

UNDER

The Resource Management Act
1991

IN THE MATTER OF

the Proposed Far North District
Plan

AND

a submission by Haititaimarangai
Marae Kaitiaki Trust

STATEMENT FOR HAITITAIMARANGAI MARAE KAITIAKI TRUST
7 AUGUST 2024

Ko Puwheke te Maunga

Ko Mamaru, Waipapa me Ruakarama ngaa Waka

Ko Tokerau me Karikari ngaa Moana

Ko Ngaati Kahu te Iwi

Ko Te Whaanau Moana me Te Rorohuri ngaa hapuu o runga

Ko Haititaimarangai te Marae

1. INTRODUCTION

1.1 These submissions are filed on behalf of Haititaimarangai Marae Kaitiaki Trust.

1.2 I have been asked to speak to the Trust's submission. While I am not a Trustee of this Trust, I attempt to represent the concerns and desired outcomes of the Trust and the hapū that it represents on this matter, and to reinforce the matters made in the submission that was endorsed by this Trust and the Haititaimarangai Marae 339 Trust.

1.3 We would have liked to have supported your decision-making with technical evidence on a number of those submission points, but our ability to commit the considerable funding required for each hearing week is limited. As a result, the Trust has chosen to reserve funding for later hearing weeks and to support your decision-making with expert cultural input from Mr Paul. We urge you to consider the technical evidence to presented by other submitters, particularly those submitters that are seeking provisions that ensure maintenance and enhancement of the environment, such as the Department of Conservation.

2. BACKGROUND

2.1 Like many other hapuu, our people have been alienated from much of our land through unjust land acquisition and resource exploitation by the Crown, its agents and manuhiri (guests) within our rohe. Not only have our people lost the land they relied on for their wellbeing, the development of that land by the Crown and others, and the lack of sustainable management, has led to the degradation of our rohe. We suffer significant multigenerational impacts on the social, cultural and economic wellbeing of our people.

2.2 Unfortunately, our hapuu is yet to complete the Treaty settlement process. While this will not replace what has been lost, we hope to see at least some of our lands and taonga returned. What will be difficult to resolve is the environmental degradation that has occurred and is still

occurring, on the watch of others. While we wait, we do not want further undermining of our rangatiratanga or further erosion of our culture, traditions and relationships with our whenua, awa, roto and other taonga.

- 2.3 Council has a critical role in making sure that the values, traditions and inter-entity relationships of our hapuu are addressed properly within our rohe. The proposed is an important mechanism to achieving this.

3. HAPUU VALUES AND RELATIONSHIPS

- 3.1 The Trust understands that the proposed plan is meant to implement national level planning instruments, like the Resource Management Act.

- 3.2 The Trust also understands that section 6 of the Resource Management Act requires decision-makers to "recognise and provide for" Māori culture, traditions and relationships that they have with ancestral lands, waters, sites, waahi tapu and other taonga.

- 3.3 "Recognise and provide for" are verbs. The words highlight that an action or and outcome is required, being something more than consideration.

- 3.4 Mr Paul's evidence sets out that at the moment, Council and resource consent applicants seem to struggle with understanding that something more than afterthought or light evaluation is required. To this end, it is important that the proposed plan provides clear guidance to future plan users.

4. CULTURAL EFFECTS ASSESSMENTS

- 4.1 As Mr Paul identifies, our hapuu have experienced challenges in having a meaningful say and visibility in decisions concerning our rohe.

- 4.2 Regarding the Coastal Environment, the Trust requested a new policy to identify what types of effects are acceptable (394.045):

Avoid significant adverse effects and remedy or mitigate other adverse effects on cultural values.

- 4.3 The section 42A author suggests that this is already provided for by TW-P6, which sets out matters to "consider" in evaluating applications.¹
- 4.4 Considering applications is different from specifying what level of effect might be acceptable in cultural terms. The latter sets an upper limit to harm that may occur in terms of our interests. That is not the same as thinking about (or considering) the level of harm and then setting that evaluation to one side.
- 4.5 Regarding outstanding natural features and landscapes, the Trust requested a new policy to identify what level of effects is acceptable (S394.039):

Avoid any significant adverse cultural effects and avoid, remedy or mitigate any other adverse cultural effects.

- 4.6 The section 42A author does not support inclusion of the above policy as the author is not clear on how it relates to outstanding natural features and landscapes, noting that cultural associations are already a criterion.²
- 4.7 Similarly to the above, cultural matters forming a part of the evaluation at the beginning does not translate to outputs, or recognition and provision for related cultural, traditions and ancestral relationships.³ For example, Waimango is identified as outstanding. Mr Paul and Mr Johns identify the significance on Waimango. Any harm to Waimango has a corresponding impact on our hapuu, given the inextricably intertwined connection we have with Waimango.
- 4.8 On the round, it is difficult to see how the interests of our hapuu could be recognised and provided for where a plan allows significant harm to occur.

5. NATURAL CHARACTER

- 5.1 The Trust requested a new policy in the natural character chapter (S394.042):

¹ Section 42A Report, Coastal Environment, para 134 - 135.

² Section 42A Report, para 126.

³ As required by section 6(e) Resource Management Act 1991.

Manage the effects of activities adjacent to surface water by avoiding significant adverse cultural effects and remedying or mitigating other adverse cultural effects.

- 5.2 The section 42A author does not support the inclusions as the "focus is...on the natural character values of freshwater margins". The author does not have a clear understanding of how the proposed policy relates to natural character values.
- 5.3 *Te Tangi a Te Manu* provides guidance for landscape assessments. It identifies that "landscape is unavoidably cultural" and that landscape "is composed not only of what lies before our eyes, but what lies within our heads. Each of the dimensions is understood through cultural concepts and values".⁴
- 5.4 The Trust understands that section 6(a) of the Resource Management Act also expressly considers rivers "and their margins". Taking an inclusive approach is consistent with that described by Mr Paul.
- 5.5 The Trust considers that assessments of natural character have a tendency to overlook cultural landscape elements. It wishes to bring cultural concepts and values to the forefront of considerations.

6. CONCLUSION

- 6.1 In conclusion, the Trust seeks inclusion of clear and practical policies in the proposed plan regarding cultural matters. Setting upper limits to tell plan users what level of harm is acceptable will assist in bringing focus to (often overlooked) cultural matters and encouraging decision-making that discharges section 6(e) Resource Management Act duties.

Dated 7 August 2024



Karena Hita

⁴ *Te Tangi a te Manu*, para 4.24.