

**BEFORE HEARING COMMISSIONERS DELEGATED BY FAR NORTH
DISTRICT COUNCIL / TE KAUNIHERA O TE TAI TOKERAU KI TE RAKI**

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of the hearing of submissions on the Proposed Far North
District Plan

**STATEMENT OF EVIDENCE OF NGAHUIA RAMARI HARAWIRA (CULTURAL
EFFECTS) FOR WAITANGI LIMITED (SUBMITTER 503)**

HEARING 15B (REZONING – NEW SPECIAL PURPOSE ZONES)

30 May 2025

BUDDLE FINDLAY

Barristers and Solicitors
Wellington

Solicitors Acting: **Dave Randal / Libby Cowper**
Email: david.randal@buddlefindlay.com / libby.cowper@buddlefindlay.com
Tel 64 4 462 0450 / 64 4 462 0926
Fax 64 4 499 4141 PO Box 2694 DX SP20201 Wellington 6011

1. INTRODUCTION

- 1.1 My name is Ngahuia Ramari Harawira. I am an independent contractor of Ngāpuhi and Te Hiku o Te Ika wide descent.
- 1.2 My evidence is given on behalf of Waitangi Limited (Submitter 503) in relation to the Proposed Far North District Plan (**Proposed Plan**).
- 1.3 Waitangi Limited's submission relates solely to the Waitangi National Trust Estate (**Estate**) which contains the historic Waitangi Treaty Grounds / Te Pitowhenua (**Treaty Grounds**). It is responsible for managing the day-to-day operations at the Estate.

2. AUTHORITY ON BEHALF OF THE HAUKĀINGA

- 2.1 I am confident in the tikanga of Te Whare Tapu o Ngāpuhi and accept that there are tikanga unique to each takiwā of Te Tai Tokerau. I have experience in practicing those tikanga, both on the Marae and through wānanga. I have been invited to prepare a cultural values assessment (**CVA**) on behalf of the Haukāinga¹ in respect of Waitangi Limited's submission. I am able to speak with authority on these matters.
- 2.2 I understand that in providing this evidence, my role is to advise the Panel impartially about matters of tikanga, to assist it in making its decision.

3. CODE OF CONDUCT

- 3.1 While this hearing is not before the Environment Court, I acknowledge that I have read the Environment Court's Code of Conduct for Expert Witnesses (contained in the 2023 Practice Note) and agree to comply with it. Except where I rely on the evidence of another person, I confirm that the issues addressed in this statement of evidence are within my area of expertise, and I have not omitted to consider material facts known to me that might alter or detract from my expressed opinions.

4. BACKGROUND AND ROLE

- 4.1 I was engaged by Waitangi Limited on 27 March 2025 to prepare a CVA on behalf of the Haukāinga to support its submission on the Proposed Plan

¹ The term Haukāinga refers to local and neighbouring hapū and iwi who hold ancestral, historical and contemporary relationships with the whenua and includes local hapū, Ngāti Rāhiri, Ngāti Kawa and Te Matarahurahu, the wider Te Whare Tapu o Ngāpuhi.

which seeks to create a new special purpose zone (within the meaning of the National Planning Standards (November 2019 – Updated February 2022) to apply to the Estate.

4.2 In preparing the CVA, I have:

- (a) attended a full day wānanga on 19 March 2025 with key kaikōrero, Isaiah Apiata, where the focus was around building cultural capacity in the operations of the Estate, and areas of significance and kōrero tuku iho;
- (b) attended an online Waitangi marae hapū komiti hui on 23 March 2025 to discuss the preparation of the CVA and sites of significance to Māori throughout the Estate;
- (c) reviewed key documentation, including Te Paparahi o Te Raki Waitangi Tribunal Reports and evidence and submissions, submissions on the Proposed Plan, including that prepared by Ngāti Rahiri, and the Far North District Council's (**Council**) section 32 reports;
- (d) discussed the Waitangi Estate Special Purpose Zone proposal with Waitangi Limited, the Waitangi National Trust Board (**Trust Board**) and Ms Rochelle Jacobs, Waitangi Limited's consultant planner;
- (e) reviewed the proposed provisions for the Waitangi Estate Special Purpose Zone prepared by Ms Jacobs that are provided at Appendix K of the s32AA report (**proposed provisions**); and
- (f) developed a guiding set of principles to support a partnership model between Haukāinga, Waitangi Limited and the Trust Board in the future management of the Estate in accordance with the Waitangi Estate Special Purpose Zone.

4.3 My final CVA dated 13 May 2025 is appended at Appendix E to the report that Ms Jacobs has prepared in accordance with section 32AA of the Resource Management Act 1991 and the Panel's Final Minute 14 (**s32AA report**).

4.4 The CVA is a crucial document in ensuring that tangata whenua perspectives are gathered, represented and considered in relation to the proposed Waitangi Estate Special Purpose Zone.

5. SCOPE OF EVIDENCE

5.1 The purpose of my evidence is to:

- (a) provide an overview of the cultural history of the Estate and Haukāinga interests;
- (b) describe the potential effects of the Proposed Plan on cultural values and the interests of the Haukāinga;
- (c) with Haukāinga wide consultation and clear guiding principles, demonstrate why the proposed Waitangi Estate Special Purpose Zone is supported by the Haukāinga; and
- (d) address the need to resource the Haukāinga to implement the next steps identified in the CVA.

5.2 I confirm that in preparing my evidence I have read in draft the evidence of Ms Jacobs, Mr Ben Dalton, chief executive of Waitangi Limited, and Mr Simon Cocker, landscape expert, for Waitangi Limited.

6. EXECUTIVE SUMMARY

6.1 A unique and comprehensive management approach is needed to acknowledge the cultural values and interests in the Estate that are held by the Haukāinga, in recognition of their mana tuku iho.

6.2 The CVA sets out the cultural history of the Estate and the interests of Haukāinga in the site, including prior to the signing of Te Tiriti o Waitangi / The Treaty of Waitangi (**Te Tiriti**).

6.3 The cultural interests of the Haukāinga in the Estate are grounded in continuous whakapapa connection, sustained occupation and enduring obligations to the whenua and wai. 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.

6.4 Provided there is an opportunity to meaningfully consult with the Haukāinga, establish guiding principles and identify sites of significance, the proposed Waitangi Estate Special Purpose Zone is supported by the Haukāinga. The nature of the term Haukāinga, is extended to neighbouring hapū and iwi with shared areas of interests in the Estate. The consultation

required for the proposed Waitangi Estate Special Purpose Zone is regional.

- 6.5 The circumstances of the Estate warrant a bespoke planning approach that will enhance the relationship between the Haukāinga, Waitangi Limited and the Trust Board, and provide for appropriate future use of the Estate.
- 6.6 To support the implementation of the Waitangi Estate Special Purpose Zone, the CVA includes recommendations (Tikanga Whakahaere) as foundational guiding principles to foster a partnership model between the parties that upholds cultural integrity and mutual respect.

7. OVERVIEW OF THE CULTURAL HISTORY OF THE ESTATE AND HAUKĀINGA INTERESTS

- 7.1 The CVA sets out the cultural history of the Estate and the interests of the Haukāinga, including prior to the signing of Te Tiriti.
- 7.2 The Waitangi Tribunal Te Paparahi o Te Raki Stage 2 Inquiry Report records that the Haukāinga have showed tino rangatiratanga over the Estate and surrounding lands from the mid-1700s until today.
- 7.3 The Haukāinga provided a submission on the Proposed Plan (#389) with regard to their interests in the Far North. The submission emphasised Te Oranga o Papatuānuku – the intrinsic relationship between the wellbeing of tangata whenua and the wellbeing of the whenua – and the need for tangata whenua to be recognised as kaitiaki and supported to implement their goals and aspirations throughout the district.
- 7.4 The perspectives expressed in the Haukāinga's submission have been incorporated into the design of the proposed Tikanga Whakahaere and will continue to have relevance in the future application of the Waitangi Estate Special Purpose Zone.

8. EFFECT OF THE PROPOSED PLAN ON THE CULTURAL VALUES AND INTERESTS OF THE HAUKĀINGA

- 8.1 As described in the evidence of Ms Jacobs, the Proposed Plan, as notified, proposes to zone and apply a range of overlays and cultural and heritage feature items to the Estate.

- 8.2 The CVA provides that Proposed Plan will significantly limit the Estate's capacity for future development, which will adversely impact its relationship with the Haukāinga. It significantly limits Waitangi Limited and the Trust Board's ability to maintain and develop the Estate in the interests of Aotearoa and in accordance with its guiding legislation, the Waitangi National Trust Board Act 1932.
- 8.3 In particular, the provisions in the Proposed Plan apply generically throughout Te Hiku o Te Ika, leaving no room to build a comprehensive management approach needed for the Estate. In particular, the Proposed Plan:
- (a) offers little policy support for any future land use developments that Waitangi Limited or the Trust Board may wish to pursue separately or in partnership with Haukāinga;
 - (b) will limit the relationship between the Haukāinga, Waitangi Limited and the Trust Board;
 - (c) fails to recognise the local, regional, national and international importance of the Estate, which operates as a national marae and a physical meeting point for Māori and the Crown; and
 - (d) overlooks the need to have a unique and comprehensive management approach for the Estate that is tailored to its rich and diverse history.
- 8.4 The tailored approach provided by the Waitangi Estate Special Purpose Zone has been designed to mitigate these detrimental impacts of the Proposed Plan on the cultural values and interests of the Haukāinga in respect of the Estate.

9. WHY THE WAITANGI ESTATE SPECIAL PURPOSE ZONE IS SUPPORTED BY THE HAUKĀINGA

- 9.1 The proposed Waitangi Estate Special Purpose Zone is described in the evidence of Ms Jacobs, the s32AA report, and the proposed provisions. In summary, the proposal:
- (a) applies an area-specific special purpose zone to the Estate; and
 - (b) divides the special purpose zone into four sub-zones that reflect the current and proposed land use:

- (i) Te Pitowhenua (Treaty Grounds) sub-zone;
- (ii) Papa Rehia (Recreation) sub-zone;
- (iii) Whakanga (Tourism) sub-zone; and
- (iv) Ahuwhenua (General Activities) sub-zone.

9.2 The Waitangi Estate Special Purpose Zone enables a more integrated and comprehensive management approach that appropriately recognises and supports the Estate's heritage and legacy, including:

- (a) cultural heritage protection;
- (b) natural environment and cultural protection;
- (c) areas of significance to Māori (to be discussed further with the Haukāinga);
- (d) protection of the Estate's waterways; and
- (e) community and visitor engagement, including meaningful access to the Haukāinga and manuhiri.

9.3 The four sub-zones offer an opportunity to balance the preservation of the historic character, natural features and landscape values, and cultural values of the area against future land use activities that are sensitive to these attributes. They allow for a comprehensive and culturally appropriate management approach that balances cultural, environmental, and economic development and supports existing cultural initiatives at the Estate, including:

- (a) Te Kōngahu, the Museum of Waitangi;
- (b) Te Whare Rūnanga – the national meeting location for Māori and the Crown;
- (c) Te Rau Aroha – The Price of Citizenship Museum;
- (d) the Flagstaff;
- (e) the Treaty House;
- (f) cultural performances;
- (g) guided tours;

- (h) the annual Waitangi Day festival;
- (i) annual Anzac Day commemorations; and
- (j) Ngātokimatawhaorua.

9.4 Further, the proposed sub-zones recognise the Estate's commitment to Te Tiriti through:

- (a) Kaitiakitanga: ensuring that the Estate's natural resource, ecosystems and values are respected and sustainably managed for future generations;
- (b) Access and participation: providing meaningful Haukāinga engagement regarding future developments at the Estate;
- (c) Education and heritage: promoting continued education and the sharing of the Estate's historical and cultural significance, and educational pathways for building cultural capacity; and
- (d) Sustainability for future generations: protecting the Estate's national significance as a living space for future generations.

9.5 The four sub-zones 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 also allows for that engagement to extend to the tikanga associated with each sub-zone throughout the Estate.

9.6 As such, the Waitangi Estate 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 sub-zones 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.

9.7 The proposal is considered to be consistent with the natural character and diversity of the Estate, does not appear to have an adverse impact on the integrity, form, functioning, or resilience of the taiao, and will result in positive economic effects, including due to employment opportunities.

10. TIKANGA WHAKAHAERE: RECOMMENDATIONS TO SUPPORT THE ONGOING PROTECTION OF CULTURAL VALUES AND INTERESTS

- 10.1 The CVA includes proposed next steps, Tikanga Whakahaere, and addresses the issue of resourcing haukāinga to implement these phases in order to guide a positive relationship between the Haukāinga, Waitangi Limited and the Trust Board in a manner that will enhance the Estate's value as a national treasure while respecting its deep-rooted connections to the Haukāinga.

Ngahuia Ramari Harawira

30 May 2025