanawa
I roto te Ihupuku, ki te iwi e.....I-i
Rukuhia e tama, te au ki Kororipo,
Ko te uto tena o tupuna e tama e,*

*Kiia mai nei ka ngaro Nga-Puhi
Waiho kia ākau he tikoki waka nui,
He tuturu whare nui ko Puhi-taniwha-rau
Tu ke mai ana nga puke i te uru
Kauria e tama te awa ki Hokianga
Kia whakahi koe ki Niua, ki Araiteuru
Tahuri o mata ki Panguru, ki Papata,
Tomokia e tama, te whare i a Te Tai
E tae ra koe e uia mai hoki,
Mau e ki atu ko te uri tena o Hiwhero e
pepehatia iho
I mua ra e tama i a Takiri koi ora ana
Whakamau e tama nga kohu e tatao I raro o
Whaaro ki te iwi.....e-e*

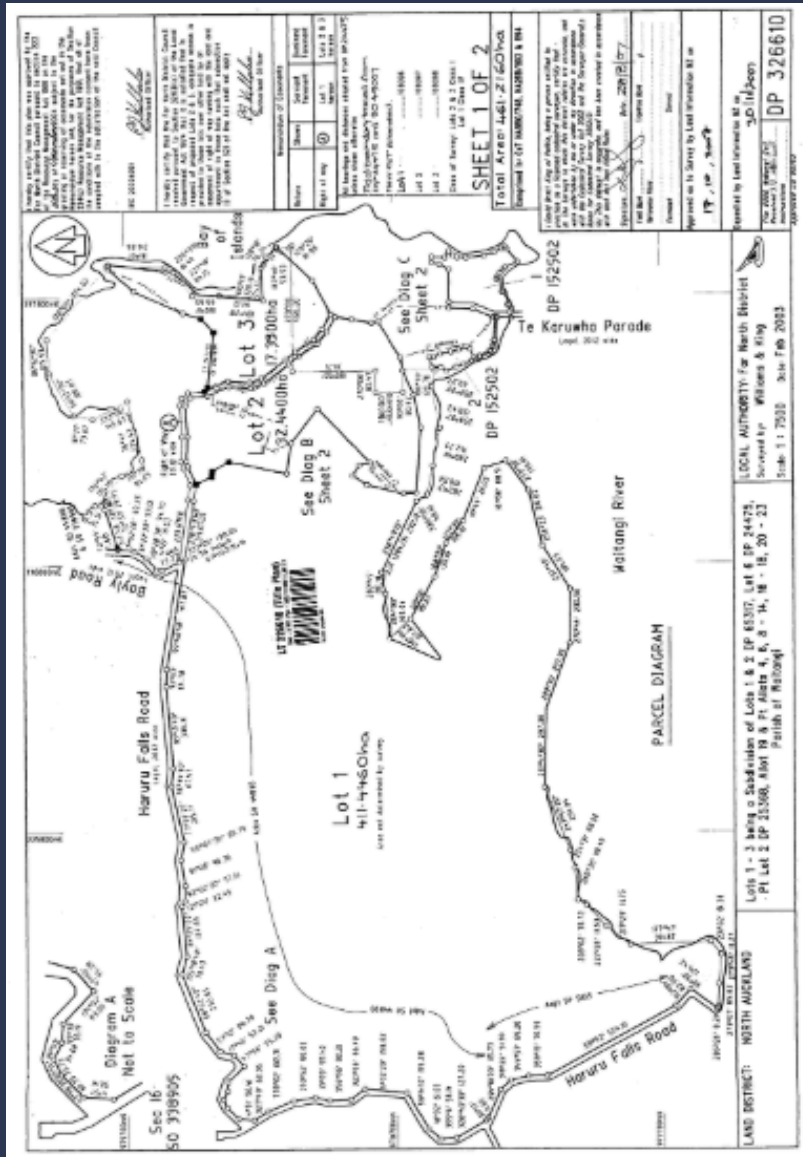
*Whakarewa ina ra te kauri i te wao
Hoki mai whakamuri na runga mai koe
I Ngati-Tupoto i to matua hoki la
Whatiia e kia whakamaui mai koe ki te rākau
Kia riri ai te tama nei kia nguha ai ki te karo
patu e tama e.[i]*

[i] Te Paparahi o Te Raki: Wai 1477, #1.1.1(e) & Wai 2700, #1.1.25: Fifth Amended Statement of Claim by Esme Warati Sherwin.



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3.2 As publicly notified on the 27th of July 2022, the PDP proposes to zone and apply overlays, cultural and heritage feature items to the Estate as follows:



*WAITANGI NATIONAL ESTATE RECORD OF TITLE
ID: 108096

- Rural Production Zone (RPZ) – applies to the entire Estate (excluding the Copthorne Hotel (site Lot 1 DP 152502), which has a proposed Mixed-Use zone) and part of the Waitangi golf course (Lot 2 DP 326610), which has a proposed Sport and Active Recreation zone;

- Coastal Environment overlay – that applies to the entire Estate except for the coastal inlet areas noted above;

- Outstanding Natural Landscape overlay – applies to the majority of the Treaty Grounds;

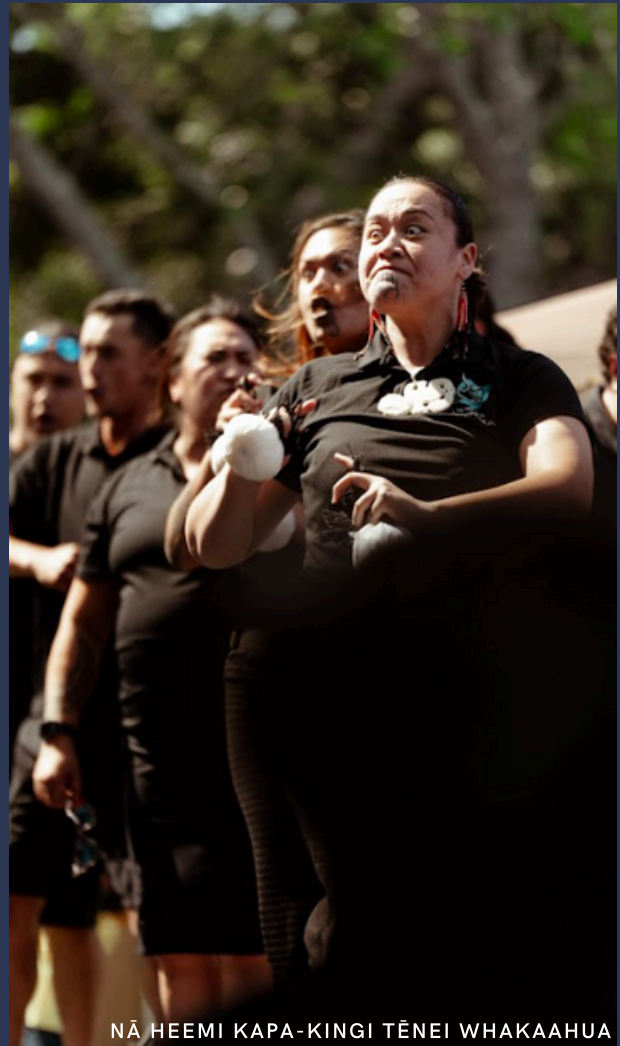
- Outstanding Natural Feature – applies to the rocky foreshore and parts of the coastal land edge below the upper Treaty Grounds, also to a small portion of land at Haruru Falls; and

- Sites of Significance to Maori – currently notated as a red circle MS09-49, which according to the PDP schedule 3, is intended to apply to the whole Treaty Grounds / Te Pitowhenua as defined by Heritage NZPT.



3.3 The impact of the PDP will significantly limit the Estate's capacity for future developments, adversely impacting its relationship with the Haukāinga and of maintaining and developing the site in the interests of Aotearoa. The PDP proposes to take a generic application throughout Te Hiku o Te Ika, leaving no room to build a comprehensive management approach needed for the Estate. In summary, the PDP:

- offers little policy support for any future land use developments that WL or the Board may want to pursue separately or in partnership with Haukāinga;
- will limit the relationship between WL, the Board and the Haukāinga;
- fails to recognise the's local, regional, national and international importance of Waitangi – that it operates as a National Marae and a physical meeting point for Māori and the Crown; and
- overlooks the need to have a unique and comprehensive management approach tailored to the rich and diverse history of the Estate.



NĀ HEEMI KAPA-KINGI TĒNEI WHAKAAHUA

3.4 As such, a tailored approach for the Estate is proposed to mitigate the detrimental impacts of the PDP on the Estate, particularly to:

1. Apply a special purpose zone to the Estate as described in the Waitangi National Trust Board Act, being legally described as Lots 1, 2 and 3 DP 326610 and Lots 1 and 2 DP 152502 and including additional lands also owned by the Board being Lot 3 DP 51155, and Sections 6-11, 15 & 16 SO 338905.
2. Divide the special zone into a set of subzones that reflect the current activities including:
 - Te Pitowhenua (Treaty Grounds) Sub-Zone (Lot 1 DP 326610 – in part);
 - Papa Rēhia (Recreation) Sub-Zone (Lots 2 and 3 DP 326610);
 - Whakangā (Tourism) Sub-Zone (Lots 1 and 2 DP 152502); and
 - Ahuwhenua (General Activities) Sub-Zone (Lot 1 DP 326610 – in part, Lot 3 DP 51155 and Sections 5, 6, 7, 9, 15 & 16 SO 338905).



3.5 The proposed Special Purpose Subzones within the Estate offer an opportunity to balance the preservation of the historic character, natural features and landscape values of the area against future land use activities that are sensitive to these attributes. Given the Estates location within the coastal environment, the proposed Special Purpose Subzones allows for the comprehensive and culturally appropriate management approach needed to balance cultural, environmental and economic development.

3.6 The Special Purpose zoning with the use of subzones is modelled by other existing Special Purpose Zones such as Kauri Cliffs and Carrington Estate. To this extent, the Board and WL are already going further culturally, by promoting the sharing of education and heritage through the following initiatives:

- Te Kōngahu, the Museum of Waitangi;
- Te Whare Rūnanga – national meeting location for Māori and the Crown;
- Te Rau Aroha – The Price of Citizenship Museum;
- The Flagstaff;
- The Treaty House;
- Cultural Performances;
- Guided Tours;
- Annual Waitangi Festival;
- Annual Anzac Day Commemorations; and
- Ngātokimatawhaorua.

3.7 For both Kauri Cliffs and Carrington Estate, the FNDC found that the use of Subzones were the most appropriate option, recognising the need for a comprehensive management approach in those coastal environments. For the purposes of this Report, the Estate has already gone further by meaningfully engaging with the culture of the Haukāinga as well as providing a meeting point for te iwi Māori, the public and the Crown.

3.8 Please also see attached to this Report:

Annex “A” – Map identifying that the entire Estate was subject to Busby’s Old Land Claims

Annex “B” – Map identifying historical Pā sites throughout the Estate;

Annex “C” – two maps identifying known archeological sites on the Estate.

3.9 These documents indicate that there were a series of Pā Sites throughout the immediate area including at Te Tii and on a roadside look-out point south of the golf course within the Estate. Efforts will need to be undertaken to consolidate these various maps into a single, comprehensive document—effectively establishing a unified Map of Sites of Significance to Māori across the Estate.



4. PRIOR TO TE TIRITI O WAITANGI

4.1 Ngāti Rāhiri traces its esteemed lineage to Rāhiri, the revered ancestor who forms the central genealogical pillar of Ngāpuhi. Rāhiri is widely acknowledged as the unifying figure through whom most Ngāpuhi whakapapa lines connect. The ancestral authority and influence of Rāhiri expands across Ngāpuhi, shaping both identity and leadership in the centuries prior to the signing of Te Tiriti o Waitangi.

4.2 Rāhiri was the grandson of Puhimoanaariki, through his mother Te Hauangiangi. His father, Tauramoko, descended from Nukutawhiti, further grounding his whakapapa in the voyaging and settlement histories of Ngāpuhi.

4.3 Rāhiri had two principal wives, and through them came the foundational lines of Ngāpuhi leadership. His elder son, Uenuku of Pouērua, and his younger son, Kaharau of Hokianga, gave rise to the two major branches of the iwi.

4.4 From this lineage came Maikuku, born in Waitangi to Uenuku and Kareariki. Maikuku was a puhi – a chieftainess of high status. Raised in the inland stronghold of Pouērua, Maikuku was considered tapu – sacred. Due to her elevated status, her people took extraordinary measures to safeguard her, placing her in seclusion within a coastal cave, Te Ana o Maikuku, concealed in the cliffs and protected by taniwha – guardians of the sea. Te Ana o Maikuku is located at Waitangi, now known as Hobsons Beach.

4.5 Upon learning of a highly esteemed and unbetrothed chieftainess residing at Waitangi, Hua (also known as Huatakaroa), resolved to meet her. As Hua approached, he observed taniwha making their way toward the coast, responding to the calls of Maikuku. Moved by the same call, Hua followed in their path, drawn to the presence of the revered chieftainess where he lifted the tapu and married Maikuku.^[ii]

[i] Waitangi Tribunal, Tino Rangatiratanga me te Kāwanatanga: The Report on Stage 2 of the Te Paparahi o Te Raki Inquiry, Part I, Volume 1: 3.2.7 Rāhiri's people - 100

[ii] Waitangi Tribunal, Tino Rangatiratanga me te Kāwanatanga: The Report on Stage 2 of the Te Paparahi o Te Raki Inquiry, Part I, Volume 1: (2) The southern alliance and Ngāti Rāhiri : Maikuku's people – Page 108.



4.6 The marriage of Maikuku to Hua was especially significant, producing key ancestors who established enduring hapū throughout Ngāpuhi. Among them was Te Rā, son of Maikuku, who is recognised as the founding ancestor of Ngāti Rāhiri.

4.7 This holds significant cultural value, as all hapū within the Bay of Islands trace their whakapapa back to Maikuku:

"Maikuku married Hua and had a child, named Te Rā, who became a prominent ancestor of the Ngāpuhi, Ngāti Rāhiri. The children of Maikuku and Hua provide genealogical links to all the major hapū from Hokianga to the Bay of Islands, to Whangarei, and to Whangaroa. They include Ngai Tawake, Ngati Tautahi and Ngai Takotoke, prominent claimants to Ngawha together with Te Uriohua."^[i]

4.8 This whakapapa reflects not only ancestral legitimacy but a long-standing tradition of leadership, whenua stewardship and social organisation in the rohe. Ngāti Rāhiri, through Te Rā and his descendants, held positions of influence and mana prior to the signing of Te Tiriti. The authority of the hapu in matters of land, alliance and protection of community interests was exercised well before Crown engagement and remains embedded in the cultural memory and oral histories of Ngāti Rāhiri.

4.9 The roots of Ngāpuhi independence and authority do not derive from Te Tiriti. Ngāpuhi are tangata whenua. Their understanding of independence, authority, mana and tino rangatiratanga cannot be separated from the land, its resources or its people. It is a holistic and interdependent relationship. This was affirmed in the Declaration of Independence (He Whakaputanga) and must be understood through the intent and meaning of the Māori text of Te Tiriti o Waitangi.

4.10 Understanding this context is essential, as it confirms that Ngāti Rāhiri was not a passive bystander to history, but an active, autonomous leader within the broader Ngāpuhi confederation. The decisions made during the time of Te Tiriti were shaped by generations of leadership and responsibility inherited from ancestors like Te Rā and Rāhiri before him.

[i] The Mana Wahine Kaupapa Inquiry: Heeni Hoterene Brief of Evidence for Wai 2700 (#A75)
- Para 9.



4.11 The period leading up to the signing of Te Tiriti o Waitangi was one of significant political and social upheaval for Ngāpuhi. The Crown's actions and its land legislation, particularly its approach to land claims and its failure to engage meaningfully with Māori customary rights and tikanga, significantly impacted the ability of Māori to assert their mana whenua (authority over the land).[i]

4.12 During this period, the Haukāinga faced significant disruption. The usual rhythms of daily life could not be maintained as the community struggled under the weight of sustained conflict. Resources were diverted to support war efforts, and there was a collective urgency across Ngāpuhi to honour obligations to allied hapū.[ii]

4.13 The Haukāinga faced continuous pressure from European settlers, who began to establish agricultural settlements, missions, and trading posts across Ngāpuhi. This created an environment where the Haukāinga were increasingly marginalised in their own lands, faced encroachment on their territory and could not defend their mana whenua due to the lack of legal recognition for their customary land tenure.

4.14 Other significant forces of change at the time included the adoption of the 1834 national flag, the signing of He Whakaputanga o te Rangatiratanga o Nu Tireni (the Declaration of Independence), and the Northern Wars. Any consideration of the practices of the Haukāinga during this time must reflect the extraordinary pressures they faced, and the resilience they demonstrated in maintaining their mana amidst sweeping change.

4.15 The Crown, through its policies, sought to replace mana whenua with a system of Crown ownership that denied Māori the legal recognition of their tino rangatiratanga. The Crown's actions particularly affected the region around Waitangi and its waters, including rivers like the Waitangi, Waiaruhe, and Manaia rivers, as well as nearby islands such as Kuia Rongouru and Motumaire. These waterways were not just physical features but were embedded within the whakapapa and cultural landscape of Ngāpuhi and other iwi in the region. The waterways were vital to the Haukāinga for fishing, navigation, and cultural practices, and the Crown's actions to seize control of these areas still deeply impacted the way of life for the Haukāinga then and even now.[iii]

[i] Te Paparahi o Te Raki Inquiry: Te Tiriti and its Northern Context: (#A020) Page 25

[ii] Te Paparahi o Te Raki Inquiry: Te Tiriti and its Northern Context: (#A020) Page 25

[iii] Te Paparahi o Te Raki Inquiry: Te Tiriti and its Northern Context: (#A020) Page 133



4.16 Understanding this historical context is crucial for the purposes of this Report, as it provides the foundation for understanding why the signing of Te Tiriti o Waitangi was not just a formal agreement but a critical moment of negotiation, where Māori sought to protect their sovereignty and ensure that their mana whenua would be recognised and respected by the Crown.

4.17 Busby had nine contiguous claims at Waitangi comprising more than 10,000 acres. Busby took up residence on the land at Waitangi in 1833, initially based on a deed he had obtained from William Hall:

"Hall had taken up residence there in 1815, with his wife and Thomas Kendall, and by permission of Waraki and Ngāti Pou, but had been driven out the following year by a series of muru. Busby soon found himself the subject of a muru too, purportedly committed by Reti, whose ongoing conflict with Busby we discussed in our first report."^[i]

4.18 At the time of the signing of Te Tiriti, the principal chief at Waitangi was Te Kēmara of Ngāti Rāhiri and Ngāti Kawa. Other rangatira of that hapū included Marupō and Hōne Heke who had also signed te Tiriti and later fought against the Crown during the Northern War.^[ii]

4.19 Following the signing of Te Tiriti, the Haukāinga were subjected to military aggression initiated by the Crown, leading to conflict that further undermined their rangatiratanga:

"For Te Kapotai, Te Patukeha (Ngāi Tāwake), Ngāti Rāhiri, Ngāti Kawa, Ngāti Hine, Ngāti Rēhia, and other hapū whose rights were located in that wide swathe of territory already described (from southern Whangaroa down to Kerikeri, Paihia, Taiāmai, and across to Waimate and Ōpua), the impact came early and resulted in extensive loss of land and hapū autonomy, and an insufficient economic base for their future sustenance and development."^[iii]

[i] Waitangi Tribunal, He Whakaputanga me te Tiriti, Wai 1040, pp134–135 ; Stirling, 'From Busby to Bledisloe' (doc W5), p41.

[ii] Waitangi Tribunal, Tino Rangatiratanga me te Kāwanatanga: The Report on Stage 2 of the Te Paparahi o Te Raki Inquiry, Part I, Volume 3: Page 1309

[iii] Waitangi Tribunal, Tino Rangatiratanga me te Kāwanatanga: The Report on Stage 2 of the Te Paparahi o Te Raki Inquiry, Part I, Volume 2: Page 712



5. HAUKĀINGA PERSPECTIVES

5.1 In the Waitangi Tribunal Te Paparahi o Te Raki Stage 2 Inquiry Report, the mana of Ngāti Rāhiri prior to the signing of Te Tiriti o Waitangi was discussed as below:

"By the mid-1700s, the 'southern alliance' section of what would become Ngāpuhi – comprising Ngāti Hine, Ngāti Rangī, Ngāre Hauata, and others – occupied territories in the southern Taiāmai plains (broadly from Tautoro to Kawakawa) extending as far as Matawaia and Mōtatau. A closely related hapū, Ngāti Rāhiri, occupied territories from Pouerua to Waitangi, encompassing Kaipātiki (Hāruru), Otao, Puketona, Oromāhoe, Ngahikunga and Kaungarapa (Pākaraka), the Waiaruhe River valley, and the Werowero and Kaipatiki Streams." [i]

5.2 In her submission to the Waitangi Tribunal, Heeni Hoterene discussed the influence of mana wahine exercising their rangatiratanga, referencing both Maikuku and her granddaughter, the esteemed Hineamaru:

"What these tupuna wahine highlight is that through whakapapa, wahine hold esteem mana and have been very instrumental in how the many iwi and hapū of Te Tai Tokerau operated and functioned and continue to do today. Their tupuna wahine demonstrated that they had mana by way of occupation of whenua and movement into other areas. They were able to move freely and settle in many different areas and maintain mana through the many generations that followed them. Their actions also led them to secure long term occupancy in their rohe." [ii]

5.3 The Haukāinga have continued to show tino rangatiratanga from then and until today. On 20 October 2022, key individuals with hapu affiliations to the Haukāinga provided comments of the Far North Proposed District Plan. [iii]

5.4 This submission provides key Haukāinga perspectives with regards to land use activities and associated resource consenting processes. For the purposes of this report, these Haukāinga perspectives are measured against the proposed Special Purpose Zone below.

[i] Waitangi Tribunal, Tino Rangatiratanga me te Kāwanatanga: The Report on Stage 2 of the Te Paparahi o Te Raki Inquiry, Part I, Volume 1: (2) The southern alliance and Ngāti Rāhiri : Maikuku's people – Page 108.

[ii] The Mana Wahine Kaupapa Inquiry: Heeni Hoterene Brief of Evidence for Wai 2700 (#A75) - Para 5.

[iii] Haukainga Submission to FNDC regarding Proposed District Plan dated 20 October 2022: Submission #389.



5.5 In consideration of the objectives of the PDP, the Haukāinga have highlighted the intrinsic relationship between the wellbeing of tangata whenua as well as the wellbeing of the whenua. Further, the Haukāinga identified that climate change was an intrinsic part of the tangata whenua considerations:

"The issues that need to be addressed are about wellbeing, or oraŋa of people as well as whenua in general. If we think about wellbeing of people and land more holistically, then we can think about the realms of Ranginui – Papatūānuku. From this wider perspective, oraŋa can be better considered. That also means that climate change must be directly considered within this objective because we are looking at how Ranginui integrates with Papatūānuku and the human induced effects of climate change within. We note that despite its immense significance to humanity and the planet in general, climate change is absent in all the objectives in this section relating to tangata whenua. For these reasons, it must be included within the tangata whenua section."^[i]



NĀ JOS WHEELER TĒNEI WHAKAAHUA

5.6 The Haukāinga also proposed a criteria to the Far North District Council for assessing applications for land use and subdivision that may have adverse impacts on the intrinsic relationship between tangata whenua and their ancestral lands, water, sites, wāhi tapu and other taonga. This included rangatiratanga to emphasise the significance of Article 2 of Te Tiriti o Waitangi and proposed a new subsection to promote good dialogue, working relationships and good outcomes. It is important to signal intent more explicitly to guide both parties.^[ii]

[i] Haukainga Submission to FNDC regarding Proposed District Plan dated 20 October 2022: Submission #389 - PARA 15.

[ii] Haukainga Submission to FNDC regarding Proposed District Plan dated 20 October 2022: Submission #389 -PARAS 20-21



5.7 In relation to the protection of areas and sites of significance to Māori, the Haukāinga recommended the addition of more proactive wording into the PDP, specifically, 'acknowledging, protecting and integrating mātauranga into practical outcomes' to encourage action.^[i] These perspectives will all be considered in the application of the proposed Special Purpose Zone over the Estate.

5.8 This Haukāinga submission also endorses the kōrero by Isaiah Apiata, that Haukāinga need to be resourced to be able to develop a Map of Sites of Significance to Māori:

"Providing opportunities to tangata whenua to participate as kaitiaki does not correlate to good outcomes if they do not take up the opportunities (through no fault of their own, perhaps due to capacity or resource limitations). The issue then, is to identify how to support them to participate and secondly corresponding to that, is to identify their goals and aspirations. If the Objective is left as is, it is likely to fail in its overall intent."^[ii]

5.9 In reviewing the PDP, the Haukāinga submission also pointed out that they should be supported by Council, in recognition of tangata whenua as kaitiaki, to implement their goals and aspirations in resource management processes through:

"a. Ensuring tangata whenua have an active role in resource management;

b. Recognizing the holistic nature of the Māori worldview;

c. Their exercise of kaitiakitanga, including customary practices, new practices, and mātauranga; and

d. Actioning their environmental management plans; and

e. Any other agreements."^[iii]

5.10 The Haukāinga raise a valid and important concern: they are expected to meet high expectations without adequate resourcing. In response, the Haukāinga have placed responsibility on the Council to provide support for resourcing these processes. This point is particularly significant given that the scale of future developments will have a broader impact on the region - benefiting not only local communities but also the Council itself through the implementation of the Special Purpose Zone. Accordingly, it is recommended that the Council take an active role in resourcing the next stages outlined in this Report.

[i] [iii] Haukainga Submission to FNDC regarding Proposed District Plan dated 20 October 2022: Submission #389 - PARA 29.

[ii] [iii] Haukainga Submission to FNDC regarding Proposed District Plan dated 20 October 2022: Submission #389 - PARA 7.0

[iii] [iii] Haukainga Submission to FNDC regarding Proposed District Plan dated 20 October 2022: Submission #389 - PARA 16.0



6. NATIONAL SIGNIFICANCE

6.1 Ensuring that the Haukāinga thrive and have their cultural, social, and economic needs met contributes to a deeper, more holistic understanding of the Estate's significance, both culturally and historically, for all New Zealanders.

6.2 The Estate contains proposed natural environment overlays for Outstanding Natural Landscape (Treaty Grounds), Outstanding Natural Features (Haruru Falls and a Rocky Outcrop north of the Flagstaff), areas of High Natural Character (covering various areas of native bush across the estate) Significant Natural Areas ("SNA") all of which are located within the coastal environment. The protection of these natural environment overlays are a matter of national importance.

6.3 The Section 32 evaluation report prepared by the Far North District Council, in relation to historic heritage and heritage overlays under the PDP also expressly recognises the Waitangi Treaty House as a heritage site of significance, not only to the local community, but also at a regional and national scale.^[i]

6.4 The Special Purpose zoning helps to expressly recognise and preserve the Estates national significance and value, ensuring its protection and appropriate use for future generations of Aotearoa. To this extent, it also balances development and conservation, ensuring that the Estates historical, cultural, and environmental importance is acknowledged and safeguarded.

[i] FNDC SECTION 32 REPORT Historical Heritage & Heritage Area Overlay May 2022 - Page 3, Executive Summary.



NĀ WHATANUI FLAVELL ĒNEI WHAKAAHUA



6.5 The proposed Special Purpose Subzones recognise the Estate's commitment to Te Tiriti o Waitangi through:

1. Kaitiakitanga: Special Purpose Zoning offers four sub-zones that require specific regulations aimed at preserving or enhancing environmental features, ensuring that the Estates natural resources and ecosystems are respected and sustainably managed for future generations.
2. Access and Participation: The Proposed Tikanga Whakahaere identified in this Report opens the corridor for meaningful Haukāinga engagement regarding future developments on the Estate.
3. Education and Heritage: The Special Purpose zoning promotes continued education and the sharing of the Estates historical and cultural significance, enhancing the rich and diverse history of Aotearoa. However, Mr. Apiata's comments regarding educational pathways for building cultural capacity offer an alternative means of ensuring that the approach extends beyond standard practices, thereby fostering a more meaningful and enduring outcome.
4. Sustainability for Future Generations: By recognising the Estate's national significance, the proposed Special Purpose Subzones could ensure that it remains protected, not just as a site of historical importance but as a living space for future generations. This could include provisions for preservation, sustainable tourism, and community involvement in the Estate's care.

6.6 As such, the Proposed Special Purpose zone offers a means of safeguarding the Estate's unique local, regional, national and international value whilst reflecting the rich and diverse heritage of Aotearoa. The use of Subzones will allow for specific regulations for specific zones that will better align with the unique attributes of those areas, ensuring that future generations will have a genuine opportunity to learn about the legacy of the Estate.



NĀ WHATANUI FLAVELL ĒNEI WHAKAAHUA



7. IMPACT OF PROPOSED SPECIAL PURPOSE ZONE

7.1 The Special Purpose zoning are proposed to reflect and preserve the historic character of the Estate, with particular regard to the unique attributes of all four subzones. It also enables a more integrated and comprehensive management approach – one that appropriately recognises and supports the Estates heritage and legacy, including:

7.1.1 Cultural heritage protection: Ensuring that future developments do not compromise the significance of the Estate as a site of historical importance to the Haukāinga and Aotearoa. This involves retaining key landmarks and ensuring any new construction complements or enhances the historical context of the land. Consultation with the Haukāinga will be explored further in the Proposed Tikanga Whakahaere below.

7.1.2 Natural Environment Protection: Recognising again that the waterways of Waitangi, Waiaruhe and Manaia rivers, as well as nearby islands such as Kuia Rongouru and Motumaire were not just physical features but were embedded within the whakapapa and cultural landscape of the Haukāinga, environmental protection is equivalent to and just as important as cultural protection. As such, the Special Purpose zoning within a coastal environment means that any development should prioritise the preservation of its environmental integrity. These are explained further in the Proposed Tikanga Whakahaere.

7.1.3 Areas of Significance to Māori: There is a need to engage further with the Haukāinga to identify further Areas of Significance to Māori. The use of Subzones will allow for different scales of considerations to ensure that appropriate tikanga align with the unique attributes of each area, but in the Estate includes Areas of Significance to Māori such as:

- Te Ana o Maikuku;
- Ruarangī;
- Te Ākauroa o te Rā;
- Te Wairoa – Tauranga Waka Tūturu;
- Other sites identified by Haukainga;
- Whole Estate being subject to Old Land Claims; and
- Archeological sites identified along the Haruru Falls track.



7.1.4 Estate Waterways: There is a network of freshwater waterways that flows throughout the Estate including the pond located adjacent to the Whare Waka Café which drains to the coast. The name of the significant waterway that flows into the café pond is Waikokopu. These waterways are a physical source of connection to tūpuna who used to reside on the Estate. There are elements of this history that cannot be provided in this Report for cultural reasons, however, there are also protections needed to ensure that manuhiri, the Haukāinga and even kaimahi of the Estate are working in harmony and promoting safe cultural practices in and around this network. This will also be addressed in the Proposed Tikanga Whakahaere.

7.1.5 Community and Visitor Engagement: A major consideration for the Proposed Subzones is the capacity to provide meaningful access to the Haukāinga as well as manuhiri to the Estate. Given the potential for the Proposed Subzones to attract more manuhiri locally, regionally, nationally and internationally, it is also important to ensure that the Proposed Subzones builds on the capacity of the Haukāinga to be able to cater to these increased manuhiri:

1. Local Engagement: Cultural and educational initiatives that build the capacity of taumata kōrero, taumata karanga, kaitaki, kaiwaiata, kaihaka and kaikarakia;
2. Regional Engagement: Cultural and Recreational regional competitions targeting all age and interest groups;
3. National Engagement: Waitangi Day Festivals cater to approximately 10,000 manuhiri annually. The Waitangi Cultural Committee have also opted to host three National Kapa Haka events on the Estate on behalf of Te Tai Tokerau. The last Te Matatini Nationals grossed over \$30million, and the Estate needs to be able to compete with large scale vendors throughout Aotearoa to thrive. The three National Kapa Haka events are proposed to take place within the next 10year period, as such, measures must be taken to ensure that both the Estate and the Haukāinga have the capacity to host these events:
 - The Primary Schools Kapa Haka Nationals;
 - The Secondary Schools Kapa Haka Nationals; and
 - Te Matatini Senior Kapa Haka Nationals.
4. International Engagement: The Estate is also a site of significance for international relations, particularly being the site of the signing of Te Tiriti o Waitangi, becoming a landmark between Māori and the Crown. In addition to this, the Estate regularly welcomes international manuhiri and has garnered interest in the international indigenous communities for learning, networking and building stronger relationships abroad. The International Indian Treaty Council also intends to host its 51st Anniversary here at the Estate in 2027, bringing in a forum recognised by the United Nations.



7.2 The Proposed Special Purpose zone offers the opportunity to balance future development with the protection of cultural and environmental heritage. As mentioned earlier, the use of subzones will allow for different scales of considerations to ensure that appropriate tikanga align with the unique attributes of each area.

7.3 Without the proposed Special Purpose Zone, the WL, the Board and the Haukāinga will be limited in being able to develop the potential and significance of the Estate. As such, it is recommended that the Proposed Special Purpose Zone proceeds provided there is a comprehensive management approach available. The proposed subzones provide that option.

7.4 Further, the proposed Tikanga Whakahaere are offered in draft to guide a positive relationship between the WL, the Board and the Haukāinga. It is an ideal starting point, at least until the Haukainga are able to wananga to set their aspirations and measure the appropriateness of these Tikanga Whakahaere. Not to provide this starting point would be counter-productive for the Haukainga. The proposed Tikanga Whakahaere offers to start the conversation, whilst the ending result may be completely different after consultation with all parties.

7.5 The proposal is considered to be consistent with the natural character and diversity of the Estate and does not appear to have an adverse impact on the integrity, form, functioning or resilience of the taiao.

7.6 The proposal is considered to result in positive economic effects by providing employment through the planning, construction, maintenance and strategic direction phases, while creating less than minor effects on the rural and coastal character of the locality.

7.7 As such, this Report offers Proposed Tikanga Whakahaere that will create a meaningful corridor for WL, the Board and the Haukāinga to identify any areas of significance to the Haukāinga. These Proposed Tikanga Whakahaere will enhance the Estate's value as a national treasure while respecting its deep-rooted connections to the Haukāinga.



8. RECOMMENDATIONS: PROPOSED TIKANGA WHAKAHAERE

8.1 In consideration of the proposed Special Purpose Zone, a set of values have been identified and proposed to assist WL and the Board in managing any future land developments in a culturally appropriate way. These Proposed Tikanga Whakahaere may also be utilised in establishing rules of compliance for each Subzone of the Special Purpose Zone.

8.2 Please see attached as Annex "D", the Proposed Tikanga Whakahaere that are intended to guide WL, the Board and the Haukāinga in future developments on the Estate.

8.3 The purpose of these Proposed Tikanga Whakahaere are to offer an avenue for dialogue, meaningful engagement and participation against the backdrop of the history of the Haukāinga, with the flexibility of economic success in the horizon. They are intended to balance the environmental, cultural and economic considerations around future developments on the Estate.

8.4 The Proposed Tikanga Whakahaere will also identify next steps that will assist the Board and the WL in establishing no go areas for future development, by commissioning the production of Areas of Significance to Māori Map alongside the Haukāinga.

8.5 Finally, the Proposed Tikanga Whakahaere are offered as a live document that will create a meaningful corridor to for the WL, the Board and the Haukāinga to work in partnership and in good faith.



NĀ HEEMI KAPA-KINGI ĒNEI WHAKAAHUA



9. KUPU WHAKAKAPI

9.1 The impact of the FNDC Proposed District plan will hinder the capacity of the Estate to not only thrive, but to also survive. In comparison to similar applications made, the Waitangi National Trust has already gone further substantially by promoting a culturally appropriate space that is reflective of the unique heritage of the Haukāinga as well as the national significance of the Estate to Aotearoa. The Proposed Tikanga Whakahaere offers a meaningful engagement process that is rooted in partnership and demonstrates a proactive approach to ensuring that the Haukāinga cultural, environmental and historical values are respected and incorporated into the economical decision making processes of the Estate.

9.2 The proposed Special Purpose Zone will establish four subzones that will allow for different scales of considerations to ensure that appropriate tikanga align with the unique attributes of each area. This not only creates meaningful engagement with the Haukāinga but allows for that engagement to extend to the tikanga associated to each subzone throughout the Estate.

9.3 In their submission to the FNDC, the Haukāinga also identified that they need to be resourced in order to be able to participate. As such, provisions have also been made for this in the Proposed Tikanga Whakahaere, in relation to resourcing the next steps required to achieve a Map identifying Sites of Significance throughout the Estate. This is a necessary step to allow meaningful participation.

9.4 Given that the Proposed Tikanga Whakahaere have identified the next steps required to produce a map of sites of significance to the Haukāinga, together with the measures that the Board and WL already undertake to promote Māori culture on a local, regional, national and international scale, the proposed Special Purpose Zone has more than met the cultural objectives of the PDP, as well as those already granted with Kauri Cliffs and the Carrington Estate.

9.5 In light of the rich and diverse legacy of the Estate, the proposed Special Purpose Zone allows for the comprehensive management approach that is required for this scale. There is such a vast range of characteristics throughout the Estate that to paint it generally as a productive zone as the PDP has done, would only restrict the potential for development for WL, the Board, the Haukāinga and the rest of Aotearoa. This Report and the attached Proposed Tikanga Whakahaere are submitted in support of the proposed Special Purpose Zone and will assist the Haukāinga in protecting wāhi tapu, building traditional leadership capacities and developing inter-tribal and international networks integral to the advancement of the Estate.



10. RĀRANGI PUNA KŌRERO

- Te Paparahi o Te Raki: Wai 1477, #1.1.1(e) & Wai 2700, #1.1.25: Fifth Amended Statement of Claim by Esme Warati Sherwin.
- Waitangi Tribunal, Tino Rangatiratanga me te Kāwanatanga: The Report on Stage 2 of the Te Paparahi o Te Raki Inquiry, Part I, Volume 1: 3.2.7 Rāhiri's people - Page 100.
- Waitangi Tribunal, Tino Rangatiratanga me te Kāwanatanga: The Report on Stage 2 of the Te Paparahi o Te Raki Inquiry, Part I, Volume 1: (2) The southern alliance and Ngāti Rāhiri : Maikuku's people - Page 108.
- The Mana Wahine Kaupapa Inquiry: Heeni Hoterene Brief of Evidence for Wai 2700 (#A75) - Para 9.
- Te Paparahi o Te Raki Inquiry: Te Tiriti and its Northern Context: (#A020) Page 25.
- Te Paparahi o Te Raki Inquiry: Te Tiriti and its Northern Context: (#A020) Page 133.
- Waitangi Tribunal, Tino Rangatiratanga me te Kāwanatanga: The Report on Stage 2 of the Te Paparahi o Te Raki Inquiry, Part I, Volume 2: Page 712.
- Waitangi Tribunal, He Whakaputanga me te Tiriti, Wai 1040, pp134-135 ; Stirling, 'From Busby to Bledisloe' (doc W5), p41.
- The Mana Wahine Kaupapa Inquiry: Heeni Hoterene Brief of Evidence for Wai 2700 (#A75) - Para 5.
- Haukainga Submission to FNDC regarding Proposed District Plan dated 20 October 2022: Submission #389.
- FNDC SECTION 32 REPORTS:
 - Historical Heritage & Heritage Area Overlay May 2022 - Page 3, Executive Summary.
 - Special Zone - Carrington Estate Zone (May 2022).
 - Special Zone - Kauri Cliffs (May 2022).

