

BEFORE THE HEARINGS PANEL

**I MUA NGĀ KAIKŌMIHANA MOTUHAKE I TE
KAUNIHERA O TE HIKU O TE IKA**

UNDER

the Resource Management Act
1991 ("**RMA**")

IN THE MATTER OF

the Proposed Far North District
Plan ("**PDP**")

**ADDITIONAL STATEMENT BY MAKARENA EVELYN TE PAEA ON BEHALF OF
TE AUPŌURI COMMERCIAL DEVELOPMENT LTD**

PLANNING

11 JUNE 2025

1. INTRODUCTION

- 1.1 My full name is Makarena Evelyn Te Paea Dalton. A full statement of qualifications and experience is within my evidence in chief ("**EiC**") dated 16 May 2025 on behalf of Te Aupōuri Commercial Development Ltd ("**Te Aupōuri**") as it relates to its submission and further submission on the PDP – Hearing Stream 12.
- 1.2 I attended the hearing for this topic in-person on 28 May 2025 and presented evidence alongside Te Aupōuri's representatives and cultural experts Mr Tipene Kapa-Kingi and Mr Pereniki Conrad to the Hearing Panel.

Summary of Request by the Hearing Panel

- 1.3 This additional evidence statement has been prepared in response to requests made by the Hearing Panel, in particular Mr Robert Scott ("**Mr Chair**"), that arose during a line of questioning by Councillor Halkyard-Harawira in relation to my recommended amendments to the notified Schedule 3 – Sites and Areas of Significance to Māori ("**Schedule 3**")¹. Specifically, Mr Kapa-Kingi and Mr Conrad identified additional discreet matters that they considered to be 'errors' or 'spelling mistakes' of names / descriptions that were not previously identified as part of their primary evidence statement.

¹ As outlined at Attachment A of my EiC.

1.4 The Hearings Panel considered it would be helpful to capture this additional information in writing, and any other clarifications to Te Aupōuri's experts primary evidence statements including mapping, to enable full consideration of Te Aupōuri's relief sought. This additional evidence statement addresses the additional amendments raised during oral presentations of Te Aupōuri's evidence as it relates to notified Schedule 3. This additional statement of evidence addresses the following:

- (a) additional amendments to 'names / descriptions';
- (b) additional amendments to 'requesting party'; and
- (c) clarification of requests to schedule 3 and the planning maps.

2. ADDITIONAL AMENDMENTS TO SCHEDULE 3 – NAMES / DESCRIPTIONS

2.1 Mr Kapa-Kingi and Mr Conrad have provided an additional statement of evidence enclosing an updated assessment of six sites that they consider require further updates to the 'Name / Description' column of the as notified Schedule 3. In summary these amendments are shown below (~~striking through~~ showing deletion, **bold underline** showing new text):

- (a) **MS01-2:** Kaatata waahi tapu & ~~Epie~~**ha** fruit tree reserve;
- (b) **MS01-23:** **Motu Whāngari Kuri** Parengarenga Islands (Dog Island) Historic Reserve;
- (c) **MS01-24:** Motu Mapau**u** Tribal Reserve;
- (d) **MA01-32:** **Te** Kokota Spit - taonga and waahi tapu;
- (e) **MS02-13:** ~~Waimirangi~~**Potahi** Marae;
- (f) **MS02-17:** Motu Puruhi & ~~Terakautuhake~~ **Terakautukaha** Islands – taonga

2.2 Mr Kapa-Kingi and Mr Conrad have provided additional commentary at **Attachment 1** of their additional evidence statement to support the amendments detailed above. In their opinion, the changes above are minor and likely reflect spelling errors or omissions at the time these sites were originally scheduled. Given the Tangata Whenua Section 32 Report does not provide any assessment or provide any analysis to support the scheduling of these sites, I can only consider and rely on Mr Kapa-Kingi and Mr Conrad's cultural evidence as it relates to these matters.

- 2.3 For this reason, and in reliance of Mr Kapa-Kingi and Mr Conrad's opinions it is my opinion that the amendments should be made to the notified schedules of the PDP to reflect these changes.

3. AMENDMENTS TO 'REQUESTING PARTY'

- 3.1 During the hearing proceedings Cr Halkyard-Hariwira, and Commissioner's Peter Kensington and Siani Walker raised the following questions as it relates to Te Aupōuri's amendments to the 'Requesting Party' column:

- (a) Has any consultation been undertaken to inform these recommended amendments?
- (b) Are there overlapping interests with any other iwi?

- 3.2 In relation to (a) above, Mr Kapa-Kingi responded within the hearing confirming that no consultation had been undertaken with any other parties. I note that the exception of this is Parengarenga Incorporation enclosed as Attachment C of Mr Kapa-Kingi and Mr Conrad's primary evidence. I highlight the following from Parengarenga Incorporation's letter as it relates sites within their landholdings (emphasis added):

"We support the recommendation from Te Rūnanga Nui o Te Aupōuri to revise those references, so they correctly reflect Te Aupōuri as the appropriate Requesting Party where applicable.

...

Parengarenga Incorporation acknowledges the deep and enduring connection of Te Aupōuri to the sites in question, particularly those in and around Parengarenga Harbour. Updating the schedule will help preserve the integrity of the record and ensure that iwi with longstanding mana and responsibilities are appropriately recognised."

- 3.3 In relation to 'overlapping interests' with other iwi, Mr Kapa-Kingi noted in the hearing that there are of course overlapping interests with other Te Hiku Iwi² through whakapapa. Mr Kapa-Kingi also noted that this is reflected in the deeds of settlement of iwi. Where Te Aupōuri has recommended deletion of other requesting parties, Mr

² Te Hiku Iwi captures and includes Te Aupōuri, Te Rarawa, Ngāti Kuri, Ngāti Takoto, and Ngāti Kahurangi.

Kapa-Kingi and Mr Conrad noted the following within their additional statement of evidence (**emphasis added**):

*“We have **recommended removal of other requesting parties within the area that is considered 100% Te Aupōuri’s rohe**. This is a more defined area than Te Aupōuri’s deed of settlement ‘Area of Interest’ and is localised to the area around Te Kao and Parengarenga Harbour area that’s stretches from coast to coast to the Karikari Peninsula.”³*

- 3.4 Taking the above into account, Mr Kapa-Kingi and Mr Conrad have recommended additional refinements to sites MA01-31, MS01-36, MS01-37, and MS01-38 with their specific reasons for each change summarised at Attachment 1 of their additional evidence statement.
- 3.5 In the absence of any specific section 32 analysis for each site and area of significance to Māori proposed for scheduling, I have relied on Te Aupōuri’s cultural experts Mr Kapa-Kingi and Mr Conrad. On this basis I consider further refinements should be made to the notified schedules for sites and areas of significance to Māori which are summarised in Attachment 1 to this additional statement of evidence.

4. CLARIFICATION OF REQUESTS TO SCHEDULE 3 AND THE PLANNING MAPS

MS01-23 ‘Motu Whāngai Kurī / Dog Island’

- 4.1 During the presentation of Te Aupōuri’s evidence I noted that I could not find the corresponding map within the notified PDP showing MS01-23 referred to as ‘Dog Island’ within the notified schedules. Mr Kapa-Kingi and Mr Conrad considered that there is no other island within Parengarenga Harbour, to their knowledge, that is named ‘Dog Island’ except a small atoll within the harbour, north of Paua peninsula – see **Figure 1** below that is traditionally named ‘Motu Whāngai Kurī’. Attachment A of Te Aupōuri’s cultural EiC provides an assessment of Motu Whāngai Kurī, noting its significance in relation to their tupuna Ihutara.
- 4.2 Commissioner Kensington sought clarification on whether this feature should be scheduled, due to its significance to Te Aupōuri, if it has not already. Having considered this further, I consider the atoll should be mapped and scheduled (if it is not already) based on the EiC of Te Aupōuri’s cultural experts which provides an

³ Refer to paragraph 1.3 of Mr Kapa-Kingi and Mr Conrad’s additional statement of evidence/

assessment of this feature, including the historic significance of this island in relation to one of Te Aupōuri's tupuna.



Figure 1: Location of Motu Whāngai Kuri Shown by the Red dot.

MS02-24 Lake Morehurehu and Lake Kahika

- 4.3 As notified, MS02-24 relates to Lake Morehurehu and has been identified within the planning maps as an indicative red circle – see **Figure 2** below. Mr Kapa-Kingi and Mr Conrad additional statement of evidence provides additional commentary that clarifies that there are two lakes within this Parengarenga Incorporation landholding⁴, being Lake Morehurehu (already scheduled) and Lake Kahika to the north (not scheduled). Mr Conrad, as the Chairperson of Parengarenga Incorporation considers that both lakes are culturally significant waterbodies to both the Māori landowners and Te Aupōuri Iwi.
- 4.4 My EiC only sought amendments Schedule 3 to update the 'Name / Description' of MS02-24. However, following further discussions with Mr Kapa-Kingi and Mr Conrad, it may be more appropriate to amend Schedule 3 by incorporating a new site relating to 'Lake Kahika' given it is a distinct feature, separate from MS02-24. This has been

⁴ Legally described as Part Parengarenga B3C Block and held within record of title NA67B/56.

discussed with Mr Kapa-Kingi and Mr Conrad and they consider the PDP planning maps should be updated to follow the margins of each lake to assist plan users to accurately identify these features – see **Figure 3** which visually depicts these two lakes.

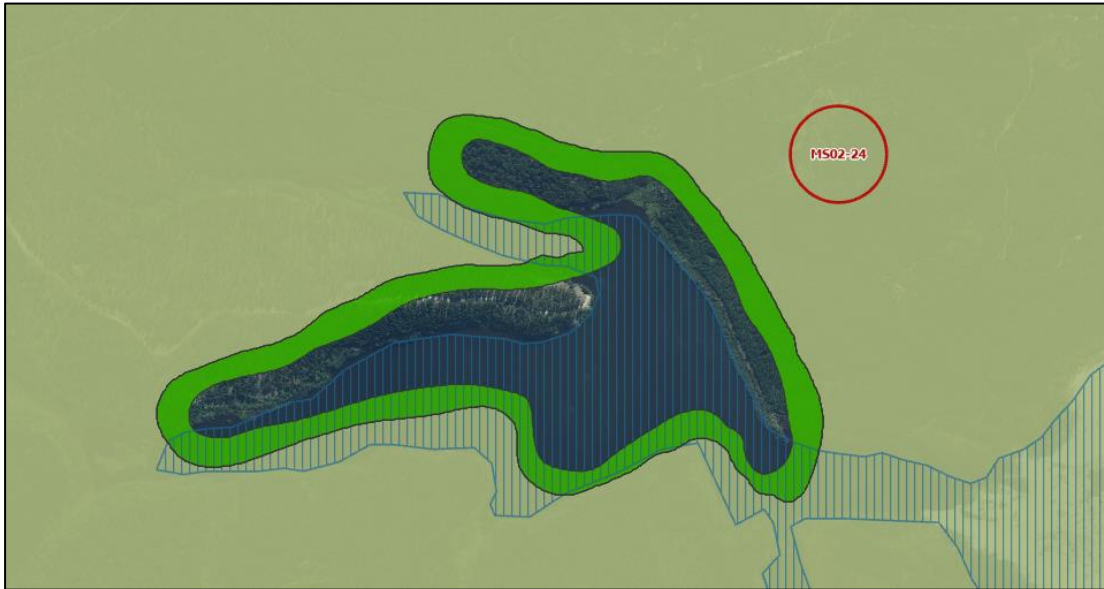


Figure 2: PDP Maps Showing Scheduled Feature MS02-24



Figure 3: Lake Morehurehu (Shown in Red) and Lake Kahika (Shown in Blue) (Source: Emaps)

- 4.5 In summary, I consider amendments to PDP planning maps should be made to identify both Lake Morehurehu and Lake Kahika, following the edge of the lake boundaries in accordance with **Figure 3** above for the following reasons:

- (a) These mapping changes are logical as they provide certainty to plan users of the location of these sensitive sites and more refined mapping will be more effective to protect and maintain the cultural values associated with these features; and
- (b) Mr Conrad is the chairperson of Parengarenga Incorporation who have provided written confirmation that they support these changes⁵.

MS02-25 Te Tomo A Tawhana (Twin Pā)

4.6 As notified, the PDP proposes the scheduling and mapping (refer to **Figure 4**) of MS02-25 as follows:

MS02-25	Ngataki	Te Ramanuka No. 2 - maunga tapu	Ngāti Kuri & Te Hāpua Iwi/Hapū (located on DoC Estate)	
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Figure 4: PDP Map Showing MS02-25.

⁵ Refer to Attachment C of Mr Kapa-Kingi and Mr Conrad's EiC.

- 4.7 My EiC recommended the following amendments to the notified Schedule 3, but did not recommend amendments to the proposed planning maps:

MS02-25	<u>Ngataki</u>	<u>Te Ramanuka No. 2 Te Tomo A Tāwhana (Twin Pā) - maunga tapu</u>	<u>Ngāti Kuri & Te Hāpua Iwi/Hapū (located on DeC Estate) Te Aupōuri Iwi</u>
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- 4.8 Attachment A of Mr Kapa-Kingi and Mr Conrad's primary evidence summarises Te Aupōuri's association with the site and notes their view that the feature should be renamed 'Te Tomo a Tawhana'. It includes a map (shown at Figure 5 below) showing the Pā, which was returned to Te Aupōuri as cultural redress through their Treaty settlement. A copy of the map as shown in Te Aupōuri's deed of settlement is enclosed as **Attachment 2** of this statement.

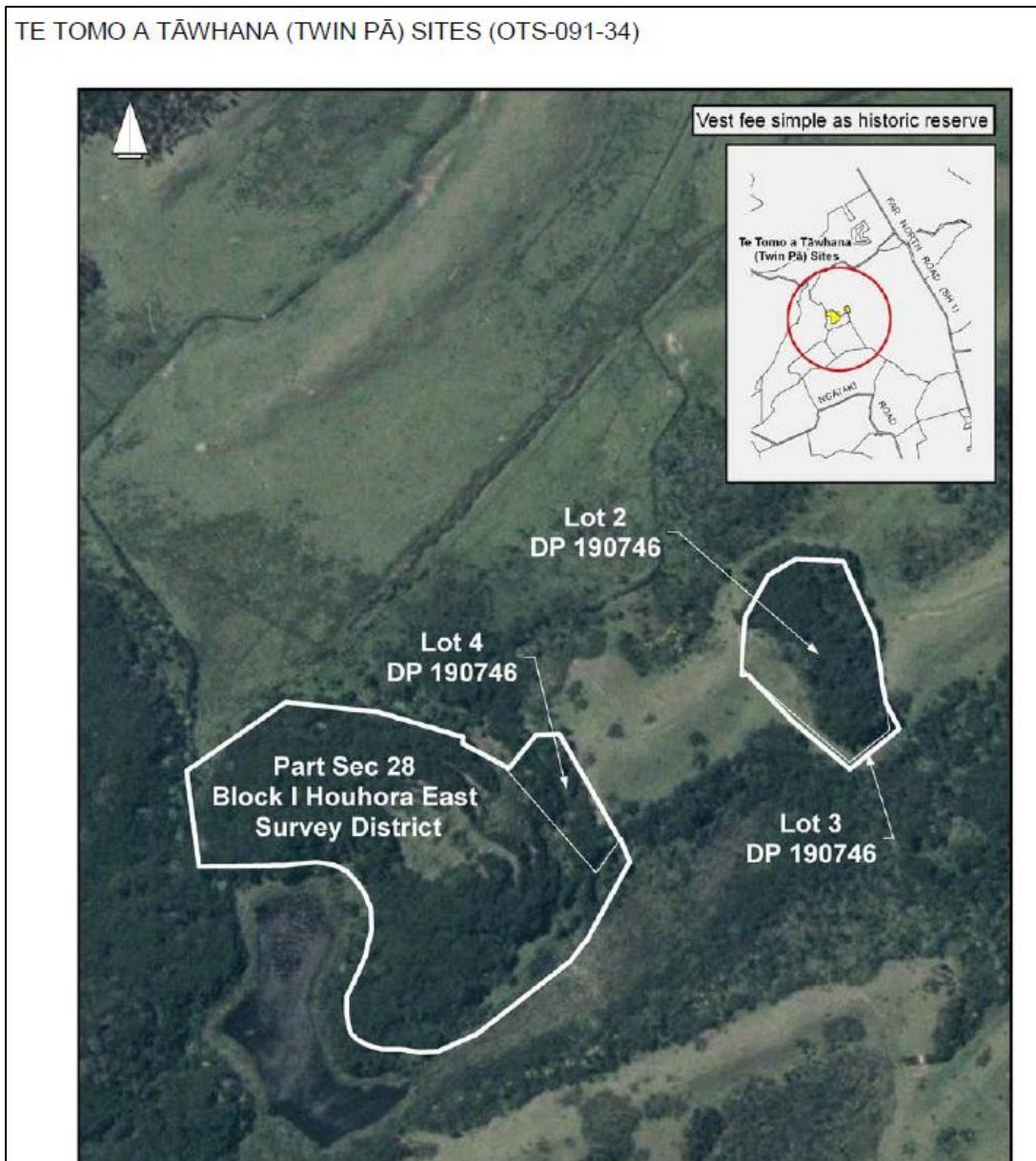


Figure 5: Image Showing Te Tomo o Tawhana (Source: Te Aupōuri Deed of Settlement).

- 4.9 Given Te Aupōuri are the owners of Te Tomo A Tawhana and taking into account the expert advice of Mr Kapa-Kingi and Mr Conrad, I consider it would be helpful to update the planning maps to align with the parcel boundaries of Te Aupōuri's cultural redress to provide plan users more certainty of its extent.
- 4.10 In closing, I remain of the opinion that Schedule 3 should be updated and also consider the planning maps should be updated in accordance with Te Aupōuri's Treaty settlement as shown in **Figure 5**.

Makarena Dalton

Date: 11 June 2025

Attachment 1 – Updated Recommended Amendments

This section has rules that have legal effect.

Attachment 1 – Te Aupōuri Amendments to PDP Schedule 3 Schedule of Sites and Areas of Significance to Māori

Note – The below provisions represent the relief sought by Te Aupōuri Commercial Development Ltd (Te Aupōuri) (s339) and recommended amendments to the provisions sought to the Proposed District Plan.

- For clarity, only sites of significance to Te Aupōuri where they have sought amendments are included in the table below. All others have been removed from the table.
- Text with underline used for new text and ~~strikethrough~~ for deleted text reflects the amendments enclosed to Makarena Dalton's evidence in chief.
- Text with underline used for new text and ~~strikethrough~~ for deleted text reflects the amendments enclosed to Makarena Dalton's additional evidence statement.
- New sites are shown in the red box.

Schedule 3 Schedule of Sites and Areas of Significance to Māori

Refer to chapter on Sites and Areas of Significance to Māori for the rules that apply to the taonga in this schedule.

The Council has a responsibility under the Act to recognise and provide for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga. The Council must also have regard to kaitiakitanga, and shall take into account the principles of Te Tiriti o Waitangi / the Treaty of Waitangi.

The provisions in the Tangata Whenua section of this Plan provide an overview of the resource management issues of concern to tangata whenua. One method of protecting sites and areas of significance to Māori is to prepare an inventory of such sites and to restrict activities within such sites. Where there is an application to modify any site of cultural significance to Māori, the tangata whenua shall be considered an affected party.

The following schedule has been sourced in part from information in the Transitional District Plan. In addition, the Council has resourced a series of workshops. The result of these workshops has been the identification of specific sites, the identification of areas which contain unmarked sites, and the people and/or organisations to be contacted in response to any application for a resource consent. The information gathered at these workshops is held by Council and is available on request.

The sites were located on 1:50,000 topographic maps (MS260 series) by circles drawn around individual sites (where the centre point of the circle depicts the location of the site); or large circles/areas drawn around a number of unmarked or "silent" sites. The location of these sites or areas is by map reference, or in the case of information from the Transitional District Plan, by legal description. Revealing the location of the "silent" sites, including wāhi tapu, is a sensitive issue.

In the Transitional District Plan, this Schedule only listed those sites that:

- were on Māori land or on Department of Conservation estate; and/or
- were in the Transitional Plan; and/or
- are on general title land and there has been consultation with the affected landowner.

Where the column headed "Name & Description" contains a reference to "silent file", the Council has made an order pursuant to s42 of the Resource Management Act 1991 prohibiting or restricting the publication or communication of any information supplied to avoid serious offence to tikanga Māori or to avoid the disclosure of the location of wāhi tapu.

Where the column headed "Requesting party" lists a party, which may be an Iwi authority, hapū or landowner, this is not intending to identify who has mana whenua over the site and area of cultural significance.

Place #	Location	Name/Description	Requesting Party	Legal Description
MS01-03	Tawakewake	Tukuamereana - urupā	Ngāti Kurī Iwi, <u>Te Aupōuri Iwi</u>	
MS01-04		Takahua - waahi tapu	Ngāti Kurī Iwi, <u>Te Aupōuri Iwi</u>	

MS01-05		Tumakanga Pa Tomokanga Pā	Ngāti Kurī Iwi, Te Aupōuri Iwi	
MS01-07	Te Neke Blk	Te Neke - waahi tapu	Māori Owners, Te Aupōuri Iwi	Te Neke Blk
MS01-08	Pakohu	Moetangi - waahi tapu	Māori Owners, Te Aupōuri Iwi	Pakohu 4C; MR: Gaz 1978 p.426
MS01-19	Takahua Blk	Takahua - waahi tapu	Māori Owners, Te Aupōuri Iwi	Takahua Blk; MR: Gaz 1968 p.1164
MS01-20	Waipuna Blk	Waipuna - waahi tapu	Māori Owners, Te Aupōuri Iwi	Waipuna Blk (church place)
MS01-21	Parengarenga	Kaatata waahi tapu & Epie ha fruit tree reserve	Māori Owners, Te Aupōuri Iwi	Parengarenga 5A2; MR: Gaz 1974 p.1210; & Pt Parengarenga 5A3 (adjoins Kaatata)
MS01-22	Parengarenga	Te Pua Camping Reserve	Parengarenga B3A Trustees, Te Aupōuri Iwi	Parengarenga B3A; MR: Gaz 1976 p.242
MS01-23	Parengarenga	Motu Whāngai Kuri Parengarenga Islands (Dog Island) Historic Reserve	Te Hāpua 42 Incorp- Aupōuri Trust Board, Te Aupōuri Iwi	
MS01-24	Parengarenga	Motu Mapau uo Tribal Reserve	Māori Owners, Te Aupōuri Iwi	Pt Parengarenga 5A1
MS01-25	Parengarenga	Mingi - waahi tapu	Māori Owners, Te Aupōuri Iwi	Pt Parengarenga 5B2B3 (Steamer Point)
MS01-26	Matapia Island	Matapia Historic Reserve	Ngāti Kurī & Te Hāpua Iwi/Hapū, Te Aupōuri Iwi	Matapia Island
MS01-28	on Ngakaropu Stream, Te Kao	Tangoake Wharf "site"	Māori Owners, Te Aupōuri Iwi	Te Kao 1B; MR: Gaz 1970 p.1881
MS01-29	Te Kao (at Te Kao Stream)	Tangoake Landing Reserve	Māori Owners, Te Aupōuri Iwi	Te Kao 1A; MR: Gaz 1970 p.1881
MS01-30	up Waitangi Stream	Rangikairuku Pa and waahi tapu	Māori Owners, Te Aupōuri Iwi	Tapapaukura Blk
MA01-31	Parengarenga Harbour	Paua papakainga development	Ngāti Kurī & Te Hāpua Iwi/Hapū, Te Aupōuri Iwi	
MA01-32	Parengarenga Harbour	Te Kokota Spit - taonga and waahi tapu	Ngāti Kurī & Te Hāpua Iwi/Hapū, Te Aupōuri Iwi	
MS01-33	Far North Rd	The Big Lake - sacred Awa	Ngāti Kurī & Te Hāpua Iwi/Hapū, Te Aupōuri Iwi	
MS01-34	Aupōuri Peninsula	Sacred Awa	Ngāti Kurī & Te Hāpua Iwi/Hapū, Te Aupōuri Iwi	
MS01-35	Aupōuri Peninsula	Sacred Awa	Ngāti Kurī & Te Hāpua Iwi/Hapū, Te Aupōuri Iwi	
MS01-36	Aupōuri Peninsula	Ngatuwhote Ngāti Whetū - sacred Awa	Ngāti Kurī & Te Hāpua Iwi/Hapū, Māori Owners, Te Aupōuri Iwi	
MS01-37	Aupōuri Peninsula	Lake Waikanae - sacred Awa	Ngāti Kurī & Te Hāpua Iwi/Hapū, Te Aupōuri Iwi	
MS01-38	Aupōuri Peninsula	Lake Kihona - sacred Awa	Ngāti Kurī & Te Hāpua Iwi/Hapū, Te Aupōuri Iwi	

			Iwi	
MS02-06	Te Arai Trig	Te Arai - waahi tapu	Ngāti Kuri & Te Hāpua Iwi/Hapū Te Aupōuri Iwi	Te Arai Trig
MS02-07	adjoining Lake Wahakari	Wahakari Recreation Reserve	Ngāti Kuri & Te Hāpua Iwi/Hapū Te Aupōuri Iwi	Te Kao 1M; MR
MS02-08	Te Kao	Potahi - waahi tapu	Ngāti Kuri & Te Hāpua Iwi/Hapū Te Aupōuri Iwi	Te Kao 1E; MR: Gaz 1970 p.1881
MS02-09	Te Kao	Nga Tapuwae Church	Ngāti Kuri & Te Hāpua Iwi/Hapū Te Aupōuri Iwi	Te Kao 65A (Ratana Temple); MR: Gaz 1959 p.1504
MS02-10	Te Kao	Tirohia Saleyard Reserve	Ngāti Kuri & Te Hāpua Iwi/Hapū Te Aupōuri Iwi	Te Kao 64A; MR: Gaz 1957 p.1920
MS02-11	Te Kao	Tawhiti Rahi Pa	Ngāti Kuri & Te Hāpua Iwi/Hapū Te Aupōuri Iwi	Te Kao 1K (Trig) (Aupouri Pa); MR: Gaz 1970 p.1881
MS02-12	Te Kao	Ngatumoroki Tutumaiao - waahi tapu	Ngāti Kuri & Te Hāpua Iwi/Hapū Te Aupōuri Iwi	Te Kao 32A (7th Day Adventist Church); MR: Gaz 1958 p.1848
MS02-13	Te Kao	Waimirirangi Potahi Marae	Ngāti Kuri & Te Hāpua Iwi/Hapū Te Aupōuri Iwi	Te Kao 71D2 & 71D3; MR: Gaz 1970 p.1575 & 1972 p.2800
MS02-14	Te Kao	Te Toko o te Arawa - waahi tapu	Ngāti Kuri & Te Hāpua Iwi/Hapū Te Aupōuri Iwi	Te Kao 1G & 1H (Anglican Church cemetery); MR: Gaz 1970 p.1881
MS02-15	The Bluff & Te Wakatehaua Island	Wakatehaua Camping Reserve	Ngāti Kuri & Te Hāpua Iwi/Hapū ; The Bluff Trustees, Te Aupōuri Iwi	Parengarenga 5B2A; MR: Gaz 1977 p.405
MS02-16	Te Kao	Te Kao Church	Ngāti Kuri & Te Hāpua Iwi/Hapū Te Aupōuri Iwi	Te Kao 32B1
MS02-17	Simmonds Island	Motu Puruhi & Terakautuhako Terakautukaha Islands - taonga	Ngāti Kuri & Te Hāpua Iwi/Hapū (located on DoC Estate) Te Aupōuri Iwi	
MS02-19	Ngataki	Waihopo Lake - sacred Awa	Ngāti Kuri & Te Hāpua Iwi/Hapū Te Aupōuri Iwi	
MS02-22	Great Exhibition Bay	Lake Hikitama and Taeore Area - sacred Awa	Te Aupōuri Iwi Ngāti Kuri & Te Hāpua Iwi/Hapū (located on DoC Estate)	
MS02-24	Tangoake	Lake Morehurehu and Lake Te Kahika - sacred Awa	Ngāti Kuri & Te Hāpua Iwi/Hapū , Maori Owners , Te Aupōuri Iwi	
MS02-25	Ngataki	Te Ramanuka No. 2 Te Tomo A Tāwhana (Twin Pā) - maunga tapu	Ngāti Kuri & Te Hāpua Iwi/Hapū (located on DoC Estate) Te Aupōuri Iwi	
MS02-26	Ngataki	Swan Lake - sacred Awa	Ngāti Kuri & Te Hāpua Iwi/Hapū Te Aupōuri Iwi	

NEW SITES TO BE ADDED

MSXX-XX	Ngataki	<u>Lake Kahika - sacred Awa</u>	<u>Maori Owners, Te Aupōuri Iwi</u>	
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Attachment 2 – Deed of Settlement Twin Pā Map

TE AUPŌURI DEED OF SETTLEMENT
ATTACHMENTS

2.2: CULTURAL REDRESS PROPERTIES

TE TOMO A TĀWHANA (TWIN PĀ) SITES (OTS-091-34)

