

BEFORE HEARINGS COMMISSIONERS APPOINTED

BY THE FAR NORTH DISTRICT COUNCIL

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

SUBMITTER Arawai Limited

HEARING TOPIC: Hearing 12 – Historic and Cultural Values

STATEMENT OF PLANNING EVIDENCE OF STEVEN REMANA SANSON

12 May 2025

INTRODUCTION

1. My name is Steven Remana Sanson. I am a Director / Consultant Planner at Sanson and Associates Limited and Bay of Islands Planning (2022) Limited.
2. I have been engaged by Arawai Limited¹ (**AL**), to provide evidence in support of their submission to the Proposed Far North District Plan (**PDP**).
3. I note that while the Environment Court Code of Conduct does not apply to a Council hearing, I am familiar with the principles of the code and have followed these in preparing this evidence.

QUALIFICATIONS AND EXPERIENCE

4. I hold the qualification of Bachelor of Planning [Hons] from The University of Auckland, graduating in 2013 and I am an Intermediate Member of the New Zealand Planning Institute.
5. I have over 10 years' experience and have previously held planning positions in the Far North District. In my current role I regularly advise and assist corporate and private individuals with the preparation of resource consent applications including subdivision and land use consents and relevant regional council consents. I have also processed resource consent applications for councils, prepared submissions on district plan changes, and processed plan changes.

ABOUT THE SUBMITTER

6. Sir Hekenukumai Busby purchased the property [now known as NA45C/958], on 22 April 1966. He remains the sole owner of the site.
7. Sir Hekenukumai Busby bequeathed the bulk [114.4ha of the 115.8 ha] of Okokori B to the Hekenukumai Nga Iwi Trust.
8. In 2012 part of that 115ha (2.1ha) was set aside as a Māori Reservation, known as Te Awapoko Waka Wananga Reserve.
9. AL is the commercial arm of its two shareholders - the Hekenukumai Ngā Iwi Trust and Te Taitokerau Tarai Waka Inc. It was set up in 2001 by Sir Hekenukumai as commercial operations require different skills and experience to waka sailing and wayfinding.
10. AL develops and operates the Kupe Waka Centre on the Te Awapoko Waka Wananga Reserve under a management agreement with the Hekenukumai Ngā Iwi Trust signed in 2019. Under this agreement AL leases the Reserve and another 2.9ha for operational purposes including the carpark, depot and nursery. Together these represent almost half

¹ Submission 581

(5ha of the 10.3ha) of Ōkokori B that has been incorrectly scheduled as MS05-38. Refer Figure 1 for an outline of the spatial relationship described above.



Figure 1 – Reserve & Operational Area Vs Incorrectly Scheduled Site (Source AL)

11. In 2021 AL applied for a resource consent for works including a new classroom and waka cover under a development plan supported by the Provincial Growth Fund. The incorrect scheduling of a portion of Ōkokori B played a significant role in the refusal of the consent. This has compromised AL’s programme, incurred significant unplanned costs, and delayed opening of the Waka Centre by two years.

SCOPE OF EVIDENCE

12. Hearing 12 addresses submission points relating to the PDP – Historic and Cultural Values topics. The s42A reports splits these matters into four reports and include:
 - Heritage Area Overlay and Historic Heritage
 - Sites and Areas of Significance to Māori
 - Notable Trees
 - Kororāreka Russell Township Zone
13. I have been asked by AL to provide expert planning evidence arising from their submission seeking deletion of MS05-38 [Site of Significance to Māori] from the site legally described as Okokori B Block [NA45C/958], located at Aurere, Tokerau Beach.

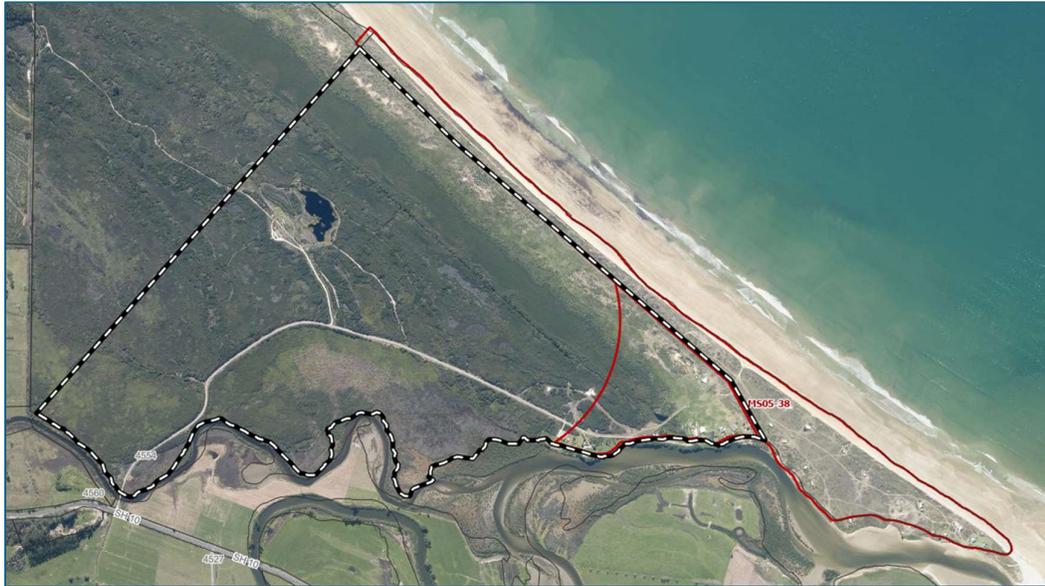


Figure 2 – Landholding with MS05-38 Overlay (Source: PDP Maps)



Figure 3 – Relevant Landholdings Legal Descriptions (Source: Prover)



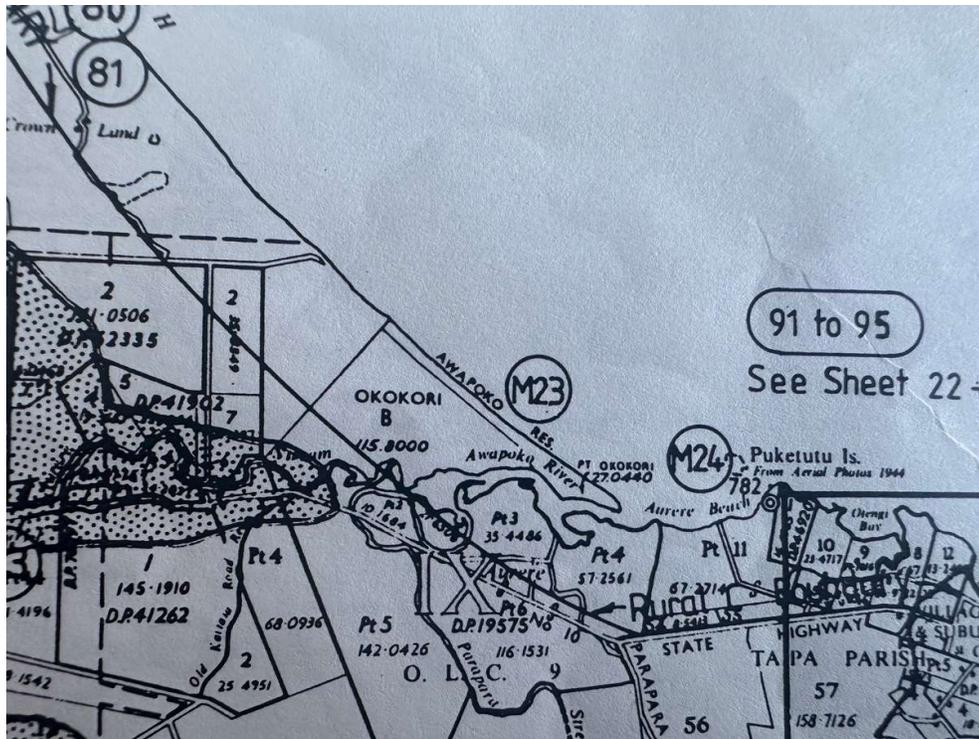
Figure 4 – Relevant Landholding Owners (source: Prover)

14. In preparing this evidence, I have reviewed the s42A report for the Site and Areas of Significance to Māori chapter. I have adhered to the instructions of hearing Minute 1 ‘take a lead from the s42A Report in terms of content of evidence, specifically that evidence highlights areas of agreement and disagreement with the s42A Report, outlines any changes in Plan wording proposed (along with the rationale for these changes) together with an assessment pursuant to S32AA of the RMA’.

ORIGINAL SUBMISSION 581 AND RELIEF SOUGHT

15. The submission by AL contends that the application of MS05-38 on Okokori B Block [NA45C/958] is a long-standing error that has not been remedied.
16. Justification for removing MS05-38 on the submitters land is provided in the original submission and was based on research undertaken by a Council Officer as part of a resource consent application [refer **Appendix A**].
17. The following is a summary of the history of the site and the application of MS05-38:
 - A Partition Order was issued by the Maori Land Court on 11 March 1954 under Court reference 81 N 292 which created Okokori A and B Blocks.
 - Before title was issued for Okokori A Block in February 2010, the parcel was formally identified as ‘Pt Okokori Block’. This is the reference in the 1988 Mangonui County Operative District Scheme.
 - The Site of Significance to Māori we understand as MS05-38 in the PDP was formally introduced into the 1988 Mangonui County Operative District Scheme as ‘M23’².

² Appendix F of the 1988 Mangonui County Operative District Scheme



Reference on Planning Maps	Name of Reserve	Purpose	Identification	Administering Body
M23	Okokori/Kaimaua	Recreation Reserve and Wahi Tapu	Pt Okokori Blk 27.04 ha (Awapoko Reserve)	Maori owners

Figure 5 – Mangonui County Scheme 1988 (source: Author)

- It is clear from the description of M23 that the Site of Significance to Māori only applies to ‘Pt Okokori Block’ which is Okokori A. It does not apply to any of 115.8ha of Okokori B.
- Subsequent district schemes and plans have since ‘rolled over’ the Site of Significance to Māori as it was delineated in the 1988 Mangonui County Operative District Scheme.
- The Operative District Plan describes it as below. As noted, it refers to Pt Okokori Blk and not specifically to Okokori B. The Awapoko Reserve also runs along the foreshore in Figure 4.

Place #	Location	Name/Description	Requesting Party	Legal Description	Map
MS05-38	Awapoko Reserve	Okokori/Kaimaua Recreation Reserve & waahi tapu	Maori Owners	Pt Okokori Blk (Awapoko Reserve)	14

Figure 6 – Operative District Plan (source: Far North District Council)

18. In the Māori Land Court judgement (50TTK 9) [2012], Ambler J commented that when the Court dealt with the partition of Okokori into A and B in the 1950s that there was express reference to “tapu” being on Okokori A.
19. In a minute of the meeting Prichard J referred to the proposed reservation to be partitioned (that would become Okokori A) as being for a camping and fishing reserve and to include the tapu.
20. It is noted in Figure 4 and Figure 5 that Pt Okokori Block is also within the location or identified as the Awapoko Reserve. The minutes by Prichard J (11 March 1954) confirm that Okokori A is the Awapoko Reserve. The Title Order from 1954 further confirms this. The plan from the Mangonui County Scheme above also confirms this.
21. There are no further submissions on the original submission. No parties are seemingly concerned with the submission.

SECTION 42A REPORT

22. Councils s42A Report concludes in paragraph 279 that there is insufficient evidence that justifies a deletion of MS05-38 from Schedule 3. Perhaps this is a misinterpretation of the relief sought by the submitter, as the relief seeks deletion of MS05-38 from Okokori B Block [NA45C/958], not its entirety.
23. The s42A Report also concludes that no evidence of consultation with the requesting party has been provided. Given the evidence provided above that the application of MS05-38 is an error, this requirement appears obsolete.
24. In any event, both the Mangonui County Scheme and the current Operative District Plan considers that the ‘maori owners’ are the ‘requesting party’ or ‘administering body’. As outlined above, the site has been owned by Sir Hekenukumai since 22 April 1966. The submitter is a legal entity / person that is associated with Sir Hekenukumai.
25. Both the Mangonui County Scheme and the Operative District Plan refer to the ‘maori owners’ as the administering body or requesting party. Using this logic, Sir Hekenukumai is that party, and by inference, so is the submitter.
26. No commentary is made in the s42A Report of the evidence provided in the submission by AL, nor is there any further exploration of the rationale for removing the section of it that applies to Okokori B Block [NA45C/958].
27. I therefore do not agree with the conclusions made in the s42A Report, and reiterate that the Site of Significance to Māori MS05-38 as it applies to Okokori B Block [NA45C/958] should be removed as it is an error. Evidence aside, it is also considered that the submitter is the requesting party / administering body in this instance and has the mandate for its removal.

SECTION 32AA EVALUATION

Effectiveness and Efficiency

28. Removing the incorrect portion of MS05-38:
- avoids unnecessary compliance costs for landowners (e.g., resource consents, cultural impact assessments) where no cultural value exists;
 - provides clarity and certainty about where cultural values apply, reducing disputes and misunderstandings;
 - retains accuracy of the PDP and preserves its integrity and credibility, which in turn reduces future plan change processes and legal challenges;
 - achieves the objectives of the PDP and the RMA, which seek to protect only areas that have demonstrated cultural significance;
 - avoids undermining protections for real Sites and Areas of Significance to Māori by removing the perception that SSM overlays are inaccurate or arbitrary

Costs/Benefits

29. The cultural benefits are include greater certainty and accuracy around the mapping of cultural sites and maintaining the integrity of the planning framework.
30. There will be a reduction in consenting costs as the landowner will not need to consider any effects on MS05-38 as it applies to Okokori B Block [NA45C/958].

Risk of Acting or not Acting

31. The risk of not acting is that the Site of Significance to Māori continues to be incorrectly identified placing an unwarranted burden on the landowner in terms of land use. Further, ongoing administration of inaccurate mapping would waste council and tangata whenua time and effort that could otherwise be focused on protecting genuinely significant sites.

CONCLUSION

32. I am of the opinion that the mapping of MS05-38 on the AL land is a mistake that has been rolled over since its inception within the Mangonui District Scheme in 1988.
33. Removing the incorrect portion of MS05-38 aligns with the objectives and policies of the PDP by ensuring planning provisions accurately reflect verified cultural values.