

Hearing 12 – Historic and Cultural Values

27&28 May 2025

Re: Proposed Pouerua Heritage Area Overlay

Submitter: Sam and Fiona Chapman-Smith in support of Alec Jack (s277)

Property Address: 7135 SH1, RD2, Pakaraka

238Ha Beef Farm

Proposed Heritage Overlay Expansion beyond the existing Operative Plan

1. Introduction and Process Concerns

My name is Sam Chapman-Smith and I'm here on behalf of my family to express our opposition to the proposed expanded heritage overlay beyond the original Operative District Plan (ODP) map. The proposed increased overlay extent would increase the affected land area from approximately 6% to 70% of our farm.

We're not here to undermine the significance of Pouerua. We fully support the protection of genuine heritage sites. But we believe in getting it right. And right now, the overlay proposed over 70% of our farm — is not based on evidence, and it doesn't reflect the lived history of the land.

Alec sought (s277.024) to abolish the proposed expanded area not only for his property but in its entirety, and we are attaching to that. We fully support that submission and in particular, we request that any area outside of the already protected lava flow on our property to be removed.

2. Our Property and Impact

- A. We were shocked and upset to discover just **10 days ago** that **70% of our 600-acre beef farm** is still included in the Proposed Pouerua Heritage Area. Our Heritage-zoned land has jumped from **35 acres to 425 acres**, a drastic and deeply unfair increase. FNDC suggested we contact other submitters and attend today where we can attach to their submission, with their permission, and we are very grateful to their genuine endeavours to get us here today.
- B. Hand up MAPS and explain how we have two small lobes of lava flow which extend on to our property which are already protected, which we genuinely respect and have no issue with.

3. Involvement in Consultation and Submission Process

- A. We were instrumental in co-organizing the Pakaraka community meeting in 2021, and shortly after electronically submitted substantial feedback strongly opposing the proposed boundary overlay. We specifically stated that we wished to be heard on the matter and considered ourselves formally in this process. Particularly given, we are a highly affected landowner, where our 35 acres of protected heritage land, jumped to a whopping 425 acres.
- B. Despite our engagement, we were **not directly notified** of any follow-up steps. Despite this proposal dramatically affecting our land use and land value. We get phone calls regarding a late dog registration to the value of ~\$45, yet, nothing regarding this significant proposal which seems out of proportion to our almost \$20,000 annual rates bill. We feel that Public notification is not enough for landowners like ourselves.
- C. We acknowledge that we may bear some responsibility for not keeping up with the formal process. We genuinely believed that having submitted comprehensive written feedback in October 2021 and clearly requested to be heard, we were part of the formal process. We were unaware that the onus remained entirely on us to proactively monitor online updates or public notices to stay included.

4. Historic Context – 1993 NZHPT Review (Challis Report)

- A. The 1993 NZ Historic Places Trust conducted an **extensive investigation** of the area.
- B. That investigation established the original heritage boundary, which we understand was meant to be **full and final**.
- C. The Challis report states (paragraph 3, pg 3 Challis report), *“that Pouerua is definable as a single unit within which archaeological evidence is present, distinct from land beyond the boundary where archaeological evidence is absent”*.
- D. Our property is primarily outside the lava flow, and the small lava flow that is on our property is already protected within the original Operative Plan Heritage Precinct extent, and we agree that should remain.
- E. The area outside the small lava lobes has soil types that has been **extensively cultivated for generations**. It is a working farm — with ploughing, fencing, and other land improvements that have fundamentally altered the landscape, ultimately destroying archaeological evidence that may have existed.

5. Recent Developments and Inconsistencies (April 2025 Report)

- A. Mr Brown initially recommended that the South East (SE) area be included in the Overlay.
- B. He then, revised his position, and removed the SE area, after considering submissions received from landowners and Bill Edwards (Heritage NZ). (Melissa Pearson, the Section 42 report writer, also supported this removal in the SE [para 123]).
- C. The landowner submissions, demonstrated that the land had been in modern pastoral farming for over 100 years including extensive cultivation and therefore that the land is archeologically absent (as supported by the Challis report).
- D. Bill Edwards was not keen on the SE being included due to (p18 of his October 2022 report) *'it only has a few recorded archaeological sites, inclusive of a pa site, and appears to be in modern pastoral farming'*.
- E. Outside of the existing protected lava lobes, our farm has no recorded archeological sites, and certainly no pa sites, and the all the clay loam country has been subject to the same modern pastoral farming, yet remains in the proposed heritage overlay. This position fails to apply consistent logic, fails to rely on direct evidence and our land must be treated with the same principles that were applied to the SE.
- F. This inconsistency appears to be due to **no formal submissions from NW landowners**. Heritage rules should be based on **real archaeological evidence** and **applied consistently** not just because landowners (unintentionally) didn't engage.

6. Geographic Relevance

- A. Bill Edwards said the northern extension was to capture a **significant cultural landscape** with pā and stone structures.
- B. **Our farm contains none of these** and cannot reasonably be considered part of that landscape.

- C. Appendix 1 (p.7 of 38): Mr Brown recommends a small northern expansion, and he focused on the area near the **church and Ludbrook Junction—kilometres away** from us.
- D. This demonstrates we are **distinctly distant** and **unrelated** to that focal point.

7. Final Points [Regarding Heritage overlay extent]

- A. The overlay should preserve **genuine heritage sites**, not large swathes of productive farmland with no archaeological value.
- B. Our land's inclusion is **unjustified, inconsistent, and deeply harmful** to our family and business.
- C. We respectfully ask that our entire property outside the original protected lava flow county, be removed from the proposed Pouerua heritage area overlay.

COMPENSATION / DEVALUATION

8. Introduction

Alec Jack's Submission s277.005 and S277.006 seeks Tradeable Development Rights be made available and we fully support that. Rural productive land that is included in heritage overlay areas and associated rules will have a negative impact on value. The heritage status being applied to 70% of our farm, will have a huge financial impact on us. (We have borrowed extensively to buy the farm, and to do infrastructure which we hoped would improve the value of the land). The reality is that these heritage rules will have significant impact on value.

We do not at all agree with Melissa Pearson's brief summation that we don't lose value. Mr Brown relies on an AI-generated document to support value increase for heritage property.

9. General Observations

- A. *AI-generated document*, relies on *generalised international literature*. None of the material is specific to the Far North, rural pastoral land, or productive farmland but instead looks at idyllic charming towns in Norway and Turkey.
- B. Many cited benefits are urban-focused, applying to cities or towns with visible, preserved historic architecture, not large rural farms used for livestock grazing.
- C. Restricted land use through heritage overlays often leads to lower land values, due to:

- i. Development constraints
 - ii. Additional consenting and compliance costs
 - iii. Reduced certainty for buyers and investors
- D. Heritage NZ itself acknowledges that landowners face increased costs and reduced flexibility under heritage protection (in their Guide for Property Owners)
- E. A 2018 Auckland Council report (ironically cited by the AI Document from Mr Brown) showed that while some heritage areas see a premium, others do not, especially if restrictions outweigh perceived charm.
- F. Those restrictions which act like covenants and controls limit land use including;
 - i. Restrictions on horticultural planting,
 - ii. Prohibitions on subdivision,
 - iii. Additional compliance burdens for many day to day farming operations (burying animals, digging new beds, laying electrical cables, fieldwork to create a track, inability to build sheds for feed, issues with building worker accommodation, installing solar panels to get electricity for electric fence units and pumps, fencing, planting trees)
- G. We purchased this land at full market value with the understanding that it was viable for various types of farming and development. This designation severely restricts those options and undermines the investment we made.
- H. Farmland subject to constraints, with no visible heritage features, is less attractive to buyers, not more.
- I. Prospective buyers will take the farm title to their lawyer for due diligence who will have to painfully go through all the heritage rules and work out and explain what they can and can't do (on day to day farming matters, and development opportunities (or lack thereof) at significant cost, and no doubt significant caution - don't touch it, buy the farm up the road. Even if attempts are made to try to make the rules more amenable, there would still be the perceived "road block" to purchasing and operating a farm subject to heritage rules.
- J. These rules are not only excessive—they're **confusing and poorly communicated**. Even when you try to understand them, it's difficult to know what applies or whether you'll trigger a costly consent process. We have had varying advice from specialist people who are meant to be across what is happening who have been very uncertain and advised that they believe many of our day-to-day farming operations, and future opportunities are curtailed.

10. Conclusion of Compensation / Devaluation

- A. The report writers (Section 42 & Plan.Heritage reports) make generic, urban-centric assumptions that are irrelevant to the Pouerua heritage overlay context—especially for productive rural farmland. The economic benefits described are not just inapplicable, they obscure the very real economic harm imposed on us by overreaching, inconsistent heritage planning.

We urge decision-makers to focus on actual archaeological evidence, not speculative economic claims with no relevance to the people and land directly affected.

EXTRACT MAP FROM THE 1993 CHALLIS REPORT. (WITH MARKUP OVER)

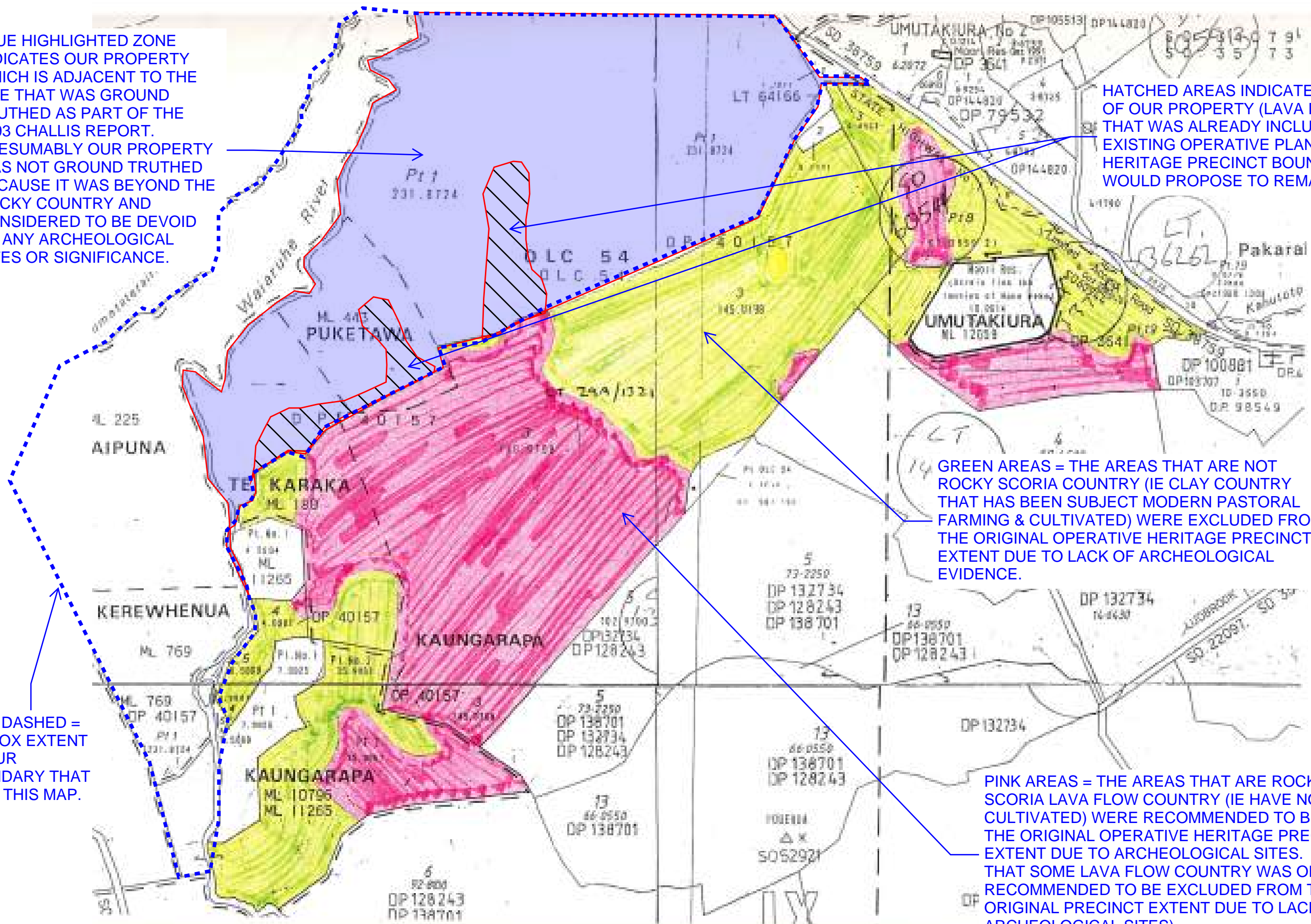
BLUE HIGHLIGHTED ZONE
INDICATES OUR PROPERTY
WHICH IS ADJACENT TO THE
ONE THAT WAS GROUND
TRUTHED AS PART OF THE
1993 CHALLIS REPORT.
PRESUMABLY OUR PROPERTY
WAS NOT GROUND TRUTHED
BECAUSE IT WAS BEYOND THE
ROCKY COUNTRY AND
CONSIDERED TO BE DEVOID
OF ANY ARCHEOLOGICAL
SITES OR SIGNIFICANCE.

HATCHED AREAS INDICATE APPROX EXTENT OF OUR PROPERTY (LAVA FLOW COUNTRY) THAT WAS ALREADY INCLUDED IN THE EXISTING OPERATIVE PLAN POUERUA HERITAGE PRECINCT BOUNDARY WHICH WE WOULD PROPOSE TO REMAIN AS IS.

GREEN AREAS = THE AREAS THAT ARE NOT ROCKY SCORIA COUNTRY (IE CLAY COUNTRY THAT HAS BEEN SUBJECT MODERN PASTORAL FARMING & CULTIVATED) WERE EXCLUDED FROM THE ORIGINAL OPERATIVE HERITAGE PRECINCT EXTENT DUE TO LACK OF ARCHEOLOGICAL EVIDENCE.

PINK AREAS = THE AREAS THAT ARE ROCKY SCORIA LAVA FLOW COUNTRY (IE HAVE NOT BEEN CULTIVATED) WERE RECOMMENDED TO BE WITHIN THE ORIGINAL OPERATIVE HERITAGE PRECINCT — EXTENT DUE TO ARCHEOLOGICAL SITES. NOTING THAT SOME LAVA FLOW COUNTRY WAS ORIGINALLY RECOMMENDED TO BE EXCLUDED FROM THE ORIGINAL PRECINCT EXTENT DUE TO LACK OF ARCHEOLOGICAL SITES)

BLUE DASHED =
APPROX EXTENT
OF OUR
BOUNDARY THAT
IS ON THIS MAP.



MARKUP OVER TOP OF FNDC MAP

APPROX 70% OF OUR FARM IS STILL INCLUDED IN THE PROPOSED OVERLAY MAP HERE, WHILE WE HAD ~6% ON THE BASIS OF THE ORIGINAL OPERATIVE PLAN EXTENT. AS IDENTIFIED ON THE ATTACHED MAP 2, THE SOIL TYPES HERE PROVIDE STRONG EVIDENCE OF THE FACT THAT THIS LAND HAS LONG BEEN SUBJECT TO MODERN PASTORAL FARMING WHICH INCLUDES CULTIVATION AND SHOULD BE RECOGNISED AS DEVOID OF ARCHEOLOGICAL SIGNIFICANCE. THE OVERLAY BOUNDARY SHOULD BE PULLED BACK TO THE ORIGINAL OPERATIVE PLAN HERITAGE PRECINCT EXTENT WITHOUT ANY FURTHER EXPANSION. THE WORK WAS DONE IN 1993 AND THEY GOT IT RIGHT. THERE IS NO NEED TO EXPAND THE BOUNDARY OF THE OVERLAY.



THIS MAP HAS SHOWN AN ADJUSTMENT MADE TO THE PROPOSED OVERLAY BOUNDARY. IT APPEARS TO IDENTIFY SOME RECOGNITION OF THE ARBITRARY NATURE OF THE PREVIOUS BOUNDARY IN THIS NORTH WESTERN AREA AND HAS PULLED BACK TO WHAT APPEARS TO BE THE WAIARUHE RIVER. THIS ALSO APPEARS TO SHOW NO CONSIDERATION OF THE FEEDBACK WE HAVE PROVIDED OR ANY SIMILARITY IN RATIONALE TO THE VERY LARGE REDUCTION IN AREA TO THE SOUTH EAST.

WHITE OUTLINE INDICATES APPROX EXTENT OF OUR PROPERTY.

HATCHED AREAS INDICATE EXISTING ~6% OF LAND ALREADY INCLUDED IN EXISTING OPERATIVE PLAN HERITAGE PRECINCT EXTENT WHICH WE ACCEPT SHOULD REMAIN.

Pouerua Heritage Area

LARGE REDUCTION IN PROPOSED OVERLAY BOUNDARY TO THE SOUTH EAST.

Legend

Proposed District Plan Heritage Area

Proposed District Plan Heritage Item

Pouerua Heritage Area - Removed

Pouerua Heritage Area - Retained

MAP 2

C:\Users\jworthington\OneDrive - The Property Group Limited\Client\Far North District Council\00000_Heritage NZ Pouerua Taonga PDP